



**Agenda**  
**Lake City Common Council**  
**Regular Meeting April 8, 2024**  
**6:00 PM**  
**City Hall Council Chambers**

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1. Pledge of Allegiance/Call to Order/Introductions
  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. Fire Relief minutes February 29, 2024
    - b. Planning Commission workshop minutes March 6, 2024
    - c. Planning Commission minutes March 6, 2024
    - d. Ambulance Commission minutes March 18, 2024
    - e. Streets, Parks & Public Safety Commission March 19, 2024
    - f. Port Authority Board minutes March 21, 2024
    - g. 2024 Ambulance Work Plan- draft
  5. New Business
    - a. Approve Task Order 13 with Bolton & Menk, Inc. for a Lake City urban flooding stormwater management plan
    - b. Accept MPCA Small Communities planning grant for \$70,685
    - c. Approve hire of Derrick Hoffman for Street Maintenance Worker
  6. Unfinished Business
    - a. Waive second reading & adopt Ordinance 637 naming public road Quartz Drive
    - b. Waive second reading & adopt Ordinance 638 re-zoning 2101 S Highway 61
    - c. Approve Pavement Management Plan Task Order 7 - Amendment 1
    - d. Adopt Pavement Management plan as presented at the 4-8-24 Council Workshop
  7. Consent Agenda
    - a. Review and approve Council workshop minutes March 11, 2024
    - b. Review and approve Council minutes March 11, 2024

- c. Review and approve Council special workshop minutes March 18, 2024
  - d. Review and approve expense claims March 8- April 2, 2024
  - e. Accept City's 2023 financial statement by Smith Schafer & Associates.
  - f. Adopt Resolution 24-013 accepting donations for the first quarter 2024
  - g. Adopt Resolution 24-014 Confirming board and commission appointment – Marie D Miller, Library Board
  - h. Approve request for the Lake City Fire Department Relief Association to host a raffle event on July 6, 2024 at the Lake City Fire Hall.
  - i. Approve 1-4 Day Temporary On-sale Liquor License for Lake City Fire Relief Association Dance July 5-6, 2024.
  - j. Approve 1-4 Day Temporary On-sale Liquor license for Lake City Chamber of Commerce Tour de Pepin reception June 1,2024.
  - k. Approve request for Consumption & Display permit for the Lake City Yacht Club
  - l. Approve request for the Lake City Area Arts to host a bingo event June 27-30, 2024 at Lake City Area Arts building.
  - m. Approve Cemstone farm lease with John Dose
  - n. Approve Lake City Area Arts Encroachment permit
8. Future Meeting Dates
- a. April 2024 Calendar
  - b. May 2024 Draft Calendar
9. Adjourn



April 8, 2024

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**Agenda Item Description:** Disclose conflicts relating to agenda items

**Originating Department:** City Clerk

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

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**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk



April 8, 2024

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**Agenda Item Description:** Mayor and Councilmember minute

**Originating Department:** City Clerk

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

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**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk



April 8, 2024

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**Agenda Item Description:** Fire Relief minutes February 29, 2024

**Originating Department:** City Clerk

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

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**Action Requested:**

Review Fire Relief minutes February 29, 2024.

**Reviewed By:** Administration

**Preparer:** Matt Herzig, Fire Relief Secretary

**ATTACHMENTS:**

**Description**

▣ 2.29.24 minutes

**Lake City Fire Department  
Relief Meeting  
February 29<sup>th</sup> 2024**

President C. Tourney called the meeting to order at 6:00 P.M.

**Board members present:** Dan Patterson, Chris Tourney, Jack Weyer, Matt Herzig, Tom Reckmann, Justin Cerwinske, Dan Cox and Luke Hartzell

**Board members Absent:** None

**Active members present:** Travis Coyle, David Glomski, Brandon Herzig, Michael Lafferty, Baxter O'Reilly, Jack Weyer, Derek Nibbe, and Anthony Schultz,

**Retired members:** Tom Brown, Dan Moyer, Rob Huppert, Duane Sprick, Gene Durand, and Tom Haase

**City officials present:** Faye Brown, Jerome Illg, and Dan Patterson

**Others present:** None

**Secretary's Report**

Approve Minutes (December 14<sup>th</sup>, 2023 minutes)

Motion- J. Weyer

Second- L. Hartzell

Vote- Pass

**Treasurer's Report**

Motion by J. Weyer to approve the treasurer's report. Second by L. Hartzell. Motion Carried

**Old Business-**

1. None

**New Business-**

1. Motion by D. Patterson to increase pension from \$6,000 to \$6,500. Second by L. Hartzell. Motion Carried.
2. Motion by T. Reckmann to approve updates to bylaws for pension increase from \$6,000 to \$6,500. Second by L. Hartzell. Motion Carried.
3. Motion by J. Weyer to approve \$2,800 to purchase letter, raffle tickets, fold and stuffed letters for the dance. Second by L. Hartzell. Motion Carried.
4. Motion by D. Cox to spend \$800 on a grill. Second by L. Hartzell. Motion Carried.
5. Motion by J. Weyer to spend \$2,500 on a stage for our Fire Department Dance. Second by L. Hartzell. Motion Carried.

**ELECTIONS OF OFFICERS-**

**THE FLOOR WILL OPEN UP FOR ELECTIONS.—INCUMBENT IN PARENTHESIS**

1-PRESIDENT (C. TOURNEY)      Motion made by J. WEYER    for G. Haeska

SECONDED BY      D. Glomski                      VOTE- Passed

2-VICE-PRESIDENT (J.CERWINSKE) Motion made by    D. Glomski      for L. Hartzell

SECONDED BY      D. Patterson                      VOTE- Passed

3-SECRETARY (M. HERZIG) Motion made by D. Glomski for D. Cox  
SECONDED BY L. Hartzell VOTE- Passed  
4-TREASURER (T. RECKMANN) Motion made by D. Glomski for T. Reckmann  
SECONDED BY D. Nibbe VOTE- Passed  
5-FIRST TRUSTEE (L. HARTZELL) Motion made by T. Schultz for J. Weyer  
SECONDED BY L. Hartzell VOTE- Passed  
6-SECOND TRUSTEE (J. WEYER) Motion made by D. Glomski for J. Dose  
SECONDED BY D. Nibbe VOTE- Passed

**AID COMMITTEE-APPOINTMENT BY PRESIDENT (INCUMBENT IN PARENTHESIS)**

1-VICE PRESIDENT- (L. Hartzell)  
2-APPOINTEE #1- (B. Smith)  
3-APPOINTEE #2- (T. Shultz)

**OTHER BUSINESS/GOOD OF THE ORDER.**

**Motion to wave the \$5 fee for retired members**

Motion- T. Schultz Second-L. Hartzell Vote- Passed

**MOTION TO ADJOURN BY:**

Motion- M. Herzig Second- L. Hartzell Vote- Passed  
Meeting adjourned at 6:21pm



April 8, 2024

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**Agenda Item Description:** Planning Commission workshop minutes  
March 6, 2024

**Originating Department:** Planning

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

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**Reviewed By:** Planning

**Preparer:** Megan Smith, Planning and Community Development Director

**ATTACHMENTS:**

**Description**

- ▣ Planning Commission minutes March 6, 2024 workshop



**PLANNING COMMISSION  
WORKSHOP  
MARCH 6, 2024 5:00 P.M.  
SECOND FLOOR CONFERENCE ROOM**

Member's present: Tom Rasmussen, Dennis Branum, Joe Kjelland, Steve Prigge, Carrie Cronin, Stephanie Atkinson

Member's Absent: None

Others present: Planning and Community Development Director Megan Smith, City Council Liaison Brian Quinn, Keeley Roach Planning and Community Development Administrative Assistant, Travis Dunn Assistant Public Works Director.

**CALL TO ORDER**

JOE KJELLAND CALLED THE MEETING TO ORDER AT 5:15 P.M.

TECHNOLOGY ISSUES OCCURRED AND COMMISSIONERS MOVED TO THE COUNCIL CHAMBERS AT 5:22 P.M.

Director Smith used the League of Minnesota Cities Education based for zoning and land use. Commissioners gathered in the Council Chambers to learn more about zoning and permitting through the state of Minnesota.

**ADJOURN**

ADJOURN AT 5:52 P.M.

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Joe Kjelland, Chairperson

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



April 8, 2024

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**Agenda Item Description:** Planning Commission minutes March 6, 2024

**Originating Department:** Planning

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

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**Reviewed By:** Planning

**Preparer:** Megan Smith, Planning and Community Development Director

**ATTACHMENTS:**

**Description**

- ▣ Planning Commission minutes March 6, 2024

**PLANNING COMMISSION  
MARCH 6, 2024 6:00 P.M.  
CITY COUNCIL CHAMBERS**

Member's present: Joe Kjelland, Tom Rasmussen, Randi Kirchner, Stephanie Atkinson, Steve Prigge, Carrie Cronin, Dennis Branum

Member's absent:

Others present: Planning and Community Development Director Megan Smith, Planning and Community Development Administrative Assistant Keeley Roach, Council Liaison Brian Quinn, Assistant Public Works Director; Travis Dunn.

**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**

KJELLAND ADDED; ELECTIONS OF CHAIR AND VICE CHAIR TO THE AGENDA.

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

**PUBLIC FORUM**

No one from the public spoke.

**MEETING MINUTES**

MOTION BY RASMUSSEN SECONDED BY CRONIN TO APPROVE THE PLANNING COMMISSION MEETING MINUTES; AS PRESENTED, FOR FEBRUARY 6, 2024. ALL AYES.

**NEW BUSINESS:**

**PUBLIC HEARING & CONSIDERATION OF RE-ZONING AT 2101 S HIGHWAY 61**

An application was submitted by Barb Milhem and Terry Bowling for the re-zoning of 2101 S Highway 61; formerly the Wild Wings Building. Megan Smith explained to the commission that the current zoning is for Light Industrial and the current owners would like to change it to B2-Highway Commercial.

Smith detailed the re-purposing of the Wild Wings building into a multi-use retail and activity space known as Wild Wings Plaza. The property owners will use the existing building to provide services like; selling and producing candies, sweets, cinnamon rolls, ice cream, crafts, outdoor equipment rental, office rental space, golf simulator, pickleball and more development for small and large event spaces.

Staff recommends that the Planning Commission forwards this recommendation to City Council; for approval of re-zoning.

MOTION BY PRIGGE, SECOND BY CRONIN TO OPEN PUBLIC HEARING FOR RE-ZONING OF 2101 S HIGHWAY 61. ALL AYES

Dan Coyle- of rural Lake City supports the development of Wild Wings into something that will promote Lake City.

Tom Dwelle- of the Lake City Port Authority stated that the Port Authority took a tour of the building, he is excited for the employment opportunities and a destination for the edge of town.

Angela Harmon- of Lake City supports this new business because of all the great ideas and entities it will bring to Lake City.

Becky Barsness- Lake City Business Owner- Supports the new Wild Wings Plaza and believes it will enlighten more businesses in the Lake City area.

Barb Milhem & Terry Bowling both spoke on the behalf of the Wild Wings Plaza. They are excited to move forward with their business plan. The re-zoning is the next step to get things open by summertime. Mr. Bowling stated they came from Branson, Missouri to Lake City as he is an avid golfer. He would like to use the Wild Wings Plaza to grow his business in Missouri as well. Ms. Milhem stated she wanted to create a safe space for kids and grown ups to enjoy the Plaza as well as keep them busy.

MOTION BY RASMUSSEN, SECOND BY CRONIN TO CLOSE THE PUBLIC HEARING. ALL AYES.

COMMISSIONER PRIGGE MOVED TO RECOMMEND TO CITY COUNCIL TO APPROVE THE RE-ZONING APPLICATION BY BARB MILHEM AND TERRY BOWLING FOR 2101 SOUTH HIGHWAY 61, SECONDED BY ATKINSON. ALL AYES.

PUBLIC HEARING & CONSIDERATION FOR CHANGES TO THE LAKE CITY ZONING ORDINANCE REGARDING STORMWATER REGULATIONS

Megan Smith gave a short summary of the changes made to Soil, Erosion, Sediment and Stormwater management ordinance changes. Smith stated that in 2007 a handbook that both staff and local contractors are familiar with. She handed it off to Travis Dunn. Dunn is the current Assistant Public Works Director and has spearheaded the changes to the current ordinance; to comply with the State of Minnesota's statute on erosion control. Dunn revealed that the City of Lake City has not been in compliance with the state statute and has been assessed \$6585 in non-compliance fees.

MOTION BY PRIGGE, SECOND BY CRONIN TO OPEN PUBLIC HEARING FOR RE-ZONING OF 2101 S HIGHWAY 61. ALL AYES

Mark Fayette of Central Point Road, Lake City addressed the commission with the information that was stated in the by-laws of the Jewel HOA, as it chartered. The by-laws stated the same conditions as Mr. Dunn had brought forth to change the language in the City Code. He affirmed that a majority of buildable lots in Lake City exist in the Jewel and its own guidelines have not been followed. Fayette agrees that changes need to be made to the Public Works and Land Use Code, allowing sediment and erosion control to be maintained appropriately.

MOTION BY RASMUSSEN, SECOND BY PRIGGE TO CLOSE THE PUBLIC HEARING. ALL AYES.

ATKINSON MOVED TO APPROVED A RECOMMENDATION TO CITY COUNCIL TO CHANGE THE LANGUAGE IN THE CURRENT ORDINANCES FOR PUBLIC WORKS AND LAND USE TO ABIDE BY STATE STATUTE FOR AN MS-4 COMMUNITY; SECONDED BY CRONIN. 5 YEAS, ONE ABSTENTION (RASMUSSEN) VOTE PASSES.

**UNFINISHED BUSINESS:**

BRANUM MADE A NOMINATION FOR CHAIR; JOE KJELLAND, SECONDED BY CRONIN. ALL AYES.

BRANUM MADE A NOMINATION FOR VICE CHAIR; TOM RASMUSSEN, SECONDED BY PRIGGE. ALL AYES.

Commissioner Rasmussen added a discussion item. He acknowledged Randi Kirchner for her time on the Planning Commission. He stated that her work did not go unnoticed. Council Member Quinn added that he would reach out to Kari Schreck and request a list of commissioners on other boards as well, to recognize their services to the community.

**FUTURE MEETING DATES**

April 2, 2024- Planning Commission Workshop (Waterfront Prioritization Plan)- at 5:00 P.M.

**ADJOURN**

RASMUSSEN MOVED, SECONDED BY PRIGGE TO ADJOURN AT 6:53 P.M. ALL AYES.

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Joe Kjelland, Chairperson

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

## **LAKE CITY AMBULANCE COMMISSION**

**March 18, 2024**

**18:00 hours**

**Members Present:** Sue Stiene RNMS Chair, Dr. Janet Chestnut, Julie LeCaptain Edds, Dr. Shef Massey, Mayor Mark Nichols Council Liaison

**Others Present:** Sara Rybarczyk Ambulance Director

**Absent-** Dr. Anne Towey, Carolyn Ellingson MCHSLC Liaison, Dr. Dennis Spano Medical Director

Stiene called the meeting to order at 18:00 hours with a quorum present.

### **Adopt Agenda**

**CHESTNUT MOTION, LECAPTAIN SECOND, ALL AYES**

**Public Forum-** none

**Approved Minutes-** December minutes

**MASSEY MOTION, CHESTNUT SECOND, ALL AYES**

### **INFORMATIONAL REPORTS**

#### **Financial Update**

Rybarczyk provided an update on the financial operations of the service. Rybarczyk indicated that herself, Jerome Illg, Finance Director, and Rob Keehn, City Administrator have evaluated the process in which the service posts revenues and has gone back to the cash accrual model. Rybarczyk explained that moving to the original model is a better option for the service for transparency, and for accurate reporting. Rybarczyk stated that she was appreciative of being included in the decision, and she feels moving to this process is going to be much better for the billing team within the city. Rybarczyk reviewed the February financial report, and explained that there was not a January financial report. February reflects the cash accrual for both January and February. Moving forward, there will be a monthly report that reflects the monthly receivables. Commission member Stiene inquired as to whether the billing processes have improved, and whether the billing company is improving their processes. Rybarczyk stated that she has been very happy with the billing company, and has seen many improvements in their processes. Rybarczyk stated that some of the cities' policies have contributed to some of the issues, but the billing team has been working hard to develop a billing process tied to policy that will help to ensure that all areas of billing are performing well. Stiene inquired as to what the Commission could do to help the service and provide support. Rybarczyk stated that if the Commission and the City Council have anyone in the community ask them any questions about the service, if they do not know for certain what the answer is or not sure about the process of how the ambulance operates, please direct the patient to her as the Ambulance Director so that she can make sure they are getting the correct information. Rybarczyk stated that the Commission members already do an outstanding job of supporting the service, and she appreciates that support so much. Commission Member Massey inquired as to whether the service has considered doing in-house billing. Massey discussed the work and time that Rybarczyk puts into the billing process, which is the work the billing company is being paid to do. Massey inquired could the City possibly benefit from doing this all in house with the amount of work being done? Rybarczyk stated that she and Jerome Illg have discussed that possibility many times, and that option is not off the table. However, at this time, the City is pleased with the improvements that the billing company has made, and does not want to move to a different option at this time. Rybarczyk stated that the city basically has a billing team with Anthony, Kaitlyn, and Jerome, and she is very lucky to have such an amazing team and strong support from the City. Rybarczyk stated that many other Directors do not have that level of support.

### **Activity Report**

Rybarczyk reviewed the activity reports for January and February. Rybarczyk explained that transfer numbers are up for both January and February, and billable runs are at between 88%, and 90% for the month, which is right where the service wants to be. Stiene inquired as to whether the service is seeing odd requests for transfers and other calls. Rybarczyk stated that the service is still receiving requests from Winona, though the service does not typically do those transports. The crew has been doing transports to some of the outlying hospitals in Austin, Cannon Falls, etc. due to bed availability and how full the hospitals have been.

### **NEW BUSINESS**

#### **Approve hiring of Part-Time Paramedic Jessica Hauschild**

Rybarczyk reviewed the hire of Paramedic Jessica Hauschild. Jessica has worked previously for the service as a Paramedic, and has education experience. LeCaptain asked if the service is not fully staffed, and Rybarczyk stated that the service has been, but will be losing two full-time EMT's next month. Both EMT's are going to work full-time within the fire service, though both EMT's plan to remain on the service as part-time EMT's. Mayor Mark Nichols stated that the City Council is requiring the city employees being hired to be presented to the City Council under new business instead of having those hires fall under the consent agenda at the council level. Rybarczyk discussed the new hiring platform the city is using, and the ambulance department is piloting the program for the City. Rybarczyk stated that she is very excited to have the new platform, and is thankful that she no longer has to hand out paper applications. Stiene inquired if the service thinks they will have any problems filling the positions? Rybarczyk state that she does not expect to have any problems, though the process will be competitive and she anticipates having many great candidates.

#### **LECAPTAIN MOTION, MASSEY SECOND**

#### **2024 Ambulance Work Plan**

Rybarczyk reviewed the work plan initiatives that were completed in 2023, and what initiatives would be moved into 2024. Rybarczyk discussed the paramedic training program that was established in 2023, and spoke to work that Dr. Spano has done to engage with the service in 2023. The mutual aid agreements were updated last year, and Rybarczyk discussed the parameters in which those agreements were and are established. Financial planning and review will be carried over into the 2024 budget. Recruitment and retention is an established goal for 2024. Rybarczyk stated that one of the things she added to the work plan for 2024 is to continue to develop working relationships with the townships, and explore the parameters of establishing contracts. Rybarczyk explained that those relationships fell apart many years ago with the way the townships were treated by both the prior Ambulance Director, City Staff, and City Council members, and were not offered any say in how the ambulance service is operated. Rybarczyk stated that Assistant Robert Benson has done a wonderful job in working to reestablish those relationships and to ensure that they have an avenue to communicate and collaborate with leadership within the service and the city. Rybarczyk stated that the potential changes in the PSA law will impact those discussions, and she is working to determine what the direction is going to be with working with the townships based upon those outcomes. Rybarczyk stated that how the service works with the townships is incredibly important, and if the PSA law does change or goes away, having those strong relationships is going to be important so that those communities feel supported and know that they have representation and support from the City and the ambulance service. Stiene inquired as to if we are ready to make a motion. LeCaptain asked Rybarczyk as to what reasons someone would want to work for Lake City Ambulance, in case someone asks about the EMT positions. Rybarczyk stated that there are many reasons, but two of the top reasons would be 1.) the team dynamic and the good and positive environment, and 2.) the pay, as the City pays the City employees very well and takes good care of the employees in the City of Lake City.

#### **MASSEY MOTION, CHESTNUT SECOND**

**Miscellaneous**

The legislative bills that impact EMS were discussed at length by the Director and the Commission. Rybarczyk stated that you can go to the EMSRB website and look at the legislative action tracker to see what bills are currently out there related to EMS and what their status is. Rybarczyk stated that the hearings and the EMSRB board meeting are open to the public, and the link to the meetings can be found at the EMSRB website and the legislative websites. Rybarczyk stated that the Commissions members are invited to attend any of these public meetings.

**Next meeting will be April 15, 2024 at 18:00 hours.**

**LECAPTAIN MOVED TO ADJOURN THE MEETING, STIENE SECOND, ALL AYES AT 19:04 HOURS.**

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**Sue Stiene – Chair**

**SRR**





April 8, 2024

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**Agenda Item Description:** Streets, Parks & Public Safety Commission  
March 19, 2024

**Originating Department:** Street/Park/Public Safety

**Board/Commission/Committee Action:** Commission

**Consent Agenda?:**

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**Action Requested:**

**Introduction/ Background/Justification/Key/Legal Issues:**  
March 19th 2024 Streets, Parks and Public Safety Commission

**Budgetary/Fiscal Impact:**  
None

**Reviewed By:** Cory Kubista

**Preparer:** John Yorde

**ATTACHMENTS:**

**Description**

- **March 19th 2024 Streets, Parks and Public Safety Commission**

**Lake City Streets, Parks and Public Safety Commission**  
**Tuesday, March 19, 2024 4:30 p.m.**  
**Regular Meeting**

Members Present: Kurt Streed, Robbie Smith, Margie Harkins, Terence Wingert, Larry Flater

Members Absent: None

Others Present: John Yorde, Cory Kubista, Travis Dunn, Amy Alkire, Teri Bissonnette,  
Elizabeth Greenawalt

The meeting of the Lake City Streets, Parks and Public Safety Board was called to order by Chair Streed at 4:30 pm.

**REVIEW AND ADOPT / AMEND AGENDA**

**MOTION BY HARKINS, SECOND BY SMITH TO APPROVE THE AGENDA AS PRESENTED. ALL AYES 5-0-0 MOTION CARRIED**

**PUBLIC FORUM**

No one was Present.

**INFORMATIONAL REPORTS**

**FEBRUARY 20 2024 DRAFT MINUTES**

**MOTION BY SMITH AND SECOND BY WINGERT TO APROVE THE FEBRUARY 20<sup>T</sup> 2024 MINUTES AS PRESENTED. ALL AYES 5-0-0 MOTION CARRIED**

**MEMORIALS LIST AND PROPOSED AVAILABLE MEMORIAL LOCATIONS**

Dunn reviewed the above informative handouts with the Commission members.

**NEW BUSINESS**

**May 18<sup>th</sup> 5 K Fun Walk/Run**

Bissonnette was present to answer any questions which anyone may have. Kubista asked what the attendance was for the event. Bissonnette stated around 40 for the event. Kubista stated that going forward the event will no longer need to have a event permit since it is under the 75 attendance, which is stated in the Ordinance for needing a Permit.

**MOTION BY STREED AND SECOND BY FLATER TO APPROVE THE EVNET AS PRESENTED AND THE EVENT NO LONGER NEEDING A PERMIT IN THE FUTURE SINCE IT IS UNDER THE 75 ATTENDANCE MARK. 5-0-0, MOTION CARRIED.**

**May 9-11 Governor Fishing Opener**

Greenawalt was on hand to answer questions in reference to the event. Discussion about security and the boat launching was discussed.

**MOTION BY SMITH AND SECOND BY HARKINS TO APPROVE THE EVENT AS PRESENTED. 5-0-0 MOTION CARRIED.**

**June 1<sup>st</sup> Tour De Pepin**

Greenawalt was on hand to answer any questions about the event.

**MOTION BY HARKINS AND SECOND BY STREED TO APPROVE THE EVENT AS PRESENTED. ALL AYES. 5-0-0 MOTION CARRIED.**

Lake City Area Arts Encroachment Permit

Dunn and Kubista discussed the request with the commission. Dunn advised the request was from May 30<sup>th</sup> and the bikes would be removed by June 20<sup>th</sup>.

**MOTION BY FLATER AND SECOND BY SMITH TO APPROVE THE ENCROACHMENT PERMIT AS PRESENTED. ALL AYES. 5-0-0 MOTION CARRIED.**

ADJOURN

**MOTION BY FLATER, SECOND BY WINGERT TO ADJOURN AT 17:04 P.M.  
ALL AYES. 5-0-0 MOTION CARRIED.**

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Chair: Kurt Streed

Minutes submitted by John Yorde



April 8, 2024

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**Agenda Item Description:** Port Authority Board minutes March 21, 2024

**Originating Department:** EDA

**Board/Commission/Committee Action:** Board

**Consent Agenda?:** No

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**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: March 21, 2024**

**Lake City Port Authority Meeting Minutes**

4:30 pm, March 21, 2024

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

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Board Members Present: Gregg Moyer, Tom Dwelle, Mark Fayette, Brian Quinn

Board Members Absent: Kevin Beauvais, John Hutchinson, Amy Alkire

Port Authority Staff: Cailin Richard, Ben Strand

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**Call to Order**

4:30 pm

**Adoption of Agenda**

Unanimous adoption of agenda with a motion from Moyer and a second from Fayette (4-0-0) with one amendment to the agenda, creating Information Report item 6(g) Update on Stormwater Pollution Prevention Plans.

**Public Forum**

The Public Forum was opened and closed without any presentations from public attendees.

**Consent Agenda**

Unanimous approval of the Consent Agenda with a motion from Fayette and a second from Quinn (4-0-0), including Port Authority Meeting Minutes from February 15th, Port Authority Special Meeting Minutes from February 21st, Monthly Invoices, Monthly Financials from January 2024, Monthly Financials from February 2024 and the Small Cities Development Program reports. There was discussion amongst the Board on the geographic boundaries for eligible applicants of the Small Cities Development Program.

**2024 Annual Meeting**

Staff presented the 2024 Annual Meeting items for review, including the **2023 Year-End Financials, 2024 Port Authority Work Plan and Strategic Project Plan and 2023 Port Authority Annual Report**. There was discussion amongst the Board on including the sale of 303 South Lakeshore Drive in the special projects section of the Annual Report. Staff will update the special projects section of the Annual Report with information on the property sale and submit it for review by City Council at their April regular meeting.

**Informational Reports**

Staff provided an update on the **purchase agreement for 303 South Lakeshore Drive**, sharing a recap of the pre-development meeting between city staff and the development team, postponement of the open house, the schedule for closing on the sale and a talking points document on the project. There was discussion amongst the Board on existing site utilities, proposed utility changes for the project and collaboration between the city and the developer.

Staff provided an update on the **Cemstone Site**, sharing a preliminary cost estimate for road and utility construction, platting plans for the 10th street corridor of the site and the status of the community gardens relocation. There was discussion amongst the Board on gathering detailed development costs from the city engineer, future 10th street corridor plats, the timeline of the community garden relocation and the impact of the community gardens on future development in the 10th street corridor of the site. There was additional discussion on funding for infrastructure of the site. Board President Dwelle, Board Vice President Moyer and Board member Fayette volunteered to serve on a Port Authority Cemstone Committee, and set a meeting date and time with staff. The Board directed staff to invite Megan Smith, Director of Planning & Community Development, to the next Board meeting to discuss future development of the site.

Staff provided an update on the **Port Authority By-laws**, sharing the proposed amendment was approved by City Council and was in effect as of the approval date. Staff requested the Board provide direction on how they would like to track and evaluate Board member attendance. There was discussion amongst the Board on when staff should bring forth a discussion on specific Board members and how frequently attendance updates should be provided. The Board unanimously agreed that staff should confer with the Board President on attendance matters, and make a recommendation for the entire Board to review.

Staff provided an update on the **Rural Child Care Innovation Program application**, sharing that Lake City was not selected to participate in the 2024 cohort, with the application feedback from First Children's Finance citing lack of community involvement as the reason. Staff presented a timeline to begin preparing for the 2025 cohort application that included engaging with community child care stakeholders earlier and more often. There was discussion amongst the Board on the program benefits, the child care climate in Lake City and potential child care projects the Port Authority would pursue with funding.

Staff provided an update on **capital plan requests**, sharing that the Port Authority had the opportunity to submit additions to the city's capital plan. There was discussion amongst the Board on projects they may be interested in adding, including passenger ferries, Cemstone site work, housing study updates and stormwater bump-out development along the shoreline. The Board unanimously agreed to not submit any additions this year, but gather cost estimates and develop project plans over the next year with the intention to make additions in 2025.

Staff provided an update on **Earmark funding**, sharing they had reached out to legislators to gather project feedback and determine the funding timeline. Staff was awaiting responses from representatives, but noted the applications for funding had not yet opened for FY25. The Board directed staff to present an item at the April Council meeting, requesting permission to submit an application, when they open, on behalf of the city for Cemstone infrastructure development.

Board member Fayette provided an update on **Stormwater Pollution Prevention Plans**, sharing the steps the city has taken to codify stormwater policies, the history of the Jewel's stormwater requirements and the path forward for collaboration between the city and the Jewel on enforcing stormwater regulations. There was discussion amongst the Board on partners in moving forward an agreement between the city and the Jewel and spreading awareness on the impacts of stormwater requirements on home building.

### **New Business**

Staff presented an updated goals, timeline and guidelines sheet for the **2024 Business Challenge**. There was discussion amongst the Board on incentivizing new types of businesses to participate in the challenge, the benefits of competition between businesses, allowing for more than one business to win the challenge, the overall goal for the challenge and the proposed timeframe to have the selected winning business be operational. There was consensus amongst the Board to amend the guidelines to allow for more time between winner selection and the operational date of the selected business. With a motion from Quinn and a second from Fayette (4-0-0), the Board unanimously approved the Business Challenge Guidelines, as amended.

Staff requested the Board **appoint two Port Authority representatives to the Revolving Loan Committee**. Staff provided information on the appointment process and Committee's meeting frequency. With a motion from Fayette and a second from Quinn (4-0-0), the Board unanimously appointed Board Vice President Moyer and Board Treasurer Beauvais to serve as the Port Authority representatives on the Revolving Loan Committee.

### **Unfinished Business**

Staff provided information on **Short-Term Rental Ordinances**, sharing the number of non-compliant rentals in the community, the existing ordinance for non-compliance and a proposed amendment to the existing ordinance for non-compliance. There was discussion amongst the Board on state inspections for rental units, who oversees licensure compliance at the city and the importance of short-term rentals for tourism. There was additional discussion on recent short-term lodging development in Lake City. There was consensus amongst the Board to not recommend updating the ordinance to restrict the number of short-term rentals allowed in the community. The Board directed staff to share the collected information with city staff.

Staff requested the Board continue their discussion on how to **allocate funds from the sale of 303 South Lakeshore Drive**. There was discussion amongst the Board on investment strategies for unallocated funds, marketing strategies, Cemstone site planning, stormwater infrastructure upgrades, preparation for earmark funding requests and business challenge funding. The Board requested the item be left on future meeting agendas for additional discussion.

### **Adjournment**

Motion to adjourn was made at 6:53 pm by Moyer and seconded by Quinn (4-0-0).

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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, April 18, 2024.*

## 2024 Lake City Ambulance Work Plan DRAFT

### RECAP of 2023 Work Plan Initiatives

	<u>2023 Work Plan Initiatives Completed</u>	<u>Carryover into 2024</u>
1. Monitor billing practices to ensure financial sustainability	X	X
2. Expand training program for advanced level providers with hands-on engagement of Medical Director and Advanced level educators	X	
3. Update mutual aid agreements with surrounding communities	X	
4. Evaluate staffing needs of the Ambulance Department & staffing review	X	X
5. Continue to promote CQI development and Medical Director engagement of teaching classes, attending employee training, and medical director oversight	X	
6. Promote recruitment and retention	X	X

### 2024 WORK PLAN INITIATIVES

1. Monitor billing practices to ensure financial sustainability
2. Evaluate staffing needs of the Ambulance Department & staffing review
3. Promote recruitment and retention
4. PSA Review and Township collaboration





April 8, 2024

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**Agenda Item Description:** Approve Task Order 13 with Bolton & Menk, Inc. for a Lake City urban flooding stormwater management plan

**Originating Department:** Street/Park

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

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_ to approve Task Order 13 with Bolton & Menk, Inc. for a Lake City Urban Flooding Stormwater management plan.

**Introduction/ Background/Justification/Key/Legal Issues:**

In the fall of 2023 the City of Lake City applied for a Small Communities Planning Grant through the Minnesota Pollution Control Agency. The grant was specifically focused on stormwater infrastructure planning for improving flood resiliency in small communities (less than 10,000 population). In December 2023 the City was awarded a \$70,685 grant.

The task order identifies the scope and deliverables of a project that includes storm drain and base map data collection, existing stormwater modeling, proposed stormwater modeling, an urban stormwater management plan report, meetings and coordination, and final report.

**Budgetary/Fiscal Impact:**

Task Order 13 is estimated at \$78,539, not to exceed. With grant funding of \$70,685, the balance of \$7,854 will be funded through Storm Contractual budget.

These grant funds can also assist in a larger GIS project the city has budgeted for in 2024. The cost of data collection of stormwater assets in the GIS project may be offset by utilizing this grant.

**Reviewed By:** Administration, Finance

**Preparer:** Public Works Director Scott Jensen

**ATTACHMENTS:**

**Description**

- ▣ Task Order 13

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

**TASK ORDER NO:** 13

**CLIENT:** Lake City, MN

**CONSULTANT:** Bolton & Menk, Inc.

**DATE OF THIS TASK ORDER:** January 30, 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:** Lake City Urban Flooding Stormwater Management Plan

The task order generally consists of the following components:

**Task 1: Data Collection**

**Subtask 1a: Storm Drain Inventory**

Brief description of activities involved: Develop a storm drain inventory for the City of Lake City including manhole and inlet locations, pipe sizes, culvert location, inverts and sizes, flow direction. GPS will be used to collect feature locations and elevations of key infrastructure along main stormwater trunk lines.

**Subtask 1b: Base Map Compilation**

Brief description of activities involved: Compile existing base mapping data for watershed modeling including LiDAR topography, existing and planned land use data, parcel data, Hydrologic Soil Group, municipal utility data, existing ponds and stormwater bmp locations, future maintenance access locations.

**Task 2: Existing Stormwater Modeling**

**Subtask 2a: Existing Condition Runoff Calculations**

Brief description of activities involved: Prepare hydrologic and hydraulic modeling of the urban portions of Lake City using AutoDesk’s Storm and Sanitary Analysis (SSA) software to analyze the current watershed runoff and drainage patterns. Tasks will include defining hydrologic and hydraulic parameters of each watershed, modeling existing stormwater infrastructure including pipes, culverts, and pond systems, identifying capacity limitations within the existing system based on current and future anticipated rainfall depths for storm events up to and including the 100-year storm. The

modeling will assess the current level of service for the existing drainage infrastructure and what recurrence flooding is currently anticipated.

*Subtask 2b: Existing Flooding Limits and Pipe Capacity Assessment*

Brief description of activities involved: Generate figures showing current condition 2-year, 10-year, and 100-year flooding extents, high-water levels, and discharge rates for a range of current rainfall precipitation events as well as predicted future rainfall events up to the 100-year flood event, to communicate the current flood risk within the city of Lake City urban areas.

**Task 3: Proposed Stormwater Modeling**

*Subtask 3a: Proposed Drainage Improvement Recommendations*

Brief description of activities involved: Develop recommended storm drain and drainage system improvement recommendations for flood risk reduction and improved drainage capacity within the City of Lake City urban areas. Prepare proposed condition SSA modeling of varying return frequency rainfall events to assess the impacts to flooding limits, discharges, and flood risk associated with the recommended improvements. Identify recommended maintenance access locations for existing and proposed stormwater infrastructure improvements. Proposed stormwater modeling will be coordinated with other ongoing City of Lake City regional planning studies currently underway, to ensure that recommendations for drainage improvements are complimentary to other citywide planning efforts such as streetscape planning, pavement management plans, and capital improvement planning.

*Subtask 3b: Future Flood Limits and Proposed Pipe Capacity Assessment*

Brief description of activities involved: Generate figures showing proposed and future condition 2-year, 10-year, and 100-year flooding extents, high-water levels, and discharge rates for a range of current rainfall precipitation events as well as predicted future rainfall events up to the 100-year flood event, to communicate the current flood risk within the City of Lake City urban areas.

**Task 4: Urban Stormwater Management Plan Report**

*Subtask 4a: Draft and Final Reports*

Brief description of activities involved: Develop a report document summarizing modeling parameters, assumptions, findings, and recommendations for improved flood resiliency in the urban portions of Lake City. Draft and Final report documents will be prepared and submitted to city staff.

**Task 5: Meetings & Coordination**

*Subtask 5a: Project Management & Administration*

Brief description of activities involved: Perform general project management duties and status reporting.

*Subtask 5b: Kickoff Meeting*

Brief description of activities involved: The project kickoff meeting will include City and Bolton & Menk staff with a focus on discussing the history and background information of the study area, flood record data, and project goals desired by the city and the residents. The meeting will establish detailed project timelines and schedule for deliverables, milestones, and future meetings.

*Subtask 5c: Project Team Meetings*

Brief description of activities involved: Attend regular progress meetings with city and Bolton & Menk

staff to assess project progress, make decisions regarding desired alternatives or results, and communicate project outcomes with key stakeholders.

**Subtask 5d: City Council Presentation of Final Report**

Brief description of activities involved: Present the final project alternatives, flood reduction benefits, and costs for the Lake City Urban Stormwater Management Plan to the Lake City City Council for adoption.

**Task 6: Final Report and Project Deliverables**

**Subtask 6a: Submit Grant Final Report**

Brief description of activities involved: Will provide a final grant project report using the MPCA template approximately one month prior to the end of the grant agreement on June 30, 2025, or at completion of the project, whichever occurs first. Will respond promptly to any requests by the MPCA authorized representative for additional information and/or corrections to the report.

Timeframe: May-June 2025

**Subtask 6b: Submit Project Deliverables**

Brief description of activities involved: Will provide electronic files of all project deliverables to the MPCA authorized representative prior to the end of the grant agreement on June 30, 2025, or at the completion of the project, whichever occurs first.

**2.0 Fees:**

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

- a. Complete Task 1 as described above for an Hourly Estimated fee of **\$10,474**
- b. Complete Task 2 as described above for an Hourly Estimated fee of **\$32,042**
- c. Complete Task 3 as described above for an Hourly Estimated fee of **\$17,742**
- d. Complete Task 4 as described above for an Hourly Estimated fee of **\$8,016**
- e. Complete Task 5 as described above for an Hourly Estimated fee of **\$9,250**
- f. Complete Task 6 as described above for an Hourly Estimated fee of **\$1,015**

Total compensation not to exceed \$78,539.00

**3.0 Schedule:**

Schedule for performance of Services will be as follows:

- a. All work will be performed and completed prior to June 30, 2025 in accordance with grant requirements.

**4.0 Deliverables**

Deliverables will be as follows:

- a. Draft Stormwater Management Plan report and figures
- b. Final Stormwater Management Plan report and figures.

**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

The following billing categories and rates shall apply to this task order.

Cost Category	Cost (\$/unit)	
GIS Project Manager	\$171.00	hour
GIS Specialist	\$155.00	hour
GIS Technician	\$135.00	hour
Project Manager	\$205.00	hour
Project Engineer	\$161.00	hour
Design Engineer	\$148.00	hour
Graduate Engineer	\$126.00	hour
Engineering Intern	\$75.00	hour
Survey Manager	\$200.00	hour
Project Surveyor	\$166.00	hour
Graduate Surveyor/Field Tech	\$150.00	hour
Admin. Assistant	\$115.00	hour
City Engineer	\$205.00	hour

## 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](mailto:sjensen@ci.lake-city.mn.us)

### BOLTON & MENK, INC.

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

### CITY OF LAKE CITY:

By: \_\_\_\_\_

Printed Name: Scott Jensen

Title: Public Works Director

By: \_\_\_\_\_

Printed Name: Mark Nichols

### BOLTON & MENK, INC.

By:  \_\_\_\_\_

Printed Name: Brian Malm, P.E.

Title: Principal Engineer

Title: Mayor

By: \_\_\_\_\_

Printed Name: Kari Schreck

Title: City Clerk

ATTACHMENTS TO THIS TASK ORDER: None



April 8, 2024

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**Agenda Item Description:** Accept MPCA Small Communities planning grant for \$70,685

**Originating Department:** Street/Park

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

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_ to accept an MPCA Small Communities planning grant for \$70,685.

**Introduction/ Background/Justification/Key/Legal Issues:**

In the fall of 2023 the City of Lake City applied for a Small Communities Planning Grant through the Minnesota Pollution Control Agency. The grant was specifically focused on stormwater infrastructure planning for improving flood resiliency in small communities (less than 10,000 population). In December 2023 the City was awarded a \$70,685 grant.

The grant is intended to complete a Lake City Urban Flooding Stormwater Management Plan, which is part of a later Council item.

**Budgetary/Fiscal Impact:**

Grant funds: \$70,685

Stormwater plan (Task Order 13): \$78,539

Balance paid from City Storm funds: (\$ 7,854)

These grant funds may be used in conjunction with 2024 funding for a city-wide GIS project, allowing much of the stormwater asset collection costs to be covered with grant funds.

**Reviewed By:** Administration, Finance, Legal

**Preparer:** Public Works Director Scott Jensen



April 8, 2024

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**Agenda Item Description:** Approve hire of Derrick Hoffman for  
Street Maintenance Worker

**Originating Department:** Street/Park

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

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**Action Requested:**

Motion \_\_\_\_\_ second \_\_\_\_\_ to approve hire of Derrick Hoffman for Street Maintenance Worker.

**Introduction/ Background/Justification/Key/Legal Issues:**

This is a new position for the department and was approved by Council in the 2024 budget. The city received 7 complete applications. These were reviewed by staff and scored using a skills and experience matrix. The top 4 candidates were interviewed with 2 of them being very similar in their interview scores. The highest candidate was offered the position but declined due to the compensation level. Mr. Hoffman accepted the position and is expected to start in late April.

**Budgetary/Fiscal Impact:**

The position starts at Grade 6, Step 2 at \$25.98/hour and is planned in the 2024 budget. Full-time start date begins April 28, 2024.

**Reviewed By:** Administration

**Preparer:** Public Works Director Scott Jensen





April 8, 2024

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**Agenda Item Description:** Waive second reading & adopt  
Ordinance 637 naming public road  
Quartz Drive

**Originating Department:** Planning

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

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_ to waive second reading and adopt 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 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 has ordered and installed street signs for Quartz Drive.

**Reviewed By:** Planning, Public Works, Legal, 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 11<sup>th</sup> day of March, 2024.

Adopted by the Lake City Common Council the 8<sup>th</sup> day of April, 2024.

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Mark Nichols, Mayor

Attest:

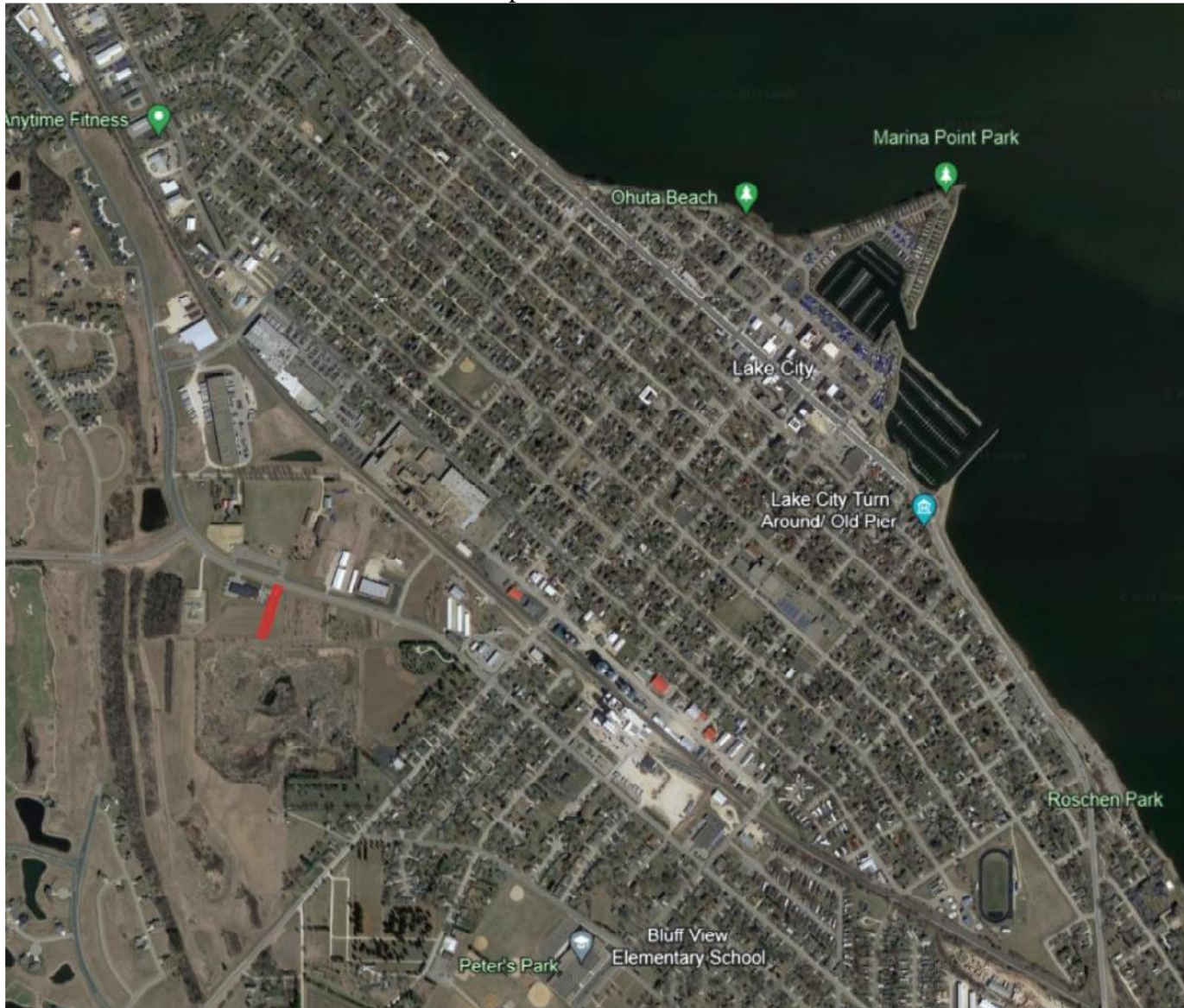
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Kari Schreck, City Clerk

Publication Date:

Published in *The Lake City Graphic* on \_\_\_\_\_

**EXHIBIT A**  
Map of Affected Street





April 8, 2024

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**Agenda Item Description:** Waive second reading & adopt  
Ordinance 638 re-zoning 2101 S  
Highway 61

**Originating Department:** Planning

**Board/Commission/Committee Action:** Commission

**Consent Agenda?:** No

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_ to waive second reading and adopt Ordinance 638, re-zoning 2101 S Highway 61, 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. The property's tax classification is commercial.

**Reviewed By:** Planning, Legal, Administration

**Preparer:** Megan Smith, Planning and Community Development Director

**ATTACHMENTS:**

**Description**

- ▣ **Ord 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 11<sup>th</sup> day March, 2024  
Adopted by the Lake City Common Council 8<sup>th</sup> day of April, 2024

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Mark Nichols, Mayor

Attest:

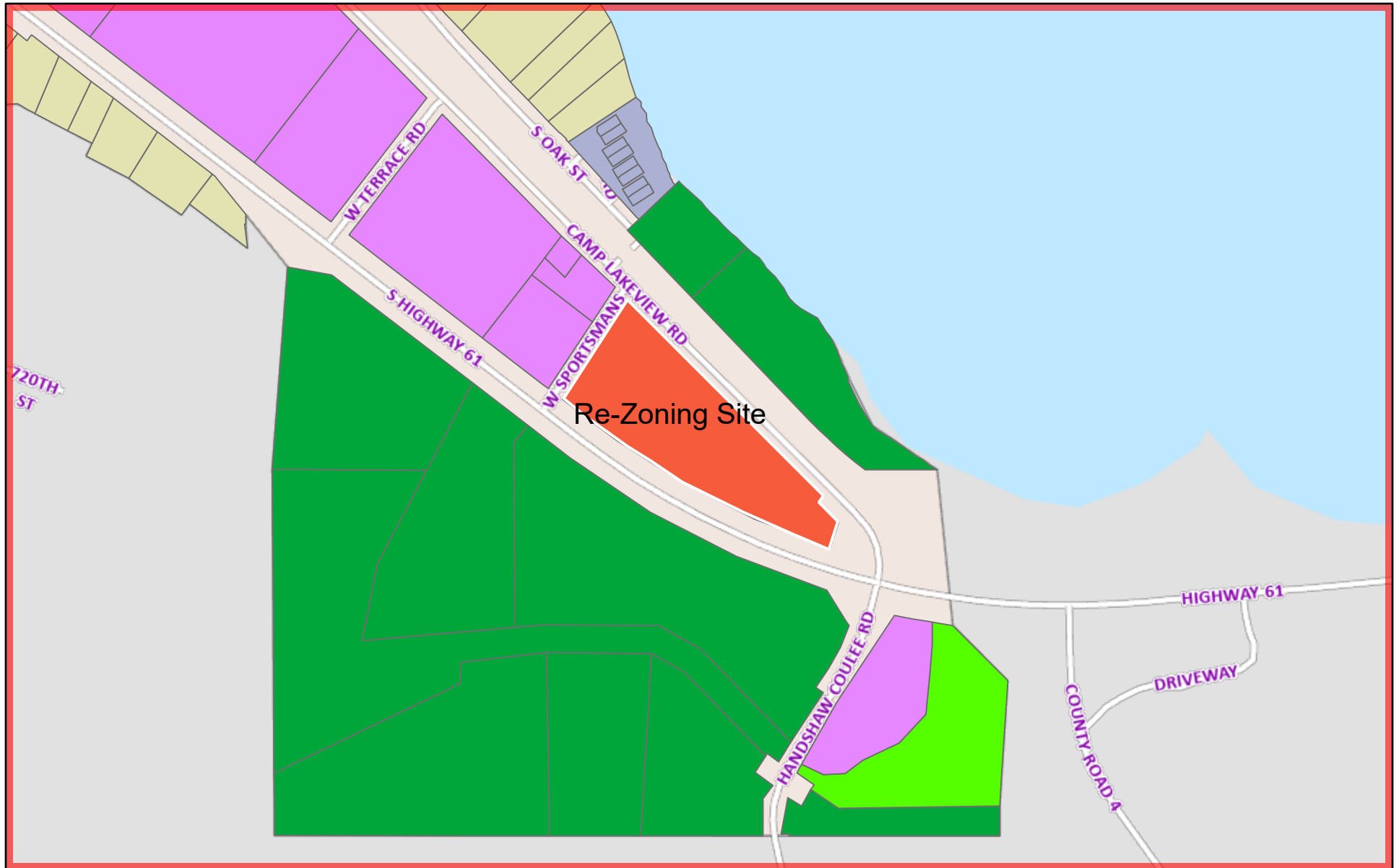
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Kari Schreck, City Clerk

Published in *The Graphic* on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.



# Wild Wings Plaza Re-Zoning



February 29, 2024

Lake City Zoning

LDR - LOW DENSITY RESIDENTIAL

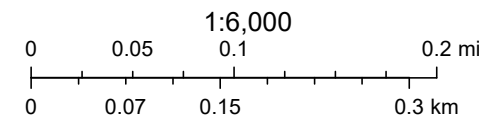
LI - LIGHT INDUSTRIAL

OSP - OPEN SPACE/PARK

PUD - PLANNED UNIT DEVELOPMENT

RD - RURAL DEVELOPMENT TRANSITIONAL

Lake City Roads





April 8, 2024

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**Agenda Item Description:** Approve Pavement Management Plan  
Task Order 7 - Amendment 1

**Originating Department:** Street/Park

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

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_ to approve Pavement Management Plan, Task Order 7, Amendment 1 for \$22,650.

**Introduction/ Background/Justification/Key/Legal Issues:**

The attached amendment identifies 8 areas where the scope of the plan was modified based on what city staff wanted to see in the final product and to account for maintenance methods Lake City utilizes that are different from past standards (i.e. use of Replay and Flex Patching).

**Budgetary/Fiscal Impact:**

Previous project total: \$26,300

Amendment 1 \$22,650

Amended total: \$48,950

Funding for the amendment will be sourced from current Street and Parks Contractual funds that are scheduled for tree maintenance, removals and plantings. Several tree removals were completed ahead of schedule with favorable winter weather.

**Reviewed By:** Administration, Finance

**Preparer:** Public Works Director Scott Jensen

**ATTACHMENTS:**

**Description**

- ▣ Task Order 7, Amendment 1



Real People. Real Solutions.

2900 43rd Street NW  
Suite 100  
Rochester, MN 55901

Ph: (507) 208-4332  
Bolton-Menk.com

March 28, 2024

City of Lake City  
Attn: Scott Jensen, Public Works Director  
205 West Center Street  
Lake City, MN 55041

RE: Proposal for Task Order Amendment No. 1  
Pavement Management Plan  
Bolton & Menk Project No. 0H1.127585

Dear Mr. Jensen,

This letter defines our proposed scope and fee amendment to Task Order 7, dated May 3, 2022, to account for requested additional work related to the preparation of the pavement management plan.

Our original proposal for this project included one meeting to review the results of the pavement analysis then discuss the format and content of the report, figures, and budget level estimates.

The project scope was expanded to include the following:

- Two (2) additional in-person collaboration meetings and two (2) additional Micro-Soft Teams collaboration meetings,
- Changing the preventative maintenance approach by removing sealcoating and adding RePlay and Flex Patching which altered the budget level estimates, report text, and figures,
- Developing the budget level estimates beyond the original scope to include historical timing and projected timing,
- Developing the report beyond the original scope to include pavement management terminology, pavement distresses and pavement cracks, remove all discussion on sealcoats, add discussion and content on RePlay, and add discussion and content on flex patching,
- Re-writing segments of the report following each meeting to match the current discussion,
- Adding one (1) extra figure (full size map spanning two sheets) for preventative maintenance that included information on maintenance history and divides the city into five (5) maintenance regions matching the current emergency management map,
- Updating all figures following each meeting to match the current discussion, and
- Adding strategic infrastructure planning recommendations.

The following table contains an itemized list of tasks and costs for the Original Task Order and the current Amendment No. 1.

Task	Description	Original Task Order	Amendment No. 1
1	Pavement Evaluation	\$4,450.00	\$4,450.00
2	Pavement Management Plan	\$18,700.00	<b>\$41,350.00</b>
3	RoadBotics Processing	\$3,150.00	\$3,150.00
Total		\$26,300.00	\$48,950.00

Name: Pavement Management Plan Amendment No. 1

Date: March 28, 2024

Page: 2

The current Task Order amount for this project is \$26,300. The total Task Order amount will be \$48,950 with this amendment. This work will be billed under the existing Task Order.

If you have any questions regarding this proposal, please feel free to contact me at 507-601-9487 or [matthew.mohs@bolton-menk.com](mailto:matthew.mohs@bolton-menk.com).

Sincerely,

**Bolton & Menk, Inc.**



**Matthew E. Mohs, P.E.**

City Engineer

Accepted by the City of Lake City:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Scott Jensen

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Works Director

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mark Nichols

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Kari Schreck

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Title



April 8, 2024

---

**Agenda Item Description:** Adopt Pavement Management plan as presented at the 4-8-24 Council Workshop

**Originating Department:** Street/Park

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

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_ to adopt the pavement management plan as presented.

**Introduction/ Background/Justification/Key/Legal Issues:**

The pavement management plan was presented to Council at the 4-8-24 workshop.

**Budgetary/Fiscal Impact:**

The plan will provide guidance toward street maintenance, rehabilitation and reconstruction, including recommended budget amounts for annual preventative maintenance.

**Reviewed By:** Administration

**Preparer:** Public Works Director Scott Jensen



April 8, 2024

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**Agenda Item Description:** Review and approve Council workshop minutes March 11, 2024

**Originating Department:** City Clerk

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

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**Action Requested:**

Review and approve council workshop minutes March 11, 2024.

**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk

**ATTACHMENTS:**

**Description**

- ▣ 3.11.24 workshop minutes

**Lake City Common Council  
Workshop Meeting  
March 11, 2024, 5:00 p.m.  
City Hall Chambers**

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

Members Absent: Faye Brown

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 McGrath, second Quinn to adopt the agenda as presented. All ayes 6-0-0. All ayes Motion carried**

2025 Budget materials

Finance Director Illg, along with City Administrator Keehn have prepared a very high level 2025 budget projection based upon various assumptions that are notated. As discussed in the past, personnel costs represent a significant portion of most levied funds. They are mostly tied to contractual obligations (union contracts) and benefit changes. Thus, there are very few expected adjustments in the personnel area because it would most likely affect staffing levels, service levels, and current amenities.

Some broad level expenditure changes were included to supplies, repair and maintenance, and contractual. Property and workers compensation insurance were adjusted based upon LMCIT trend projections. Some broad level revenue adjustments were made to large items (LGA, HSL, and public safety revenue sources).

Debt levies were updated based upon repayment schedules. The Port Authority broadly increased overall 5%.

Capital projects are currently projected at \$1,061,813 according to last years approved capital plan (2024-2033). Staff has already identified a few projects that could easily be shuffled. Staff projects capital items to represent about \$700,000 of levy, like what has been levied in the past for capital projects and past budget assumptions.

Once aggregated together, the 2025 tax levy projection is approximately 7.7%. Staff has illustrated past tax levies and tax capacity amounts as they relate to the city's tax rate. Staff has projected what the city's 2025 tax rate may look like based upon a few samples of expected tax capacity (property valuation) changes.

**Motion McGrath, second Boe to adjourn the meeting at 5:45 p.m. All ayes 6-0-0. Motion carried.**

---

Mark Nichols, Mayor

ATTEST:

---

Kari Schreck, City Clerk



April 8, 2024

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**Agenda Item Description:** Review and approve Council minutes  
March 11, 2024

**Originating Department:** City Clerk

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

---

**Action Requested:**  
Review and approve council minutes March 11, 2024.

**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk

**ATTACHMENTS:**

**Description**

▣ 3.11.24 minutes



**Lake City Common Council  
Regular Meeting  
March 11, 2024, 6:00 p.m.  
City Hall Chambers**

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

Members Absent: Faye Brown

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

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

**Key to the City - Joan and Ron Schimbeno**

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.

Review adopt/ amend agenda

**Motion Alkire, second Kramer to adopt the agenda as presented. All ayes 6-0-0. All ayes Motion carried**

Disclose conflicts relating to agenda items

None

Mayor and Councilmember minute

Public Forum

No one from the public spoke

Informational Reports:

Wabasha County Open book meeting date to appeal 2025 taxes

Chamber of Commerce and Visit Lake City 2023 reports

Planning Commission minutes February 6, 2024

Marina Board minutes February 13, 2024

Heritage Preservation Commission minutes February 14, 2024

Port Authority board minutes February 15, 2024

Street/Park/Public Safety Commission minutes February 20, 2024  
Port Authority board minutes February 21, 2024  
Environmental Commission minutes February 28, 2024  
Fire Department minutes February 29, 2024  
Utility Board minutes February 29, 2024

New Business:

Waive first reading of Ordinance 638 re-zoning 2101 S. Highway 61

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.

**Motion Quinn, second McGrath, 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. All ayes 6-0-0. Motion carried.**

Waive the first reading of Ordinance 637 naming public road Quartz Drive

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

Quartz is one of the predominant minerals found in gravel and sand, and this mineral reflects the heritage of the sites geology, and its use in gravel mining operations that occurred on the site for decades.

**Motion Kramer, second Alkire to introduce and waive the first reading of Ordinance 637, naming Quartz Drive, the new public road constructed off North 10th Street. All ayes 6-0-0. Motion carried.**

Approve Port Authority By-Law amendment

The 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 recommendation to City Council to amend the Port Authority By-laws.

The Council had discussion as to why the need for a virtual meeting option was being added. McGrath requested of city staff an attendance policy for all board and commissions.

**Motion Alkire, second Boe to approve the Port Authority By-law amendment.**

**Roll call vote: Boe aye, Alkire aye, Nichols aye, Kramer aye, McGrath nay, Quinn nay.**

**Motion passes 4-2-0.**

Approve Hok Si La Park sewer design task order 11 - amendment 1

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.

Design costs:

Previous design total:	\$123,700
Amendment 1, Task IV	\$ 9,775
Amendment 1, Task V	<u>\$ 29,775</u>
Amended total:	<u>\$163,250</u>

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.

**Motion McGrath, second Alkire to approve Hok Si La Park sewer design Task Order 11 - Amendment 1. All ayes 6-0-0. Motion carried.**

Approve Ohuta Park seawall replacement design, task order 12 amendment 1

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

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.

**Motion Boe, second Kramer to approve Ohuta Park seawall replacement design task order 12 - amendment 1 for \$39,200. All ayes 6-0-0. Motion carried.**

#### Approve hire of Carson Matzke as 2024 O'Neil Pool Manager

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 to oversee all lessons. 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. Public Works director Jensen was asked if lifeguard training costs would be reimbursed as in years past, and he stated that it would be.

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

Effective start date of May 13, 2024.

#### Unfinished Business:

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.

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). City Staff, city engineering as well as Legal and MPCA have created and reviewed the draft Ordinance.

This ordinance gains compliance with State and Federal regulations.

**Motion McGrath, second Alkire 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. All ayes 6-0-0. Motion carried.**

**Motion Alkire, second Quinn to adopt Resolution 24-011 summary publication. All ayes 6-0-0. Motion carried.**

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

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.

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

City Staff, city engineering as well as Legal and MPCA have created and reviewed the draft Ordinance.

**Motion McGrath, second Alkire 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. All ayes 6-0-0. Motion carried.**

**Motion Alkire, second Quinn to adopt Resolution 24-012 summary publication.**

**All ayes 6-0-0. Motion carried.**

Approve memorials list and proposed available memorial locations

City 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 at capacity but provide a clear list of options available to those who are seeking to make a memorial donation. The Council reviewed the current list of memorials and location of and noted that they would like this to be a Street/Park Public Safety work plan item as the list is not stagnant but rather evolving.

**Motion Kramer, second McGrath, to approve memorials list and proposed available memorial locations. All ayes 6-0-0.**

Consent Agenda

Review and approve Council retreat minutes February 7, 2024

Review and approve Council workshop minutes February 12, 2024

Review and approve Council minutes February 12, 2024

Review and approve expense claims February 8, 2024 – March 7, 2024

Approve 1-4 day Temporary On-Sale liquor license for Lake City Chamber of Commerce Governor's Fishing Opener event May 10, 2024

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

Adopt Resolution 24-010 confirming board and commission appointments- Dennis Probst to Planning Commission and Anna Karsten to Library Board.

Approve 12-month contract with Safebuilt LLC for building inspection services

Approve 2024 Fire Department officers

Amend 2024 fee schedule (Resolution 23-049) to include changes to building permit fees

Future meeting dates:

March 2024 calendar

April 2024 draft calendar

**Motion McGrath, second Alkire to adjourn at 7:00 p.m. All ayes 6-0-0. Motion carried.**

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Mark Nichols, Mayor

ATTEST:

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Kari Schreck, City Clerk



April 8, 2024

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**Agenda Item Description:** Review and approve Council special workshop minutes March 18, 2024

**Originating Department:** City Clerk

**Board/Commission/Committee Action:**

**Consent Agenda?:** Yes

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**Action Requested:**

Review and approve council special workshop minutes March 18, 2024.

**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk

**ATTACHMENTS:**

**Description**

- ▣ 3.18.24 workshop minutes

**Lake City Common Council  
Retreat Meeting  
March 18, 2024, 5:00 p.m.  
Council Chambers  
City Hall**

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

Members Absent: Faye Brown

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

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

Review adopt/ amend agenda

**Motion McGrath, second Alkire to adopt the agenda as presented. All ayes 6-0-0. All ayes Motion carried**

Smith Schafer & Associates - 2023 Financial Summary

Andrew Forliti, Audit Principal from Smith Schafer & Associates will discuss the City's 2023 Financial Statement and present highlights from the audit.

**Motion McGrath, second Kramer to adjourn the meeting at 5:34 p.m. All ayes 6-0-0. Motion carried.**

ATTEST:

\_\_\_\_\_  
Mark Nichols, Mayor

\_\_\_\_\_  
Kari Schreck, City Clerk





April 8, 2024

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**Agenda Item Description:** Review and approve expense claims  
March 8- April 2, 2024

**Originating Department:** City Clerk

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

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**Action Requested:**  
Review and approve expense claims March 8- April 2, 2024

**Reviewed By:** Administration, Finance

**Preparer:** Kari Schreck, City Clerk

**ATTACHMENTS:**

**Description**

- ▣ exp claims 3.8.24-4.2.24

Account Description	Total Invoice Amounts
Total 101-34140-33522 Ambulance Residential Calls:	
	704.18
Total 101-44011-320 Council Travel, Conf, School:	
	15.00
Total 101-44011-360 Council Food Shelf Utilities:	
	44.19
Total 101-44011-361 Council Old PS Building:	
	168.64
Total 101-44011-391 Council Donations:	
	15,000.00
Total 101-44022-310 City Admin Communication:	
	49.78
Total 101-44022-320 City Admin Travel, Conf, Sch:	
	15.00
Total 101-44040-210 Elections Operating Supplies:	
	155.63
Total 101-44051-210 Clerk/Finance Operating Suppli:	
	65.82
Total 101-44051-400 Clerk/Finance Miscellaneous:	
	.03-
Total 101-44060-390 Legal Contractual-Prosecutions:	
	2,650.00
Total 101-44091-210 Planning Operating Supplies:	
	65.82
Total 101-44091-320 Planning Travel, Conf, School:	
	15.00
Total 101-44110-210 Police Operating Supplies:	
	204.48
Total 101-44110-220 Police Maint/Repair:	
	114.95
Total 101-44110-310 Police Communication:	
	794.18
Total 101-44110-320 Police Travel, Conf, School:	
	300.00
Total 101-44120-220 Fire Maint/Repair:	
	2,124.79
Total 101-44120-310 Fire Communication:	
	191.15
Total 101-44140-210 Ambulance Operating Supplies:	
	3,231.78
Total 101-44140-220 Ambulance Maint/Repair:	
	1,044.64
Total 101-44140-270 Ambulance Uniform:	
	54.40
Total 101-44140-310 Ambulance Communication:	
	484.49
Total 101-44140-321 Ambulance Training Classes:	
	2,243.93
Total 101-44140-390 Ambulance Contractual:	
	4,580.46
Total 101-44191-310 EOC Communication:	
	46.98
Total 101-44212-210 Streets Operating Supplies:	
	2,511.34-
Total 101-44212-220 Streets Maint/Repair:	
	135.00
Total 101-44212-300 Streets Professional Services:	
	180.00

Account Description	Total Invoice Amounts
Total 101-44212-310 Streets Communication:	76.36
Total 101-44212-340 Streets Printing/Publishing:	225.00
Total 101-44212-390 Streets Contractual:	1,577.41
Total 101-44212-450 Streets Trees:	742.20
Total 101-44510-210 Parks Operating Supplies:	491.29
Total 101-44510-220 Parks Maint/Repair:	11.70
Total 101-44510-310 Parks Communication:	18.98
Total 101-44510-390 Parks Contractual:	190.39
Total 101-44524-210 Pool Operating Supplies:	35.98
Total 101-44524-220 Pool Maint/Repair:	945.58
Total 101-44543-210 HSL Operating Supplies:	814.60
Total 101-44543-220 HSL Maint/Repair:	44.62
Total 101-44543-310 HSL Communication:	29.38
Total 101-44543-390 HSL Contractual:	454.95
Total 101-44990-405 General Lodging Tax Exp:	13,423.64
Total 210-45210-210 Library Operating Supplies:	1,333.33
Total 210-45210-240 Library Books & Materials:	2,253.15
Total 210-45210-401 Donation Expenses:	826.55
Total 275-45275-300 Professional Services:	6,145.43
Total 275-45275-402 Loan Disbursements:	43,895.96
Total 400-44212-530 Cap Proj Streets-Mach/Equip:	7,551.97
Total 400-44510-500 Cap Project Parks-Land:	25,071.95
Total 400-44543-500 Cap Project HSL-Land:	9,037.50
Total 407-44070-500 2023 N 7th Reconstruction-Land:	2,200.50
Total 602-44602-210 City Hall-Operating Supplies:	38.97
Total 602-44602-310 City Hall-Communication:	146.87
Total 602-44602-360 City Hall-Utilities:	781.21
Total 602-44602-390 City Hall Building-Contractual:	501.36
Total 602-44603-310 Library Building-Communication:	29.38

Account Description	Total Invoice Amounts
Total 602-44603-360 Library Building-Utilities:	316.53
Total 602-44603-390 Library Building-Contractual:	1,073.48
Total 602-44604-210 PS Building-Operating Supplies:	73.28
Total 602-44604-220 PS Building-Maint/Repair:	1,200.00
Total 602-44604-310 PS Building-Communication:	200.04
Total 602-44605-220 Fire Hall-Maint/Repair:	182.79
Total 602-44605-310 Fire Hall-Communication:	29.38
Total 602-44605-360 Fire Hall-Utilities:	329.47
Total 602-44605-390 Fire Hall-Contractual:	385.00
Total 701-41920-210 Electric Operating Supplies:	25,097.93
Total 701-41920-300 Electric Professional Svcs:	13,465.60
Total 701-41920-310 Electric Communication:	299.26
Total 701-41920-320 Electric Travel, Conf, School:	1,299.42
Total 701-41920-360 Electric Utilities:	1,183.70
Total 701-41920-370 Electric Maint/Repair:	154.46-
Total 701-41920-390 Electric Contractual:	731.81
Total 702-42920-210 Water Admin Operating Supplies:	444.93
Total 702-42920-300 Water Admin Professional Svcs:	144.00
Total 702-42920-310 Water Admin Communication:	110.21
Total 702-42920-370 Water Admin Maint/Repair:	18,853.64
Total 702-42920-390 Water Admin Contractual:	206.64
Total 702-42920-530 Water Capital-Machin/Equip:	725.50
Total 703-43500-210 Treatment Operating Supplies:	1,939.10
Total 703-43500-310 Treatment Communication:	44.77
Total 703-43500-320 Treatment Travel, Conf, School:	250.00
Total 703-43500-360 Treatment Utilities:	1,069.66
Total 703-43500-370 Treatment Maint/Repair:	688.54
Total 703-43500-390 Treatment Contractual:	31,772.20
Total 703-43920-210 Sewer Admin Operating Supplies:	444.93

Account Description	Total Invoice Amounts
Total 703-43920-310 Sewer Admin Communication:	
	110.22
Total 703-43920-360 Sewer Admin Utilities:	
	34.51
Total 703-43920-370 Sewer Admin Maint/Repair:	
	6,804.56
Total 703-43920-390 Sewer Admin Contractual:	
	186.43
Total 703-43920-530 Sewer Capital-Machin/Equip:	
	725.51
Total 706-47706-210 Storm Water Operating Supplies:	
	347.25
Total 706-47706-220 Storm Water Maint/Repair:	
	141.10
Total 706-47706-300 Storm Water Professional Svcs:	
	405.00
Total 706-47706-390 Storm Water Contractual:	
	6,175.95
Total 706-47706-500 Storm Water Capital-Land:	
	453.00
Total 710-37100-33780 Slip Rentals:	
	760.00
Total 710-40773-220 Marina Harbor Maint/Repair:	
	3,734.48
Total 710-40773-300 Marina Harbor Professional Svc:	
	350.00
Total 710-40773-310 Marina Harbor Communications:	
	88.13
Total 710-40773-360 Marina Harbor Utilities:	
	628.17
Total 710-40773-390 Marina Harbor Contractual:	
	125.93
Grand Totals:	
	274,542.72



April 8, 2024

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**Agenda Item Description:** Accept City's 2023 financial statement by Smith Schafer & Associates.

**Originating Department:** Finance

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

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**Action Requested:**

Accept City's 2023 financial statement, audit conducted by Smith Schafer & Associates.

**Introduction/ Background/Justification/Key/Legal Issues:**

Minnesota Statute 6.55 requires an annual audit of the city's financial records by a qualified preparer. The City of Lake City has retained the services of Smith Schafer & Associates to perform the 2016-2023 audits in compliance with state statutes and audit standards.

The 2023 audit was reviewed at the Council Workshop on March 18, 2024 with Smith Schafer & Associates. They presented an overview of the 2023 audit and answered questions.

Copies of the City's 2023 Financial Statement have been provided to council. The audit has been posted to the city's website with the following link: <https://www.ci.lake-city.mn.us/index.asp?SEC=D3207B23-8F40-4DED-BB0A-00305008FF99&DE=DBC79AF-599E-4D6D-8018-D9860A75DBAC>

**Budgetary/Fiscal Impact:**

The cost of the 2023 audit is included in the 2024 budget.

**Reviewed By:** Administration

**Preparer:** Jerome Illg, Finance Director



April 8, 2024

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**Agenda Item Description:** Adopt Resolution 24-013 accepting donations for the first quarter 2024

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** Yes

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**Action Requested:**

Adopt Resolution 24-013 accepting 1st Quarter 2024 donations totaling \$18,089.63 from the listed individuals.

**Introduction/ Background/Justification/Key/Legal Issues:**

All city donations are acknowledged by the respective Boards and Commissions and then accepted by Council on a quarterly basis.

Donations are tracked by the Clerk/Finance Department and detailed out in a worksheet listing by department, the purpose of the donation, and any budgets that may need to be amended.

**Budgetary/Fiscal Impact:**

2024 revenue and expenditure budgets will be increased accordingly.

**Reviewed By:** Administration

**Preparer:** Diane Johnson, Administrative Clerk

**ATTACHMENTS:**

**Description**

▣ RES 24-013

## RESOLUTION 24-013

### RESOLUTION ACCEPTING DONATIONS TOTALING \$18,089.63 FROM THE INDIVIDUALS LISTED BELOW FOR THE FIRST QUARTER OF 2024

**WHEREAS**, the following donations have been received from the listed individuals,

**WHEREAS**, the appropriate revenue and expense accounts will reflect such donations and/or purchases,

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Lake City, Minnesota accepts the donations totaling \$18,089.63 and the appropriate accounts will be amended to reflect the donations.

Department	Cash Received to Account	Account Description	Amount	Contributor	Account to Amend Budget	Account Name	Description
Ambulance	101-34140-33162	Ambulance Donations	500.00	Anonymous	101-44140-210	Ambulance Operating Supplies	Equipment or Supplies
Hok-Si-La	101-34543-33162	HSL Donations	250.00	Lake City Chamber of Commerce	101-44543-210	HSL Operating Supplies	Fall Fest Supplies
Hok-Si-La	101-34543-33162	HSL Donations	75.00	Donation Boxes	n/a	n/a	For the Park
Library	210-32100-33162	Library Donations	156.85	Front Desk Donations	n/a	n/a	General - Received at front desk
Library	210-32100-33162	Library Donations	120.41	Friends of the Library	210-45210-210	Library Operating Supplies	December Bookshelf Sales
Library	210-32100-33162	Library Donations	443.25	Friends of the Library	210-45210-210	Library Operating Supplies	1/2 February Book Sale
Library	210-32100-33162	Library Donations	100.03	Friends of the Library	210-45210-210	Library Operating Supplies	January Bookshelf Sales
Library	210-32100-33162	Library Donations	82.44	Friends of the Library	210-45210-210	Library Operating Supplies	February Bookshelf Sales
Library	210-32100-33162	Library Donations	340.00	Friends of the Library	210-45210-401	Library Donation Expenses	Slatwall Tower Display
Library	210-32100-33162	Library Donations	600.50	Friends of the Library	210-45210-401	Library Donation Expenses	Mindy Mejia Author Visit
Library	210-32100-33162	Library Donations	93.50	Friends of the Library	210-45210-401	Library Donation Expenses	Bird Trivia Prize Books
Library	210-32100-33162	Library Donations	875.00	Friends of the Library	210-45210-401	Library Donation Expenses	Hooperina Programs (2) for IL2R Month
Library	210-32100-33162	Library Donations	30.00	Friends of the Library	210-45210-401	Library Donation Expenses	Gift Cards for Bird Trivia Prizes
Library	210-32100-33162	Library Donations	600.00	Friends of the Library	210-45210-401	Library Donation Expenses	Summer Reading Program Bags
Library	210-32100-33162	Library Donations	475.00	Friends of the Library	210-45210-401	Library Donation Expenses	Swank Movie License
Library	210-32100-33162	Library Donations	347.65	Friends of the Library	210-45210-210	Library Operating Supplies	1/2 March Book Sale
Streets	101-34212-33162	Streets Donations	1,000.00	Ackermann Total Eye Care	101-44212-450	Streets Trees	Tree replacement
Parks	400-34510-33162	Parks Donations	10,000.00	Nichols Family Foundation	n/a	n/a	Pickleball court-Underwood Park
Council	101-44011-391	General Donation	2,000.00	Frontenac Sportsman Club	n/a	n/a	Pass through donation to Chamber for Governor's Fishing Opener
			\$ 18,089.63				

Adopted this 8th day of April, 2024.

ATTEST:

\_\_\_\_\_  
Mark Nichols, Mayor

\_\_\_\_\_  
Kari Schreck, City Clerk





April 8, 2024

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**Agenda Item Description:** Adopt Resolution 24-014 Confirming board and commission appointment – Marie D Miller, Library Board

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** Yes

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**Action Requested:**

Adopt Resolution 24-014 confirming:

Library Board appointment – Marie Desaulniers Miller for 2024 – New (Partial 1) through 3/1/2025 partial term replaces Karen Cooper 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**

▣ RES 24-014

**RESOLUTION 24-014**

**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:

**Library Board**

Marie Desaulniers Miller 2024 – **NEW– P1** thru 03/01/2025 – partial term fills Karen Cooper vacancy

Resolution adopted this 8<sup>th</sup> day of April, 2024.

\_\_\_\_\_  
Mark Nichols, Mayor

Attest:

\_\_\_\_\_  
Kari Schreck, City Clerk



April 8, 2024

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**Agenda Item Description:** Approve request for the Lake City Fire Department Relief Association to host a raffle event on July 6, 2024 at the Lake City Fire Hall.

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** Yes

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**Action Requested:**

Approve the request for the Lake City Fire Department Relief Association to host a raffle event on July 6, 2024. The raffle event will be held at the Lake City Fire Hall, 205 W Center Street.

**Introduction/ Background/Justification/Key/Legal Issues:**

The Lake City Fire Department Relief Association 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 Fire Department Relief Association 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 Fire Department Relief Association with a request to host a raffle event on July 6, 2024 at the Lake City Fire Hall, 205 W Center 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



April 8, 2024

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**Agenda Item Description:** Approve 1-4 Day Temporary On-sale  
Liquor License for Lake City Fire Relief  
Association Dance July 5-6, 2024.

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** Yes

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**Action Requested:**

Approve 1-4 Day Temporary On-Sale Liquor License for the Lake City Fire Relief Association for the dance held July 5-6, 2024 at the Fire Hall.

**Introduction/ Background/Justification/Key/Legal Issues:**

Lake City Fire Relief Association has requested a temporary liquor license for an event held at the Fire Hall July 5-6, 2024. The Lake City Fire Relief Association has submitted the required documentation and paid the temporary liquor license fee.

The event will be held at the Fire Hall located at 205 W Center 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



April 8, 2024

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**Agenda Item Description:** Approve 1-4 Day Temporary On-sale Liquor license for Lake City Chamber of Commerce Tour de Pepin reception June 1, 2024.

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** Yes

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**Action Requested:**

Approve 1-4 Day Temporary On-Sale Liquor License for the Lake City Chamber of Commerce for the Tour de Pepin reception held June 1, 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 June 1, 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



April 8, 2024

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**Agenda Item Description:** Approve request for Consumption & Display permit for the Lake City Yacht Club

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** Yes

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**Action Requested:**

Approve request for a Consumption & Display permit for the Lake City Yacht Club for 4/1/2024-3/31/2025.

**Introduction/ Background/Justification/Key/Legal Issues:**

This license is renewed on an annual basis subject to payment of the fee and required paperwork. The current license expires on March 31, 2024.

Consumption & Display permits are issued through the Minnesota Department of Public Safety Alcohol & Gambling Enforcement Division. The City must approve the permit application prior to the State of Minnesota issuing a license.

Renewal of the permit by the Lake City Yacht Club was forwarded to the Police Department for review.

Lake City Police Department recommends approval of this request.

**Budgetary/Fiscal Impact:**

\$200

**Reviewed By:** Police/Administration

**Preparer:** Diane Johnson, Administrative Clerk



April 8, 2024

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**Agenda Item Description:** Approve request for the Lake City Area Arts to host a bingo event June 27-30, 2024 at Lake City Area Arts building.

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** Yes

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**Action Requested:**

Approve the request for the Lake City Area Arts to host a bingo event June 27-30, 2024. The bingo event will be held at the Lake City Area Arts building, 105 W Center Street, during Water Ski Days.

**Introduction/ Background/Justification/Key/Legal Issues:**

The Lake City Area Arts 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 Area Arts 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 Area Arts with a request to host a bingo event June 27-30, 2024 at the Lake City Area Arts building, 105 W Center Street. I have reviewed the information and find no reason to deny the request.

**Budgetary/Fiscal Impact:**

\$25

**Reviewed By:** Chief of Police Kubista

**Preparer:** Diane Johnson, Administrative Clerk



April 8, 2024

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**Agenda Item Description:** Approve Cemstone farm lease with John Dose

**Originating Department:** Public Works

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

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**Action Requested:**

Approve a 1-year Cemstone farm lease with John Dose for \$115/acre.

**Introduction/ Background/Justification/Key/Legal Issues:**

Upon consultation with city attorney Sarah Sonsalla, staff negotiated a 1-year lease for the Cemstone farm ground with John Dose. Mr. Dose is aware of the potential development of the property and the lease allows for termination of the agreement in that event.

**Budgetary/Fiscal Impact:**

The Electric Utility is the Cemstone property owner and takes in the lease payments.

$\$115/\text{acre} \times 17 \text{ acres} = \$1,955$  for the year.

**Reviewed By:** Administration, Finance

**Preparer:** Public Works Director Scott Jensen

**ATTACHMENTS:**

**Description**

- ▣ Lease Agreement



## FARMING LEASE

THIS FARMING LEASE (this “Lease”), is made effective this 1st day of January, 2024, by and between the City of Lake City, a Minnesota municipal corporation (the “City”) and John Dose, an individual (the “Tenant”).

1. Property Description. The City hereby rents to the Tenant in consideration of the rents and promises hereinafter described the property (the “Property”) consisting of approximately 17 acres. The Property is legally described on Exhibit A attached hereto.
2. Term. The term of this Lease is for one year commencing on January 1, 2024 and terminating on December 31, 2024, unless otherwise terminated pursuant to the terms herein.
3. Base Rent. Commencing on April 15, 2024, the Tenant shall pay the City annual rent in the amount of \$115/acre or \$1,955 (“Rent”).
4. Property Taxes. In addition to annual installment of Rent, the Tenant shall be responsible for paying the annual Real Estate Taxes attributable to the Property. The Tenant shall pay the Real Estate Taxes directly to the County when they become due. The term “Real Estate Taxes” shall mean all real estate taxes, all assessments, and any taxes in lieu thereof which may be levied upon or assessed against the Property. A photocopy of the tax statement submitted by the City to the Tenant shall be sufficient evidence of the amount of taxes and assessments assessed or levied against the Property.
5. Quiet Enjoyment. The City warrants that it has full right to execute and to perform this Lease and to grant the estate demised, and that the Tenant, upon the Tenant’s performance of all the terms, conditions, covenants, and agreements on the Tenant’s part to be observed and performed under this Lease, may peaceably and quietly enjoy the Property subject to the terms and conditions of this Lease.
6. Access to the Property. The Tenant agrees to permit the City and the authorized representatives of the City to enter the Property at all times during normal business hours (upon 24 hours’ notice to the Tenant) for the purpose of inspecting the same and conducting such investigations, tests, measurements, and assessments as may be desired by the City. In the event of an emergency constituting a danger to life, health, safety, or property, the City may enter the Property at any given time without the consent of or notice to the Tenant.
7. Tenant Obligations. The Tenant shall be responsible for paying or doing the following:
  - A. The Tenant shall use the Property for agricultural purposes only, which includes farming and cultivation. The production of any legal agricultural crop is permitted on the Property, provided that the production of such crop does not damage the Property due to excessive runoff or erosion. During farming operations, the Tenant must fertilize and lime the soil on the Property in order to keep the proper elements in the soil and at a proper pH for crop production. The Tenant shall not use any

herbicides that will have any residual carry over effect on any properties or bodies of water that are in the vicinity of the Property. The Tenant shall not keep any farm animals, livestock, or poultry on the Property. The Tenant agrees to use normal and customary farming practices in the care and maintenance of the Property and, without limiting normal practices, keep the Property free of noxious weeds to the greatest extent possible;

- B. The Tenant agrees that throughout the term of this Lease, the Tenant shall not use the Property for the storage, handling, transportation, or disposal of any Hazardous Substances. "Hazardous Substances" for purposes of this Lease shall be interpreted broadly to include, but not be limited to, any material or substance that is defined, regulated, or classified under any Environmental Law or other applicable federal, state, or local laws and the regulations promulgated thereunder as: (i) a "hazardous substance" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601 (14), the Federal Water Pollution Control Act, 33 U.S.C. §1321(14), as now or hereafter amended; (ii) a "hazardous waste" pursuant to Section 1004 or Section 3001 of the Resource Conservation and Recovery Act, 42 U.S.C. §§6903(5) , 6921, as now or hereafter amended; (iii) toxic pollutant under Section 307(a)(1) of the Federal Water Pollution Control Act, 33 U.S.C. §1317(a)(1) as now or hereafter amended; (iv) a "hazardous air pollutant" under Section 112 of the Clean Air Act, 42 U.S.C. §7412(a)(6), as now or hereafter amended; (v) a "hazardous material" under the Hazardous Materials Transportation Uniform Safety Act of 1990, 49 U.S.C. §5102(2), as now or hereafter amended; (vi) toxic or hazardous pursuant to regulations promulgated now or hereafter under the aforementioned laws or any state or local counterpart to any of the aforementioned laws; or (vii) presenting a risk to human health or the environment under other applicable federal, state or local laws, ordinances or regulations, as now or as may be passed or promulgated in the future. "Hazardous Substances" shall also mean any substance that after release into the environment or upon exposure, ingestion, inhalation, or assimilation, either directly from the environment or directly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavior abnormalities, cancer, or genetic abnormalities and specifically includes, but is not limited to, asbestos, polychlorinated biphenyls ("PCBs"), radioactive materials, including radon and naturally occurring radio nuclides, natural gas, natural gas liquids, liquefied natural gas, synthetic gas, oil, petroleum and petroleum-based derivatives, and urea formaldehyde;
- C. The Tenant agrees to comply with all statutes, ordinances, rules, orders, regulations, and requirements of the federal, state, county, municipal, watershed, and other units of government regulating the use of the Property;
- D. The Tenant shall not do anything in or about the Property which will in any way impair or invalidate the obligation of the insurer under any policy of insurance required by this Lease;

- E. The Tenant shall not make any alterations or improvements to the Property without the City's prior written consent. Any additions or improvements authorized by the City shall be made at the Tenant's sole expense and shall remain on the Property at the expiration of this Lease;
  - F. The Tenant shall refrain from using or applying any chemicals or products on Property which contain phosphorous;
  - G. The Tenant is not required to plow back the Property prior to the termination of this Lease; and
  - H. This Lease does not entitle the Tenant to allow or authorize use of the Property by the Tenant or any of Tenant's invitees for recreational purposes, including, but not limited to, hunting or the riding of snowmobiles, all-terrain, or similar recreational vehicles.
8. Costs Associated with the Lease. The City is not responsible for paying any of the Tenant's costs associated with this Lease, including preparation of the Property for farming. The Tenant shall pay all costs related to farming the Property.
9. Insurance. The Tenant shall, at the Tenant's expense during the term of this Lease, keep in full force and effect a policy or policies of "occurrence" based general liability insurance, providing coverage for personal injury, personal property damage, and contractual liability, on terms and with companies acceptable to the City. Such policy or policies shall name both the Tenant and the City as insured parties and shall have combined policy limits in amounts not less than \$1,500,000. Such policy or policies shall provide that 30 days written notice must be given to the City prior to cancellation or termination thereof (with the exception of non-renewal which shall provide for 10 days' notice). The Tenant shall furnish evidence satisfactory to the City at the time this Lease is executed that such coverage is in full force and effect. The Tenant shall also carry insurance for the full insurable value of the Tenant's personal property located on the Property. The Tenant hereby waives and releases all claims, liabilities, and causes of action against the City and its officials, agents, employees, and contractors for loss or damage to, or destruction of the Tenant's personal property located on the Property.
10. Indemnification. The Tenant shall hold the City harmless from and indemnify and defend the City against any claim or liability arising in any manner from the Tenant's use, improvement, and occupancy of the Property, or relating to the death or bodily injury to any person or damage to or loss of any personal property present on or located upon the Property, including all persons upon the Property at the Tenant's invitation or sufferance. All personal property and equipment kept, maintained, or stored on the Property shall be kept, maintained, or stored at the sole risk of the Tenant. The Tenant agrees to pay all sums of money in respect to any labor, service, materials, supplies, or equipment furnished or alleged to have been furnished to the Tenant in or about the Property, and not furnished on order of the City.

11. Assignment and Sublease Prohibited. The Tenant shall not sublet any portion of the Property or transfer or assign this Lease. The City's right to assign this Lease is and shall remain unqualified.
12. Surrender of Possession. Upon expiration or termination of this Lease, the Tenant shall peaceably surrender the Property and remove all debris, crops, and personal property from the Property. The Tenant shall be conclusively deemed to have abandoned any personal property and crops not removed prior to the effective date of the City's termination of this Lease or the Tenant's surrender of the Property. All debris, crops, and personal property may be removed and disposed of by the City. The Tenant shall be responsible for any removal and disposal costs.
13. Holding Over. If the Tenant remains in possession of the Property after the expiration or termination of this Lease, the Tenant shall be deemed to be occupying the Property as a tenant at sufferance, subject to all the conditions, provisions, and obligations of this Lease insofar as the same can be applicable to a tenancy at sufferance, including, but not limited to, the duty to pay rent.
14. Sale or Encumbrance of the Property. If the City sells or otherwise voluntarily conveys the Property during the term of this Lease, and the City does not terminate this Lease pursuant to the terms herein, this Lease shall be subject to the rights of the purchaser of the Property from the City and the Tenant shall attorn to the rights of the purchaser.
15. Tenant's Default.
  - A. Events of Default: The occurrence of any one or more of the following events shall constitute an Event of Default:
    - (1) The Tenant's failure to pay rent when due;
    - (2) The Tenant's failure to maintain the insurance required pursuant to paragraph 9 above, which failure remains uncured for 15 days following the City's written notice to the Tenant of the Tenant's failure to perform such obligation;
    - (3) The Tenant's attempt to sublet any portion of the Property, or assign the Tenant's interest under this Lease;
    - (4) The Tenant's failure to fully perform any of the Tenant's obligations, other than the obligations referenced in subsections (1), (2) or (3) above, which failure remains uncured for 30 days following the City's written notice to the Tenant of the Tenant's failure to perform such obligation; or
    - (5) The Tenant's filing, or having filed against the Tenant, any bankruptcy or debtor proceedings or proceedings for the appointment of a receiver or

trustee of all or any portion of the Property, or if the Tenant makes an assignment for the benefit of creditors.

B. City's Remedies: If an Event of Default occurs, the City shall have the following remedies;

- (1) The City may, but shall not be obligated to, and without notice to or demand upon the Tenant and without waiving or releasing the Tenant from any of the Tenant's obligations under this Lease, pay or perform any obligations of the Tenant; pay any cost or expense to be paid by the Tenant; obtain any insurance coverage and pay premiums therefor; and make any other payment or perform any other act on the part of the Tenant to be made and performed as provided for in this Lease, in such manner and to such extent as the City may deem desirable, and in exercising any such right, may also pay all necessary and incidental costs and expenses, employ counsel and incur and pay attorneys' fees. The Tenant shall pay costs to the City upon demand with interest at seven percent per annum.
- (2) The City may terminate this Lease by written notice to the Tenant in which case the Tenant shall vacate the Property in accordance with paragraph 12 of this Lease. Neither the passage of time after the occurrence of an Event of Default nor the City's exercise of any other remedy with regard to such Event of Default shall limit the City's right to terminate the Lease by written notice to the Tenant.
- (3) The City may, whether or not the City has elected to terminate this Lease, immediately commence summary proceedings in unlawful detainer to recover possession of the Property. In the event of the issuance of a writ of restitution in such proceeding, upon the City's reentry upon and repossession of the Property, the City may remove the Tenant and all other persons from the Property (subject to the Tenant's right and responsibility to remove the Tenant's personal property pursuant to paragraph 12 of this Lease). In the event the City reenters the Property pursuant to this paragraph and the Tenant fails to remove the Tenant's personal property within the time period provided in paragraph 12, all items of personal property not removed by the Tenant within said period shall be deemed abandoned, and title thereto shall transfer to the City at the expiration of such period or, upon the Tenant's vacation of the Property. These items may be disposed of by the City. The Tenant shall be responsible for any disposal costs.
- (4) In addition to all other remedies of the City, the City shall be entitled to reimbursement upon demand of all reasonable attorneys' fees which it incurs in connection with any Event of Default.

- (5) The City may initiate legal proceedings to enforce the provisions of this Lease.

No remedy provided for herein or elsewhere in this Lease or otherwise available to the City by law, statute, or equity, shall be exclusive of any other remedy, but all such remedies shall be cumulative and may be exercised from time to time and as often as the occasion may arise.

16. Loss and Damage. The Tenant assumes and bears the risk of all loss and damage to the Property from any and every cause whatsoever, whether or not insured, except in the case of gross negligence or intentional misconduct on the part of the City, its officials, employees, agents, or contractors. No loss or damage to the Property or any part thereof shall impair any obligation of the Tenant under this Lease and the Lease shall continue in full force and effect unless the Tenant is unable to use the Property for the purposes intended under this Lease.
17. Eminent Domain. If an eminent domain or condemnation proceeding is commenced with respect to the Property during the term of this Lease, the following provisions shall apply:
- A. If a public or private body with the power of eminent domain or condemnation (“Condemning Authority”) acquires all of the Property through the exercise of its power of eminent domain or condemnation or as a result of a sale in lieu thereof, this Lease shall cease and terminate as of the date the Condemning Authority acquires possession.
  - B. If a Condemning Authority acquires only a part of the Property, and such acquisition materially affects the Property so as to render the Property unsuitable for the Tenant, in the absolute discretion of the Tenant, then this Lease shall cease and terminate as of the date the Condemning Authority acquires possession.
  - C. If a Condemning Authority acquires only a part of the Property and such acquisition does not render the Property unsuitable for the Tenant in the absolute discretion of the Tenant, this Lease shall continue in full force and effect.
  - D. The City shall be entitled to the award paid in any condemnation acquisition under power of eminent domain or the proceeds of a sale in lieu thereof, and the Tenant shall not receive any portion of such award.
  - E. Although all damages in the event of any condemnation shall belong to the City whether such damages are awarded as compensation for diminution in value of the leasehold or to the fee of the Property, the Tenant shall have the right to claim and recover from the Condemning Authority, but not from the City, such compensation as may be separately awarded or recoverable by the Tenant, in the Tenant’s own right on account of any and all damage to the Tenant by reason of the condemnation and for or on account of any cost or loss to the Tenant.

18. Land Spreading of Compost Materials. The Tenant agrees to allow the City to spread compost materials on the Property. The City shall give the Tenant at least 24 hours' notice prior to spreading that includes the location of the spreading.
19. Limitation of Warranties and Liability. In no event shall the City be liable for special, incidental, or consequential damages, including but not limited to lost profits, lost business opportunity, or damages related to Tenant's use or intended use of the Property.
20. Lease is Binding. This Lease shall be binding upon the parties hereto and their heirs, successors and assigns.
21. Notification. Notices related to this Lease shall be sent to the following addresses:
- A. As to the City: City of Lake City  
205 West Center Street  
Lake City, MN 55041  
Attn: Director of Public Works
- B. As to the Tenant: John Dose  
\_\_\_\_\_  
\_\_\_\_\_

or to such other address as either party may notify the other of pursuant to this paragraph.

22. Entire Lease. It is understood that this Lease contains all agreements, promises, and understandings between the City and the Tenant regarding the subject matter hereof. This Lease supersedes any prior agreements between the parties regarding the subject matter hereof and any prior lease related to the Property. No modification to this Lease is binding unless made in writing and signed by the City and the Tenant.
23. Choice of Law. The laws of the State of Minnesota shall govern the validity, performance and enforcement of this Lease.
24. Waiver. No waiver of the City's remedies upon the occurrence of an Event of Default shall be implied from any omission by the City to take any action on account of such Event of Default, and no express waiver shall affect any Event of Default other than the Event of Default specified in the express waiver and such an express waiver shall be effective only for the time and to the extent expressly stated. One or more waivers by the City shall not be construed as a waiver of a subsequent Event of Default.
25. Relationship of Landlord and Tenant. This Lease does not create the relationship of principal and agent, partnership, joint venture, or of any association between the City and the Tenant, the sole relationship between the parties hereto being that of landlord and tenant under this Lease.

26. City's Disclaimer of Warranty. The City disclaims any warranty that the Property is suitable for the Tenant's use.
27. Termination For Convenience. In addition to the City's right to terminate this Lease for Tenant's default pursuant to Section 15(B)(2) above, the City may also terminate this Lease for convenience upon 30 days' written notice to the Tenant effective at the end of the current lease year. Upon such notice, the Tenant shall surrender the Property pursuant to Section 12 above.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands the day and year first above written.

**CITY OF LAKE CITY**

By: \_\_\_\_\_  
Mark Nichols  
Its: Mayor

By: \_\_\_\_\_  
Kari Schreck  
Its: City Clerk

**TENANT**

By: \_\_\_\_\_  
Its: \_\_\_\_\_



## **EXHIBIT A**

### **Legal Description of the Property**

The area designated by the City as the Property that consists of approximately 17 acres and is located within Outlots I, J and K, Jewel Planning Plat 2, Wabasha County, Minnesota.



April 8, 2024

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**Agenda Item Description:** Approve Lake City Area Arts  
Encroachment permit

**Originating Department:** Street/Park/Public Safety

**Board/Commission/Committee Action:** Commission

**Consent Agenda?:** Yes

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**Action Requested:**

Approve an encroachment permit for Lake City Area Arts.

**Introduction/ Background/Justification/Key/Legal Issues:**

LCAA approached Planning and Community Development Director Megan Smith with a public art display idea utilizing bicycles. These would be placed in city right-of-way and would require an encroachment permit. Specifically:

Hi, Megan.

I'm reaching out to you as Chair of the Lake City Area Arts. We're considering a short-term public art project/display and wanted to run it past the city before we got too excited about it.

During one of our strategy meetings, we discussed public art that some other cities have/had have (Red Wing's painted boots, St. Paul's Peanut characters, Egg Harbor (Doore County)'s egg sculptures). One of our Board members, Lisa Zmuda, had seen decorated bikes in a town and thought it would be a cute way to involve the community in an art project and have it timed to be up prior to and during the Tour de Pepin (perhaps 2 weeks before and 2 weeks after). I'm copying the Chamber on the idea, too, in case they have any comments or concerns. Attached are several pictures that we would share with contestants to foster their creativity.

The loose idea (we've not put a lot of detailed thought into this yet), is that the LCAA would try to locate a specific number of used bikes to be used in the project. Kids, Kids and Parents, Companies, or Organizations would purchase the bike for a minimal amount (ex: \$20) and would be given guidelines on the project. The completed bikes would then be on display by chaining them to light posts along Lakeshore Drive coming into Lake City from either direction.

Thank you.

Terri Orth, Chair

LCAA Board of Directors

City staff provided the following direction for this effort:

Concerns:

- Streets/parks crew maintaining these areas with mowing.

- Would need these displays removed by third week of June , in preparation for Waterski Days

Please avoid locations:

- With any adjacent parking stalls for vehicle conflict
- Not on light poles

We emphasize:

- Utilize existing bike racks at the library, marina, and at Center and Lakeshore (2)
- Bump out at Washington and Center has 1 bike rack
- Utilize Riverwalk from Roschen park to Central Point and Ohuta Beach area
- Private property – i.e., Lakeshore and Center (empty lot)
- Storefront window display
- Streets signs on E Lyon, Washington, Center St may be utilized if they do not impede on pedestrian or vehicle traffic

### **Budgetary/Fiscal Impact:**

There is no cost to the city. The Lake City Police Department is willing to donate bicycles that have been collected and held in cold storage.

**Reviewed By:** Administration

**Preparer:** Public Works Director Scott Jensen

### **ATTACHMENTS:**

#### **Description**

- ▣ **Encroachment Application**
- ▣ **Map**

City of Lake City, Minnesota  
Encroachment Permit Application

As regulated in the City Code, Title IX: General Regulations, Section 96 – Streets, Alleys and Public Ways

General Information

Lake City Area Arts	P.O. Box 307	Terri Orth, Chair
Applicant Name	Address	Phone
Temporary Bicycle	105 W. Center	651-260-0952
Community Art	numerous locals per map	same
Project Name	Address	Phone

Encroachment Type and Description

Temporary:

☐ Sign ☐ Parking ☐ Outdoor Seating ☒ Other

Permanent:

☐ Landscaping ☐ Parking ☐ Fence ☐ Other

Description (Attach if Necessary)

Per email and map, this is a temporary art display promoted by the LCAA but created by the public.

Terri Orth, Chair LCAA Board of Directors 2/8/24

Applicant Signature

Date

Administrative Section

Staff Signatures:

Planning and Community Development Date

Public Works Date

City Council Approval Date: Conditions/Comments:

☐ Approved ☐ Denied

☐ Fee Paid; Receipt Number



## **CHAPTER 96:**

### **Section**

96.60	Encroachments
96.51	Maintenance
96.62	Obstructing Streets
96.63	Allowable Obstructions
96.64	Violations

## ***ENCROACHMENTS***

### **§ 96.60 ENCROACHMENTS ON STREETS.**

No person shall erect or maintain any structure or thing on, over or under any street, alley, sidewalk or public way except by permit from the City. Persons desiring a permit shall make an application for a permit with the Public Works Director on a form provided by the City. The permit application must provide a detailed description of the encroachment and its location. Permits must be approved by the City Council. The City Council in its discretion may issue or deny the permit and may impose any conditions to such permit that it deems appropriate.

### **§ 96.61 MAINTENANCE.**

Any encroachment on any street, alley, sidewalk, or public way shall be maintained by the owner so that it does not endanger the public or obstruct the street, alley, sidewalk, or public way.

### **§ 96.62 OBSTRUCTING STREETS.**

No person shall obstruct or endanger the free passage or proper use of the public of any street, sidewalk, alley, or public way, except as may be permitted by this Subchapter.

### **§ 96.63 ALLOWABLE OBSTRUCTIONS.**

Goods, wares, and merchandise may be placed on public sidewalks for reasonable times, provided that pedestrian traffic is not obstructed. The items must be kept within an area two-thirds of the width of the sidewalk measured from the curb edge. An encroachment permit is not required.

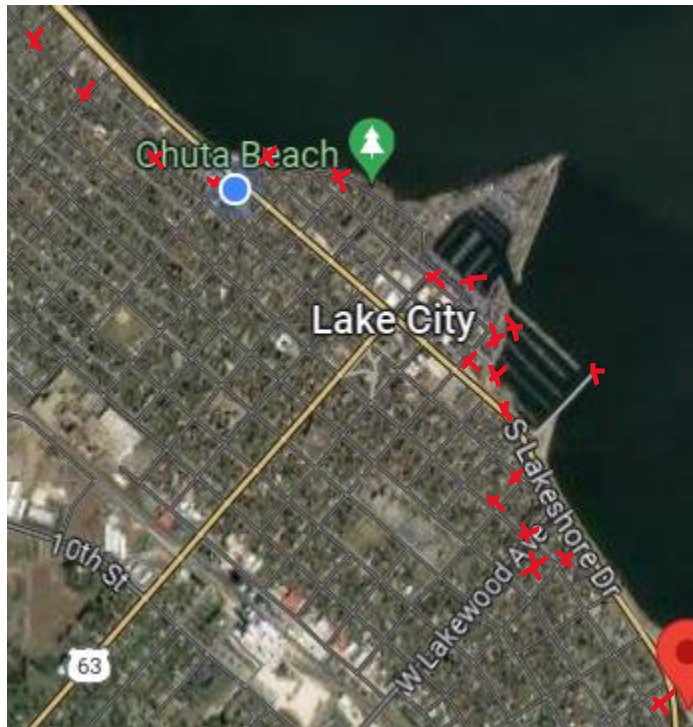
### **§ 96.64 VIOLATIONS.**

Any encroachment maintained in violation of this Subchapter is declared a nuisance and may be abated by the city.

### Approximate Map of Proposed 'Art' Bike Outside Exhibition:

We have reviewed your request and will need additional information, please submit:

1. A map showing the extent of where you would like any encroachment.



1. Private post on home 519 N Lakeshore Dr
2. Private corner white fence post Chickadee Cottage
3. Private left pole in front of new Lake City Boat Rental
4. Private Heidi's Hug-a-Mug Courtyard
5. Ohuta Park zip-tied to old white urn planter
6. Marina Bike Rack 1
7. Marina Bike Rack 2
8. Marina Bike Rack 3
9. Public Library Bike Rack
10. Center/Lakeshore Bike Rack (Southshore Art Gallery)
11. Private freestanding split rail fence next to Dux Ice Cream
12. Street sign East Lyon and Washington
13. Street Sign Center and Franklin
14. Zip tied to middle diamond reflector pole at dead-end block 13
15. Private Pearly Button South Wall, attached to flower box in the center
16. Private, 3<sup>rd</sup> tree (skinny one) from the Northwest corner of Fresh Market
17. End of Pier facing towards the water for boaters to view
18. Bike Rack in front of Family Restaurant
19. Private property ~ tree on Triangle Point Lakeshore & High St.
20. Backside of McCahill Playground sign

2. Completed encroachment application (attached)

When preparing physical locations please focus on the following staff-generated comments:

Concerns:

- Streets/parks crew maintaining these areas with Mowing.

**Yes.**

- Would need these displays removed by third week of June, in preparation for Waterski Days

**Installed May 30<sup>th</sup>, removed June 20<sup>th</sup>**

We emphasize:

- ✓ Utilize existing bike racks at the library, marina, at Center, and Lakeshore (2)
- ✓ Bump out at Washington and Center has 1 bike rack.
- ✓ Utilize the riverwalk from Roschen Park to Central Point /the Ohuta Beach area.
- ✓ Private property – i.e., Lakeshore and Center (empty lot)
- ✓ Storefront window display
- ✓ Streets signs on E Lyon, Washington, Center St May be utilized if they do not impede on pedestrian or Traffic.





April 8, 2024

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**Agenda Item Description:** April 2024 Calendar

**Originating Department:** City Clerk

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

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**Introduction/ Background/Justification/Key/Legal Issues:**

April 2024 Calendar

**Budgetary/Fiscal Impact:**

None

**Reviewed By:** Administration

**Preparer:** Diane Johnson, Administrative Clerk

**ATTACHMENTS:**

**Description**

- April 2024 Calendar



# April 2024

MON	TUE	WED	THU	FRI	SAT/SUN
1	2 Planning Workshop 5:00 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 Environmental Commission 5:00 PM	25 Fire Department 7:00 PM	26	27/28
29	30				





April 8, 2024

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**Agenda Item Description:** May 2024 Draft Calendar

**Originating Department:** City Clerk

**Board/Commission/Committee Action:** Committee

**Consent Agenda?:** No

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**Introduction/ Background/Justification/Key/Legal Issues:**

May 2024 Draft Calendar

**Budgetary/Fiscal Impact:**

None

**Reviewed By:** Administration


**Preparer:** Diane Johnson, Administrative Clerk

**ATTACHMENTS:**

**Description**

- ▣ **May 2024 Draft Calendar**

# May 2024

MON	TUE	WED	THU	FRI	SAT/
		1	2	3	4/5
6	7 Planning Workshop 5:00 PM  Planning Commission 6:00 PM	8 Heritage Preservation Commission 5:00 PM	9	10	11/12 
13 Council Workshop 5:00 PM  Common Council 6:00 PM	14	15 Utility Board 5:30 PM	16 Port Authority 4:30 PM	17	18/19
20 Ambulance Commission 6:00 PM	21 Streets/Parks/Public Safety Commission 4:30 PM	22 Environmental Commission 5:00 PM	23	24	25/26
27 <b>Memorial Day</b> <b>City Hall Closed</b> 	28	29	30 Fire Department 7:00 PM	31	



**Clean Up Day**

May 11th  
8:00am-4:00pm