



**Agenda**  
**Lake City Common Council**  
**Regular Meeting October 14, 2024**  
**6:00 PM**

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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 department minutes August 29, 2024
  - b. Personnel Committee minutes September 9, 2024
  - c. Street/Park/Public Safety draft minutes September 17, 2024
5. New Business
  - a. Approve issuance of an administrative citation for the Lakeshore Smoke Shop in the amount of \$1000.
  - b. Adopt Resolution 24-032 summary publication of Ordinance 639 Short Term Rentals
  - c. Approve new community garden location
  - d. Approve request for the VFW Auxiliary to host four bingo events in 2025.
6. Unfinished Business
  - a. Award contract for Ohuta Wall Retaining Wall project
7. Consent Agenda
  - a. Review and approve Council minutes September 9, 2024
  - b. Review and approve expense claims September 5, 2024- October 8, 2024
  - c. Adopt Resolution 24-028 confirming board and commission appointments – Jack Rol, Planning Commission; Joshua Tripp, Heritage Preservation Commission
  - d. Adopt Resolution 24-031 accepting donations for the third quarter 2024
  - e. Approve League of MN Cities Liability Coverage Waiver Form
  - f. Approve 2024 municipal contribution to Lake City Fire Relief Association
  - g. Approve request for the Lake City Education Foundation to host a raffle on November

16, 2024.

- h. Approve request for the Wabasha County Pheasants Forever #41 to host a raffle event on April 5, 2025 at the Lake City Sportsman's Club.
- i. Approve Sale of Public Works equipment
- j. Approve Fire Department Grant budget adjustment
- k. Approve Emerald Ash Borer Tree Grant certification for restricted property
  - l. Approve Marina 2024 seasonal hires
- m. Approve out of state travel for Library Director
- n. Approve a utility cost sharing agreement for Block 15
- o. Approve cleaning contract for Public Works with Bonnie Buck

8. Future Meeting Dates

- a. October 2024 Calendar
- b. November 2024 Draft Calendar

9. Adjourn



**October 14, 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



**October 14, 2024**

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

**Originating Department:** City Clerk

**Board/Commission/Committee Action:**

**Consent Agenda?:**

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**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk



October 14, 2024

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**Agenda Item Description:** Fire department minutes August 29, 2024

**Originating Department:** City Clerk

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

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**Action Requested:**

Review Fire dept minutes August 29, 2024.

**Reviewed By:** Administration

**Preparer:** Anthony Schultz, Fire dept secretary

**ATTACHMENTS:**

**Description**

- ▣ 8.29.24 minutes

**Lake City Fire Department  
Monthly Business Meeting Minutes  
August 29<sup>th</sup>, 2024**

Chief Patterson called meeting to order at 6:59 P.M.

**ROLL CALL**

***Active Members Present:*** Dave Glomski, Brandon Herzig, Tom Reckmann, Dan Patterson, Mike Lafferty, Matt Herzig, Zach Vanberg, Justin Cerwinske, Travis Coyle, Dan Cox, Brian Smith, Tony Schultz, Garten Haeska, Sam Nutt and Aiden Leonard

***Active members absent:*** Jack Weyer, Derek Nibbe, Chris Tourney, Jon Dose, Jake Schumacher, Baxter O'Reilly and Luke Hartzell

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

**SECRETARIES REPORT**

1. July 25, 2024 minutes presented.

**MOTION TO ACCEPT JULY MINUTES BY Dave Glomski SECOND BY Zach Vanberg VOTE TAKEN AND MOTION CARRIED.**

**TREASURERS REPORT**

1. Treasurer's report reviewed at Relief meeting.

**COMMITTEE REPORTS**

***EQUIPMENT:***

1. Report from Smith that electrical work in the apparatus bays will begin next week.
2. Discussion of the foam systems on E21 and E16 led by Chief Patterson.
3. Discussion on chain exercises occurring throughout the year led by Smith.

***TRAINING:***

1. September 10<sup>th</sup> – Vehicle fire/extrication
2. September 17<sup>th</sup> – XCEL Energy
3. Reminder from Captain Herzig to check all apparatus fuel levels before parking.

***SAFETY:***

1. Report from Brandon that hose tower ladder and harness are installed.

***DANCE COMMITTEE:***

1. Nothing at this time.

***FIRE PREVENTION:***

1. We still need a Chair. Open House is October 5<sup>th</sup> 11-2. Fire Prevention week at the schools is October 7-11.

**CORRESPONDENCE & COMMUNICATIONS**

1. None at this time.

**OLD BUSINESS**

1. Region 15 MFSDA Meeting is September 25<sup>th</sup> at Lake City Sportsman's Club at 6 pm.
2. Apron work should get done next month.

**NEW BUSINESS**

1. Discussion on waving monthly food dues for members. Agreed to collect in whole through end of this year, and waive dues beginning in 2025. **MOTION TO WAIVE FOOD DUES BEGINNING IN 2025 BY Dan Cox SECOND BY Zach Vanberg. VOTE TAKEN AND MOTION CARRIED.**

**OTHER BUSINESS FOR THE GOOD OF THE ORDER**

1. None at this time.

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

**Meeting adjourned at 7:22**

Minutes recorded and prepared by Tony Schultz



October 14, 2024

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**Agenda Item Description:** Personnel Committee minutes September 9, 2024

**Originating Department:** City Clerk

**Board/Commission/Committee Action:**

**Consent Agenda?:**

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**Action Requested:**

Review Personnel Committee minutes September 9, 2024.

**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk

**ATTACHMENTS:**

**Description**

- ▣ 9.9.24 minutes



**City of Lake City  
Personnel Committee  
September 9, 2024  
1<sup>st</sup> Floor conference room, City Hall  
5:30 p.m.**

The meeting was called to order by Mark Nichols at 5:30 p.m. with members Faye Brown and Brian Quinn present.

Members Absent: none

Others present: City Administrator Rob Keehn, City Clerk Kari Schreck

Approve/ amend agenda

**Motion Brown, second Quinn to adopt the agenda as presented. All ayes 3-0-0.  
Motion carried**

Recommend approval of hiring Douglas Grout at Grade 12, Step 5

The City Administrator has administrative ability to approve hires at up to Step 2 within a grade. Anything higher than this requires a recommendation from the Personnel Committee. This falls in line with the amount budgeted for the CEDA contract.

**Motion Quinn, second Brown, to recommend the hiring of Douglas Grout as Port Authority Executive Director at Grade 12, Step 5, \$39.98/hr. All ayes 3-0-0.  
Motion carried.**

Approve Personnel committee minutes August 5, 2024

**Motion Brown, second Quinn to approve the August 5, 2024, minutes. All ayes 3-0-0.  
Motion carried.**

Miscellaneous Discussion:

The wage adjustments for the electric utility positions that are on the council agenda for the 6:00 meeting was briefly discussed. The committee requested more detailed wage information be available at the council meeting for discussion. Staff agreed to provide that.

**Motion Brown second Quinn to adjourn at 5:50 p.m. All ayes 3-0-0. Motion carried.**

ATTEST:

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Mark Nichols, Mayor

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Kari Schreck, City Clerk



October 14, 2024

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**Agenda Item Description:** Street/Park/Public Safety draft minutes  
September 17, 2024

**Originating Department:** City Administrator

**Board/Commission/Committee Action:**

**Consent Agenda?:**

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**Action Requested:**

Review Street/Park/Public Safety draft minutes September 17, 2024.

**Reviewed By:** Administration

**Preparer:** Scott Jensen, Public Works Director

**ATTACHMENTS:**

**Description**

- ▣ Streets/Parks/Public Safety Draft Minutes 9.17.24

**Lake City Streets, Parks and Public Safety Commission**  
**Tuesday, September 17, 2024 4:30 p.m.**  
**Regular Meeting**

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

Members Absent: None

Others Present: John Yorde, Bruce Wallerich, Cory Kubista, Scott Jensen, Amanda Jackson

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**

Flater asked that two topics be added to the agenda. Item G to discuss weeds and grass on the rip rap along Lakeshore Drive and H to discuss Emergency Vehicles reportedly speeding on Lakewood Ave (from one individual).

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

**PUBLIC FORUM**

No one was Present.

**INFORMATIONAL REPORTS**

AUGUST 20, 2024, DRAFT MINUTES

**MOTION BY SMITH AND SECOND BY WINGERT TO APPROVE THE AUGUST 20<sup>TH</sup> 2024 MINUTES AS PRESENTED. AYES 5-0-0 MOTION CARRIED**

LAKE CITY FOREST ADVISORY COMMITTEE MINUTES

No action is required with these minutes. Information for the Board only.

**NEW BUSINESS**

2025 FEE SCHEDULE FOR LAKE CITY POLICE DEPARTMENT / ORDINANCE ENFORCEMENT

No changes to the 2025 Fee Schedule.

**MOTION BY STREED AND SECOND BY HARKINS TO APPROVE THE 2025 POLICE DEPARTMENT / ORDINANCE ENFORCEMENT FEE SCHEDULE WITH NO CHANGES FROM PREVIOUS YEARS. 5-0-0 MOTION CARRIED.**

2025 STREET/PARK/HOK-SI-LA/POOL FEES

Jensen discussed the only proposed change to the 2025 Fee Schedule, which was firewood sale at Hok Si La Park. Going from \$15.00 unlimited wood per camp site to \$7.00 per bundle.

**MOTION BY HARKINS AND SECOND BY WINGERT TO APPROVE THE STREET/PARK/HOK-SI-LA/POOL FEES AS PRESENTED. 5-0-0 MOTION CARRIED.**

SEPTEMBER 17<sup>TH</sup> 2024 CROSS COUNTRY EVENT AT HOK-SI-LA PARK

Kubista answered questions about the application and stated that this is a yearly event and an event permit will need to be approved each year. Next year to be presented in August.

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

HOPE COALITION DISPLAY

Jensen reviewed the request with the Commission confirming that this is a temporary installation from Oct 25 with removal on November 1<sup>st</sup>. Wingert asked if this is in State right of way and if approval from MNDOT is required. Kubista stated he will confirm that nothing else is needed from MNDOT.

**MOTION BY SMITH AND SECOND BY STREED TO APPROVE THE HOPE COALATION DISPLAY AS PRESENTED. 5-0-0 MOTION CARRIED.**

ERIC KLINE ENCROACHMENT PERMIT

Jensen reviewed the application with the Commission with much discussion to follow. The Commission is concerned about placing fencing in the road right of way which can cause obstruction with traffic at intersections and liability from snow being plowed onto the right of way and potentially damaging the fence.

**SMITH MADE A MOTION TO DENY THE ENCROACHMENT REQUEST AND SECOND BY STREED. 5-0-0 MOTION CARRIED.**

PENNY THOMSEN ENROACHMENT PERMIT

Jensen reviewed the application with the Commission. The same concerns were discussed between Commission members of line-of-sight concerns and liability when plowing snow.

**SMITH MADE A MOTION TO DENY THE ENCROACHMENT REQUEST AND SECOND BY WINGERT. 5-0-0 MOTION CARRIED.**

WEEDS AND BRUSH GROWING ON THE N AND S LAKESHORE DRIVE RIP RAP

Flater stated that he had a citizen contact him with concerns about the weeds etc. growing on Lakeshore Drive rip rap. Jensen stated the brush (willows) is getting taller and the subject will need to be addressed in the future. The subject will need to be addressed with both MNDOT and the DNR. No action needing to be taken at this time.

EMERGENCY TRAFFIC ON LAKEWOOD

Flater stated that a resident had contacted him with a concern of the speeds of Emergency Traffic when driving on Lakewood Ave. Kubista stated that he was not aware of any complaints and to advise the concerned citizen to contact the Police Department directly with date and time of day so the concern can be addressed. No action needing to be taken at this time.

ADJOURN

**MOTION BY WINGERT, SECOND BY FLATER TO ADJOURN AT 17:23 P.M.**

**ALL AYES. 4-0-0 MOTION CARRIED.**

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Chair: Kurt Streed



October 14, 2024

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**Agenda Item Description:** Approve issuance of an administrative citation for the Lakeshore Smoke Shop in the amount of \$1000.

**Originating Department:** Civil Service

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

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**Action Requested:**

Approve issuance of an administrative citation for the Lakeshore Smoke Shop in the amount of \$1000. I would also like to start the process on the following with the approval of the city council :

1) to commence the process to suspend Lakeshore Smoke Shop’s tobacco license for a period of seven consecutive days.

2) to commence the process to not-renew Lakeshore Smoke Shop’s tobacco license.

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

On September 5, 2024, the City received a letter from the Minnesota Department of Revenue stating that the Department of Revenue recently seized cigarette and tobacco products as contraband from Lakeshore Smoke Shop and the products have been forfeited to the State. A copy of the letter is included in the City Council packet materials. The cigarette packages and tobacco products that were seized by the State were obtained by Lakeshore Smoke Shop from an unlicensed seller and some of them were products on which the tax had not been paid by a licensed distributor. Also, there were some products that were being offered for sale or held as inventory for which there was not an invoice from a licensed seller which is required by statute. These violations can result in both civil penalties which are to be assessed by the Commissioner of Revenue under Minnesota Statutes Section 297F.19 and criminal penalties which are to be charged by the County Attorney pursuant to Minnesota Statutes Section 297F.20. Lakeshore Smoke Shop did not request judicial review of this seizure.

Lakeshore Smoke Shop holds a tobacco license from the City. Under the City’s tobacco licensing regulations, the City may charge Lakeshore Smoke Shop with administrative penalties under Section 118.12 of the City Code. Pursuant to Section 118.12, any tobacco licensee who has violated the Code must be charged an administrative penalty of \$300 for a first violation of the Code, \$600 for a second offense at the same licensed premises within a 36 month period and \$1000 for a third or any subsequent offense at the same location within a 36 month period. In addition, after the third offense, the license shall be suspended for not

less than seven consecutive days and may be revoked. In this case, the licensee violated Section 118.06 of the City Code by selling cigarettes and tobacco products in violation of State law (it is a violation of the City Code for a licensee “to sell or offer to sell any tobacco, tobacco product, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery device by any other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance provision, or other regulation”). In this case, there were three violations of State law – products obtained from an unlicensed seller, products upon which the tax has not been paid by a licensed distributor, and products where there was not an invoice from a licensed seller. City staff is recommending that the City charge Lakeshore Smoke Shop with an administrative penalty of \$1000, given that there were three separate violations of State law (and thus, also the City Code). City staff are also recommending that the City suspend Lakeshore Smoke Shop’s tobacco license for a period of seven consecutive days, which is required by the City Code (after the third offense, “the license shall be suspended for not less than seven consecutive days”).

After a third violation, the City may revoke Lakeshore Smoke Shop’s tobacco license. In lieu of revoking the license, City staff is recommending that Lakeshore Smoke Shop’s tobacco license not be renewed. Section 118.03 of the City Code states that the issuance of a tobacco license is a privilege and not a right. The fact that a license was issued does not entitle the holder to an automatic renewal of the license. Section 118.05 states the reasons that the City Council may deny the issuance or the renewal of the license. This includes that the applicant has been convicted within the past five years of any violation of any federal, state, or local law, ordinance provision, or other regulation relating to tobacco, tobacco products, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery devices. Should the City wish to revoke, not renew, or suspend the license, it will need to follow the procedures in the City Code prior to taking one or some of these actions.

**Budgetary/Fiscal Impact:**

None

**Reviewed By:** Chief of Police, City administrator, City Attorney

**Preparer:** Cory Kubista, Chief of Police, City Attorney

**ATTACHMENTS:**

**Description**

- ▣ **smokeshop violations**



September 3, 2024

Tobacco Licensing Division  
205 West Center Street  
Lake City, MN 55041

## Seized Cigarette/Tobacco Product

The Minnesota Department of Revenue recently seized cigarette and/or tobacco products as contraband under Minnesota Statute 297F.21 from a business located in your jurisdiction. Because all time periods for judicially challenging the seizure have expired, the property has been forfeited to the State.

Attached you will find a copy of our Notice of Seized Contraband. The notice lists the products we seized.

### Why are you contacting me?

We are providing you information about our seizure of tobacco contraband so you may take any action against the city/county license as appropriate.

Contact me if you have any questions.

Sincerely,

Steve Johnson  
Compliance Coordinator  
Phone: 651-556-4708  
Email: [steve.johnson@state.mn.us](mailto:steve.johnson@state.mn.us)

Supervisor Contact Information:  
Dan Hughes  
651-556-4750  
[dan.hughes@state.mn.us](mailto:dan.hughes@state.mn.us)

June 10, 2024

ID: XX-XXX6651  
Letter ID: L1114047584  
Notice Date: June 10, 2024

LAKESHORE SMOKE SHOP INC  
1301 N LAKESHORE DR  
STE 600  
LAKE CITY MN 55041-1182

## Notice of Seized Contraband

**Seized Date and Time:** 03-Jun-2024 3PM  
**Seized by:** LINDSAY RIVARD/MARCUS GIBBS  
**Seizure Location:** 1301 N LAKESHORE DR STE 600  
LAKE CITY MN 55041-1182  
**Seized From:** LAKESHORE SMOKE SHOP INC

The Minnesota Department of Revenue seized the following property as contraband under the authority granted to the commissioner of revenue (Minnesota Statutes Chapter 297F)

Quantity	Unit	Product Description
1	Pens	Orion Bar Pink Lemonade 7500 puffs
6	Pens	Elf Bar BC5000 Grape Energy
14	Pens	Elf Bar BC5000 Mango Peach Apricot
5	Pens	BC5000 EB Design Cranberry Punch
8	Pens	BC5000 EB Design Blueberry Energize
7	Pens	BC5000 EB Create Peach Berry
2	Pens	Elf Bar CR5000 Peach Ice
13	Pens	Lost Mary OS5000 Pineapple Mango
6	Pens	Lost Mary MO5000 Blueberry Raspberry Lemon
4	Pens	Lost Mary MT15000 Turbo Blue Razz Ice
10	Pens	Lost Mary MT15000 Turbo Winter Mint
5	Pens	Lost Mary MT15000 Turbo Miami Mint
10	Pens	Lost Mary MT15000 Turbo Banana Cake
10	Pens	Lost Mary MT15000 Turbo Citrus Sunrise
10	Pens	Lost Mary MT15000 Turbo StrawMelon Peach
10	Pens	Lost Mary MT15000 Turbo Baja Splash
5	Pens	Lost Mary MT15000 Turbo Nana Coconut
5	Pens	Lost Mary MT15000 Turbo Strawberry Kiwi
10	Pens	Lost Mary MT15000 Turbo Berry Burst



- 10 Pens Lost Mary MT15000 Turbo Cherry Strazz
- 5 Pens Lost Mary MT15000 Turbo Strawberry Orange
- 10 Pens Lost Mary MT15000 Turbo Watermelon Ice
- 10 Pens Lost Mary MT15000 Turbo Dr. Cherry
- 10 Pens Lost Mary MT15000 Turbo Summer Grape
- 3 Pens Geek Bar Digi Flavor Lush Sour Apple Rancher 20000 puffs
- 1 Pens Geek Bar Digi Flavor Lush Blueberry Fab 20000 puffs
- 2 Pens Geek Bar Digi Flavor Lush Raspberry Zing 20000 puffs
- 1 Pens Geek Bar Digi Flavor Lush Watermelon Ice 20000 puffs
- 15 Pens Geek Bar Pulse 15000 puffs California Cherry
- 10 Pens Geek Bar Pulse 15000 puffs Grape Lemon
- 8 Pens Geek Bar Pulse 15000 puffs Tropical Rainbow Blast
- 12 Pens Geek Bar Pulse 15000 puffs Black Cherry
- 10 Pens Geek Bar Pulse 15000 puffs Pink Lemonade
- 16 Pens Geek Bar Pulse 15000 puffs White Gummy Ice
- 28 Pens Geek Bar Pulse 15000 puffs Sour Apple Ice
- 18 Pens Geek Bar Pulse 15000 puffs Watermelon Ice
- 20 Pens Geek Bar Pulse 15000 puffs Blow Pop
- 20 Pens Geek Bar Pulse 15000 puffs Juicy Peach Ice
- 23 Pens Geek Bar Pulse 15000 puffs Sour Apple Blow Pop
- 15 Pens Geek Bar Pulse 15000 puffs Berry Bliss
- 27 Pens Geek Bar Pulse 15000 puffs Crazy Melon
- 20 Pens Geek Bar Pulse 15000 puffs Mexico Mango
- 5 Pens Geek Bar Pulse 15000 puffs Dragon Melon
- 8 Pens Geek Bar Pulse 15000 puffs Orange Creamsicle
- 2 Pens Geek Bar Pulse 15000 puffs Fcuking Fab
- 5 Pens Geek Bar Pulse 15000 puffs Meta Moon
- 6 Pens Geek Bar Pulse 15000 puffs Strawberry Mango

The property listed was seized as contraband under the authority granted in M.S. 297F. The specific section of the law under which this property is declared to be contraband is M.S. 297F.21, which state(s).

Subdivision 1. Contraband defined. The following are declared to be contraband and therefore subject to civil and criminal penalties under this chapter

Cigarette/Tobacco 297F.21

- (g) Cigarette packages or tobacco products obtained from an unlicensed seller.
- (i) Tobacco products on which the tax has not been paid by a licensed distributor.
- (j) Any cigarette packages or tobacco products offered for sale or held as inventory for which there is not an invoice from a licensed seller as required under section 297F.13, subdivision 4.

### **What must I do?**

You must request a judicial review of this seized property within 60 days of the Notice Date. If you do not, the property that we seized will become property of the state of Minnesota.

### **How do I demand a judicial review?**

1. File a civil complaint with the court administrator in the county where the seizure occurred.
2. Include proof that you served a copy of the complaint on the Department of Revenue.
3. List your name as “plaintiff” and the seized property as “defendant” in the title of the complaint.
4. State the grounds on which you allege the property was improperly seized and what your ownership interest is in the property.

You do not have to pay the court filing fee if it is determined you cannot afford the fee. If the value of the seized property is \$15,000 or less, you can file an action in conciliation court to recover the property. If the value of the seized property is less than \$500, you do not have to pay the conciliation court filing fee.

Steven Johnson  
Revenue Tax Specialist  
Phone: 651-556-4708  
Email: [steve.johnson@state.mn.us](mailto:steve.johnson@state.mn.us)  
Fax: 651-282-3933



October 14, 2024

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**Agenda Item Description:** Adopt Resolution 24-032 summary publication of Ordinance 639 Short Term Rentals

**Originating Department:** City Clerk

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

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**Action Requested:**

Motion \_\_\_\_\_ second \_\_\_\_\_ to adopt Resolution 24-032 authorizing summary publication of Ordinance 639 Short term rentals.

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

Ordinance 639 was adopted at the August 5, 2024 council meeting. Ordinance 639 is four pages in length. This Resolution allows for summary publication an meets the city's publication requirements.

The Ordinance will become effective January 1, 2025.

**Budgetary/Fiscal Impact:**

Publication costs will come from the Planning department budget.

**Reviewed By:** Administration, Legal

**Preparer:** Sarah Sonsalla, City Attorney

**ATTACHMENTS:**

**Description**

- ▣ **Res 24-032**

**RESOLUTION 24-032**

**CITY OF LAKE CITY, MINNESOTA**

**A RESOLUTION AUTHORIZING PUBLICATION OF  
ORDINANCE NO. 639 BY TITLE AND SUMMARY**

**WHEREAS**, the City Council of the City of Lake City has adopted Ordinance No. 639, titled “An Ordinance Amending Title XI, Chapter 110 of the City Code Relating to Short Term Rental Regulations;” and

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

**WHEREAS**, the Ordinance is five pages in length; and

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

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

1. The City of Lake City City Council has adopted Ordinance No. 639, titled “An Ordinance Amending Title XI, Chapter 110 of the City Code Relating to Short Term Rental Regulations;” The Ordinance requires short term rental properties to obtain a license from the City instead of just registering with the City. Licenses must be renewed annually by January 30<sup>th</sup> of each year. The parking requirements for short term rental properties have also been changed. The ordinance also requires short term rental properties to obtain and maintain a lodging license from the Minnesota Department of Health.
2. The City Clerk is directed to publish this summary in lieu of publication of the entire ordinance.
3. The City Clerk is directed to post a copy of the entire text of Ordinance No. 639 at City Hall, the City of Lake City Public Library, and on the City of Lake City web site for a period of not less than 10 days. In addition, a printed copy of Ordinance No. 639 is available for inspection by any person during regular office hours at the Lake City City Hall.

Resolution adopted this 14<sup>th</sup> day of October, 2024.

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Mark Nichols, Mayor

ATTEST:

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Kari Schreck, City Clerk



October 14, 2024

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**Agenda Item Description:** Approve new community garden location

**Originating Department:** City Administrator

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

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_, to approve the relocation of the community garden to the vacant land between the 10th Street well-house and the City ice rink.

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

As the potential for development of City-owned property along N. 10th Street becomes possible, staff have been assisting the community garden members with finding another location. Several City-owned sites were identified, then narrowed down. The proposal to move the garden to the vacant land between the well-house and the ice rink on N. 10th Street was reviewed by the community garden members and accepted. The benefit to this site versus on potentially developable land off TH 63 is that there will be no pressure to relocate once again. If approved, the group will begin relocating to the new site this fall.

**Budgetary/Fiscal Impact:**

None at this time.

**Reviewed By:** City Administrator

**Preparer:** Rob Keehn, City Administrator

**ATTACHMENTS:**

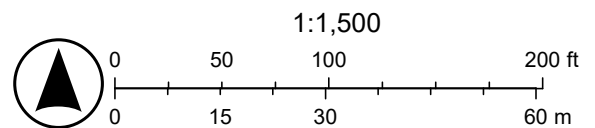
**Description**

- ▣ **Community Garden Location Map**

# Proposed Community Garden Location



10/2/2024, 2:08:52 PM





October 14, 2024

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**Agenda Item Description:** Approve request for the VFW Auxiliary to host four bingo events in 2025.

**Originating Department:** City Clerk

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

**Consent Agenda?:** Yes

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**Action Requested:**

Motion \_\_\_\_\_ second \_\_\_\_\_ to approve the request for the VFW Auxiliary to host bingo events on January 4, 2025, January 19, 2025, February 16, 2025 and March 1, 2025. The bingo events will be held at the VFW #8729, located at 115 N Franklin Street

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

The VFW Auxiliary 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 American Legion Auxiliary 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 has been received from the VFW Auxiliary with a request to host bingo events on January 4, 2025, January 19, 2025, February 16, 2025 and March 1, 2025 at the VFW #8729 located at 115 N Franklin Street. I have reviewed the information and find no reason to deny the request.

**Budgetary/Fiscal Impact:**

\$25.00

**Reviewed By:** Chief of Police Kubista

**Preparer:** Diane Johnson, Administrative Clerk



October 14, 2024

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**Agenda Item Description:** Award contract for Ohuta Wall Retaining Wall project

**Originating Department:** City Administrator

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

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**Action Requested:**

Motion \_\_\_\_\_, second \_\_\_\_\_ to award contract for Ohuta Wall Retaining Wall project to ICON Constructors LLC for \$1,189,629 (Base Bid plus Alternate B).

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

Construction plans and specifications were approved by Council for the Ohuta Park retaining wall replacement project at its September 9, 2024, meeting. The project was subsequently advertised and 6 bids were received. Bids were opened on October 3, 2024, at 10:00 AM. ICON Constructors LLC was the lowest responsible bidder and is recommended for contract award at \$1,189,629 (Base Bid plus Alternate B). Staff recommends base bid with alternate B which includes a concrete parapet wall on top of the retaining wall, versus a steel cap. Alternate B provides additional safety and flood control beyond the wall.

**Budgetary/Fiscal Impact:**

As mentioned, 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 within the established budget.

**Reviewed By:** Finance, Administration

**Preparer:** Scott Jensen, Public Works Director

**ATTACHMENTS:**

**Description**

- ❑ **Bid Recommendation Letter 10-04-2024**
- ❑ **Ohuta Visualizations**
- ❑ **Bid Abstract 10-03-2024**
- ❑ **State Bonding Project Financial Update-October 2024**







October 4, 2024

Rob Keehn  
City Administrator  
City of Lake City  
205 West Center Street  
Lake City, MN 55041

RE: 2024 Ohuta Park Retaining Wall Improvements  
City of Lake City, MN  
Project No.: OH1.132244

Rob:

Bids were received and opened at City Hall on Thursday, October 3, 2024 at 10:00am for the project referenced above. Six bids were received and the results of the bids are tabulated below:

Bidder	Base Bid Amount	Alternate A – Steel Cap	Alternate B – Concrete Parapet	Base Bid + Alternate A Bid Amount	Base Bid + Alternate B Bid Amount
ICON Constructors LLC	\$955,411.00	\$56,037.30	\$234,218.00	\$1,011,448.30	\$1,189,629.00
Lunda Construction Co	\$1,007,159.67	\$43,980.79	\$226,445.90	\$1,051,140.46	\$1,233,605.57
SM Hentges & Sons Inc	\$1,062,535.50	\$96,791.70	\$235,321.00	\$1,159,327.20	\$1,297,856.50
Atlas Foundation	\$1,228,562.75	\$98,489.80	\$406,038.00	\$1,327,052.55	\$1,634,600.75
Veit & Company	\$1,519,470.50	\$62,829.70	\$606,500.50	\$1,582,300.20	\$2,125,971.00
Meyer Contracting Inc	\$1,781,672.76	\$92,716.26	\$519,551.70	\$1,874,389.02	\$2,301,224.46
Engineer’s Estimate	\$1,340,291.00	\$50,943.00	\$238,820.00	\$1,391,234.00	\$1,579,111.00

A detailed bid abstract of all the bids is attached for your review. If deemed financially feasible, we recommend awarding the contract to ICON Constructors of Mabel, Minnesota for either the Base Bid + Alternate A or Base Bid + Alternate B depending on Council preference.

Please feel free to contact me if you have any questions.

Sincerely,

**Bolton & Menk, Inc.**

**Matthew E. Mohs, P.E.**  
City Engineer

cc: Scott Jensen, Lake City Public Works Director  
Ryan Evans, Bolton & Menk

Enclosures – Bid Abstract

**Option A – Steel Cap at Grade**



**Option B – Parapet Wall**



# ABSTRACT OF BIDS

## 2024 OHUTA PARK RETAINING WALL IMPROVEMENTS

CITY OF LAKE CITY, MINNESOTA

BMI PROJECT NO. OH1.132244

BID DATE: 10/3/2024  
TIME: 10:00 AM

ITEM NO.	MnDOT SPEC NO	ITEM	APPROX. QUANT.	UNIT	Engineer's Estimate Bolton & Menk, Inc.		ICON Constructors LLC Mabel, MN		Lunda Construction Co Black River Falls, WI		SM Hentges & Sons Inc. Jordan, MN		Atlas Foundation Co Osseo, MN		Veit & Company Inc Rogers, Mn		Meyer Contracting Inc Maple Grove, MN			
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
<b>BASE BID</b>																				
1	2016.000	CONSTRUCTION ALLOWANCE	50000	UNIT	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00
2	2021.000	MOBILIZATION	1	LS	\$ 122,000.00	\$ 122,000.00	\$ 40,000.00	\$ 40,000.00	\$ 58,950.00	\$ 58,950.00	\$ 138,000.00	\$ 138,000.00	\$ 17,020.00	\$ 17,020.00	\$ 275,000.00	\$ 275,000.00	\$ 305,236.85	\$ 305,236.85		
3	2101.000	CLEARING	2	EACH	\$ 1,000.00	\$ 2,000.00	\$ 1,500.00	\$ 3,000.00	\$ 960.00	\$ 1,920.00	\$ 800.00	\$ 1,600.00	\$ 660.00	\$ 1,320.00	\$ 2,850.00	\$ 5,700.00	\$ 650.00	\$ 1,300.00		
4	2101.000	GRUBBING	3	EACH	\$ 750.00	\$ 2,250.00	\$ 750.00	\$ 2,250.00	\$ 960.00	\$ 2,880.00	\$ 400.00	\$ 1,200.00	\$ 300.00	\$ 900.00	\$ 1,150.00	\$ 3,450.00	\$ 250.00	\$ 750.00		
5	2104.000	REMOVE CONCRETE STEPS	2	EACH	\$ 750.00	\$ 1,500.00	\$ 1,000.00	\$ 2,000.00	\$ 800.00	\$ 1,600.00	\$ 450.00	\$ 900.00	\$ 2,286.49	\$ 4,572.98	\$ 2,035.00	\$ 4,070.00	\$ 235.56	\$ 471.12		
6	2104.000	SAWING CONCRETE PAVEMENT (FULL DEPTH)	24	LF	\$ 20.00	\$ 480.00	\$ 20.00	\$ 480.00	\$ 5.50	\$ 132.00	\$ 5.00	\$ 120.00	\$ 12.19	\$ 292.56	\$ 8.75	\$ 210.00	\$ 8.00	\$ 192.00		
7	2104.000	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	66	LF	\$ 20.00	\$ 1,320.00	\$ 10.00	\$ 660.00	\$ 2.25	\$ 148.50	\$ 4.00	\$ 264.00	\$ 9.15	\$ 603.90	\$ 7.00	\$ 462.00	\$ 5.00	\$ 330.00		
8	2104.000	REMOVE CURB AND GUTTER	40	LF	\$ 30.00	\$ 1,200.00	\$ 20.00	\$ 800.00	\$ 35.00	\$ 1,400.00	\$ 10.00	\$ 400.00	\$ 23.44	\$ 937.60	\$ 23.50	\$ 940.00	\$ 11.64	\$ 465.60		
9	2104.000	REMOVE RETAINING WALL (SCULPTURE)	56	LF	\$ 50.00	\$ 2,800.00	\$ 50.00	\$ 2,800.00	\$ 35.00	\$ 1,960.00	\$ 10.00	\$ 560.00	\$ 28.00	\$ 1,568.00	\$ 80.50	\$ 4,508.00	\$ 121.13	\$ 6,783.28		
10	2104.000	REMOVE CONCRETE PAVEMENT	29	SY	\$ 20.00	\$ 580.00	\$ 15.00	\$ 435.00	\$ 45.00	\$ 1,305.00	\$ 30.00	\$ 870.00	\$ 15.00	\$ 435.00	\$ 82.50	\$ 2,392.50	\$ 15.34	\$ 444.86		
11	2104.000	REMOVE BITUMINOUS PAVEMENT	163	SY	\$ 20.00	\$ 3,260.00	\$ 10.00	\$ 1,630.00	\$ 12.00	\$ 1,956.00	\$ 12.00	\$ 1,956.00	\$ 13.00	\$ 2,119.00	\$ 17.50	\$ 2,852.50	\$ 8.78	\$ 1,431.14		
12	2104.000	REMOVE CONCRETE WALK	302	SF	\$ 5.00	\$ 1,510.00	\$ 5.00	\$ 1,510.00	\$ 5.00	\$ 1,510.00	\$ 15.00	\$ 4,530.00	\$ 15.00	\$ 4,530.00	\$ 16.00	\$ 4,832.00	\$ 1.14	\$ 344.28		
13	2104.000	REMOVE CONCRETE RETAINING WALL	165	LF	\$ 100.00	\$ 16,500.00	\$ 100.00	\$ 16,500.00	\$ 125.00	\$ 20,625.00	\$ 53.00	\$ 8,745.00	\$ 45.00	\$ 7,425.00	\$ 355.00	\$ 58,575.00	\$ 51.76	\$ 8,540.40		
14	2104.000	PARTIALLY REMOVE CONCRETE RETAINING WALL	424	LF	\$ 40.00	\$ 16,960.00	\$ 45.00	\$ 19,080.00	\$ 50.00	\$ 21,200.00	\$ 36.00	\$ 15,264.00	\$ 47.00	\$ 19,928.00	\$ 66.00	\$ 27,984.00	\$ 50.75	\$ 21,518.00		
15	2104.000	REMOVE STONE RETAINING WALL	81	LF	\$ 75.00	\$ 6,075.00	\$ 60.00	\$ 4,860.00	\$ 14.00	\$ 1,134.00	\$ 10.00	\$ 810.00	\$ 43.00	\$ 3,483.00	\$ 272.00	\$ 22,032.00	\$ 129.79	\$ 10,512.99		
16	2104.000	SALVAGE SEWER PIPE (STORM)	21	LF	\$ 50.00	\$ 1,050.00	\$ 50.00	\$ 1,050.00	\$ 35.00	\$ 735.00	\$ 32.00	\$ 672.00	\$ 271.00	\$ 5,691.00	\$ 118.00	\$ 2,478.00	\$ 41.35	\$ 868.35		
17	2104.000	SALVAGE RANDOM RIPRAP	600	CY	\$ 35.00	\$ 21,000.00	\$ 55.00	\$ 33,000.00	\$ 17.00	\$ 10,200.00	\$ 20.00	\$ 12,000.00	\$ 60.00	\$ 36,000.00	\$ 20.00	\$ 12,000.00	\$ 22.09	\$ 13,254.00		
18	2104.000	SALVAGE BENCH	1	EACH	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 600.00	\$ 600.00	\$ 400.00	\$ 400.00	\$ 781.00	\$ 781.00	\$ 495.00	\$ 495.00	\$ 280.86	\$ 280.86		
19	2104.000	SALVAGE PICNIC TABLE	1	EACH	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 600.00	\$ 600.00	\$ 400.00	\$ 400.00	\$ 781.00	\$ 781.00	\$ 495.00	\$ 495.00	\$ 280.86	\$ 280.86		
20	2106.000	EXCAVATION - COMMON	270	CY	\$ 50.00	\$ 13,500.00	\$ 15.00	\$ 4,050.00	\$ 25.00	\$ 6,750.00	\$ 30.00	\$ 8,100.00	\$ 30.00	\$ 8,100.00	\$ 7.00	\$ 1,890.00	\$ 33.45	\$ 9,031.50		
21	2106.000	SELECT GRANULAR EMBANKMENT (CV)	170	CY	\$ 50.00	\$ 8,500.00	\$ 50.00	\$ 8,500.00	\$ 50.00	\$ 8,500.00	\$ 74.00	\$ 12,580.00	\$ 35.00	\$ 5,950.00	\$ 60.00	\$ 10,200.00	\$ 47.65	\$ 8,100.50		
22	2106.000	SITE GRADING	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 12,000.00	\$ 12,000.00	\$ 40,000.00	\$ 40,000.00	\$ 8,500.00	\$ 8,500.00	\$ 22,600.48	\$ 22,600.48	\$ 30,000.00	\$ 30,000.00	\$ 30,215.53	\$ 30,215.53		
23	2108.000	GEOTEXTILE FABRIC, TYPE 1	145	SY	\$ 5.00	\$ 725.00	\$ 5.00	\$ 725.00	\$ 10.00	\$ 1,450.00	\$ 4.50	\$ 652.50	\$ 10.90	\$ 1,580.50	\$ 6.50	\$ 942.50	\$ 3.35	\$ 485.75		
24	2108.000	GEOTEXTILE FABRIC, TYPE 4	915	SY	\$ 5.00	\$ 4,575.00	\$ 4.00	\$ 3,660.00	\$ 5.00	\$ 4,575.00	\$ 5.50	\$ 5,032.50	\$ 4.89	\$ 4,474.35	\$ 6.00	\$ 5,490.00	\$ 3.34	\$ 3,056.10		
25	2123.000	STREET SWEEPER (WITH PICKUP BROOM)	8	HR	\$ 150.00	\$ 1,200.00	\$ 150.00	\$ 1,200.00	\$ 180.00	\$ 1,440.00	\$ 150.00	\$ 1,200.00	\$ 400.00	\$ 3,200.00	\$ 242.00	\$ 1,936.00	\$ 257.73	\$ 2,061.84		
26	2231.000	BITUMINOUS PATCH SPECIAL	163	SY	\$ 100.00	\$ 16,300.00	\$ 95.00	\$ 15,485.00	\$ 67.89	\$ 11,066.07	\$ 75.00	\$ 12,225.00	\$ 92.68	\$ 15,106.84	\$ 84.00	\$ 13,692.00	\$ 101.32	\$ 16,515.16		
27	2301.000	CONCRETE PAD 4.0"	12	SY	\$ 150.00	\$ 1,800.00	\$ 75.00	\$ 900.00	\$ 125.00	\$ 1,500.00	\$ 78.00	\$ 936.00	\$ 138.00	\$ 1,656.00	\$ 290.00	\$ 3,480.00	\$ 171.09	\$ 2,053.08		
28	2411.000	STRUCTURAL CONCRETE (3G52)	25	CY	\$ 1,200.00	\$ 30,000.00	\$ 2,850.00	\$ 71,250.00	\$ 2,300.00	\$ 57,500.00	\$ 2,400.00	\$ 60,000.00	\$ 403.20	\$ 10,080.00	\$ 4,600.00	\$ 115,000.00	\$ 5,286.21	\$ 132,155.25		
29	2411.000	REINFORCEMENT BARS (EPOXY COATED)	1010	POUND	\$ 2.50	\$ 2,525.00	\$ 3.50	\$ 3,535.00	\$ 2.00	\$ 2,020.00	\$ 1.80	\$ 1,818.00	\$ 2.40	\$ 2,424.00	\$ 2.30	\$ 2,323.00	\$ 6.08	\$ 6,140.80		
30	2411.000	ARCHITECTURAL CONCRETE TEXTURE	321	SF	\$ 45.00	\$ 14,445.00	\$ 15.00	\$ 4,815.00	\$ 9.00	\$ 2,889.00	\$ 22.00	\$ 7,062.00	\$ 241.04	\$ 77,373.84	\$ 10.00	\$ 3,210.00	\$ 57.45	\$ 18,441.45		
31	2411.000	ARCHITECTURAL SURFACE FINISH (SINGLE COLOR)	353	SF	\$ 5.00	\$ 1,765.00	\$ 8.00	\$ 2,824.00	\$ 3.50	\$ 1,235.50	\$ 8.50	\$ 3,000.50	\$ 4.20	\$ 1,482.60	\$ 9.50	\$ 3,353.50	\$ 8.00	\$ 2,824.00		
32	2411.000	ARCHITECTURAL SURFACE FINISH (MULTI-COLOR)	321	SF	\$ 10.00	\$ 3,210.00	\$ 12.00	\$ 3,852.00	\$ 4.00	\$ 1,284.00	\$ 12.00	\$ 3,852.00	\$ 4.80	\$ 1,540.80	\$ 13.50	\$ 4,333.50	\$ 11.50	\$ 3,691.50		
33	2411.000	ANTI-GRAFFITI COATING	321	SF	\$ 5.00	\$ 1,605.00	\$ 5.00	\$ 1,605.00	\$ 2.00	\$ 642.00	\$ 5.00	\$ 1,605.00	\$ 2.40	\$ 770.40	\$ 5.50	\$ 1,765.50	\$ 4.55	\$ 1,460.55		
34	2451.000	GRANULAR BACKFILL (CV)	363	CY	\$ 75.00	\$ 27,225.00	\$ 50.00	\$ 18,150.00	\$ 50.00	\$ 18,150.00	\$ 40.00	\$ 14,520.00	\$ 35.00	\$ 12,705.00	\$ 51.00	\$ 18,513.00	\$ 85.38	\$ 30,992.94		
35	2452.000	STEEL SHEET PILING (PERMANENT)	15799	SF	\$ 45.00	\$ 710,955.00	\$ 34.00	\$ 537,166.00	\$ 35.00	\$ 552,965.00	\$ 34.50	\$ 545,065.50	\$ 46.00	\$ 726,754.00	\$ 43.00	\$ 679,357.00	\$ 57.55	\$ 909,232.45		
36	2501.000	18" RC PIPE APRON W/ TRASH GUARD	1	EACH	\$ 2,500.00	\$ 2,500.00	\$ 4,600.00	\$ 4,600.00	\$ 5,000.00	\$ 5,000.00	\$ 2,200.00	\$ 2,200.00	\$ 5,608.00	\$ 5,608.00	\$ 5,700.00	\$ 5,700.00	\$ 3,973.57	\$ 3,973.57		
37	2502.000	4" PERF PVC PIPE DRAIN W/ TYPE 1 GEOTEXTILE FABRIC	642	LF	\$ 15.00	\$ 9,630.00	\$ 15.00	\$ 9,630.00	\$ 12.00	\$ 7,704.00	\$ 19.00	\$ 12,198.00	\$ 35.00	\$ 22,470.00	\$ 33.00	\$ 21,186.00	\$ 27.04	\$ 17,359.68		
38	2503.000	CONNECT TO EXISTING STORM SEWER	1	EACH	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,325.00	\$ 1,325.00	\$ 1,800.00	\$ 1,800.00	\$ 2,260.00	\$ 2,260.00	\$ 795.93	\$ 795.93		
39	2503.000	INSTALL 18" PIPE SEWER	16	LF	\$ 30.00	\$ 480.00	\$ 200.00	\$ 3,200.00	\$ 175.00	\$ 2,800.00	\$ 62.00	\$ 992.00	\$ 57.60	\$ 921.60	\$ 210.00	\$ 3,360.00	\$ 199.48	\$ 3,191.68		
40	2511.000	INSTALL RANDOM RIPRAP	301	CY	\$ 120.00	\$ 36,120.00	\$ 25.00	\$ 7,525.00	\$ 30.00	\$ 9,030.00	\$ 33.00	\$ 9,933.00	\$ 44.00	\$ 13,244.00	\$ 61.00	\$ 18,361.00	\$ 20.07	\$ 6,041.07		

**ABSTRACT OF BIDS**

2024 OHUTA PARK RETAINING WALL IMPROVEMENTS  
 CITY OF LAKE CITY, MINNESOTA  
 BMI PROJECT NO. 0H1.132244

BID DATE: 10/3/2024  
 TIME: 10:00 AM

ITEM NO.	MnDOT SPEC NO	ITEM	APPROX. QUANT.	UNIT	Engineer's Estimate Bolton & Menk, Inc.		ICON Constructors LLC Mabel, MN		Lunda Construction Co Black River Falls, WI		SM Hentges & Sons Inc. Jordan, MN		Atlas Foundation Co Osseo, MN		Veit & Company Inc Rogers, Mn		Meyer Contracting Inc Maple Grove, MN		
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE
<b>BASE BID</b>																			
41	2511.000	RANDOM RIPRAP CLASS III	100	CY	\$ 120.00	\$ 12,000.00	\$ 75.00	\$ 7,500.00	\$ 130.00	\$ 13,000.00	\$ 100.00	\$ 10,000.00	\$ 80.00	\$ 8,000.00	\$ 61.00	\$ 6,100.00	\$ 162.95	\$ 16,295.00	
42	2521.000	4" CONCRETE WALK	302	SF	\$ 20.00	\$ 6,040.00	\$ 8.00	\$ 2,416.00	\$ 14.00	\$ 4,228.00	\$ 10.00	\$ 3,020.00	\$ 12.00	\$ 3,624.00	\$ 20.00	\$ 6,040.00	\$ 18.98	\$ 5,731.96	
43	2531.000	CONCRETE CURB AND GUTTER DESIGN B618	40	LF	\$ 75.00	\$ 3,000.00	\$ 100.00	\$ 4,000.00	\$ 100.37	\$ 4,014.80	\$ 60.00	\$ 2,400.00	\$ 65.00	\$ 2,600.00	\$ 72.00	\$ 2,880.00	\$ 83.50	\$ 3,340.00	
44	2540.000	INSTALL BENCH	1	EACH	\$ 700.00	\$ 700.00	\$ 250.00	\$ 250.00	\$ 600.00	\$ 600.00	\$ 400.00	\$ 400.00	\$ 800.00	\$ 800.00	\$ 490.00	\$ 490.00	\$ 1,000.00	\$ 1,000.00	
45	2540.000	INSTALL PICNIC TABLE	1	EACH	\$ 900.00	\$ 900.00	\$ 250.00	\$ 250.00	\$ 600.00	\$ 600.00	\$ 400.00	\$ 400.00	\$ 800.00	\$ 800.00	\$ 490.00	\$ 490.00	\$ 1,000.00	\$ 1,000.00	
46	2563.000	TRAFFIC CONTROL	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 2,900.00	\$ 2,900.00	\$ 2,900.00	\$ 2,900.00	\$ 3,180.00	\$ 3,180.00	\$ 15,000.00	\$ 15,000.00	\$ 3,300.00	\$ 3,300.00	\$ 2,900.00	\$ 2,900.00	
47	2573.000	STABILIZED CONSTRUCTION EXIT	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00	\$ 2,500.00	\$ 2,500.00	\$ 6,400.00	\$ 6,400.00	\$ 3,811.00	\$ 3,811.00	\$ 4,600.00	\$ 4,600.00	\$ 5,080.68	\$ 5,080.68	
48	2573.000	EROSION CONTROL SUPERVISOR	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 1.00	\$ 1.00	\$ 10,000.00	\$ 10,000.00	\$ 1.00	\$ 1.00	\$ 12,000.00	\$ 12,000.00	\$ 3,200.00	\$ 3,200.00	\$ 2,746.53	\$ 2,746.53	
49	2573.000	STORM DRAIN INLET PROTECTION	2	EACH	\$ 300.00	\$ 600.00	\$ 250.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 100.00	\$ 200.00	\$ 420.00	\$ 840.00	\$ 250.00	\$ 500.00	\$ 237.72	\$ 475.44	
50	2573.000	SILT FENCE; TYPE MS	565	LF	\$ 8.00	\$ 4,520.00	\$ 3.00	\$ 1,695.00	\$ 2.69	\$ 1,519.85	\$ 4.50	\$ 2,542.50	\$ 3.90	\$ 2,203.50	\$ 7.00	\$ 3,955.00	\$ 5.26	\$ 2,971.90	
51	2573.000	SEDIMENT CONTROL LOG TYPE WOOD FIBER	604	LF	\$ 10.00	\$ 6,040.00	\$ 3.00	\$ 1,812.00	\$ 3.40	\$ 2,053.60	\$ 4.00	\$ 2,416.00	\$ 7.80	\$ 4,711.20	\$ 7.00	\$ 4,228.00	\$ 5.60	\$ 3,382.40	
52	2574.000	COMPOST GRADE 2	115	CY	\$ 75.00	\$ 8,625.00	\$ 75.00	\$ 8,625.00	\$ 65.00	\$ 7,475.00	\$ 20.00	\$ 2,300.00	\$ 78.00	\$ 8,970.00	\$ 90.00	\$ 10,350.00	\$ 62.40	\$ 7,176.00	
53	2574.000	FERTILIZER TYPE 3	151	LB	\$ 6.00	\$ 906.00	\$ 5.00	\$ 755.00	\$ 3.50	\$ 528.50	\$ 2.00	\$ 302.00	\$ 1.20	\$ 181.20	\$ 4.00	\$ 604.00	\$ 0.99	\$ 149.49	
54	2574.000	TOPSOIL PREPARATION	2085	SY	\$ 5.00	\$ 10,425.00	\$ 2.00	\$ 4,170.00	\$ 1.00	\$ 2,085.00	\$ 2.60	\$ 5,421.00	\$ 3.00	\$ 6,255.00	\$ 2.50	\$ 5,212.50	\$ 11.26	\$ 23,477.10	
55	2575.000	SODDING TYPE LAWN	2085	SY	\$ 15.00	\$ 31,275.00	\$ 7.00	\$ 14,595.00	\$ 15.95	\$ 33,255.75	\$ 16.00	\$ 33,360.00	\$ 18.00	\$ 37,530.00	\$ 12.00	\$ 25,020.00	\$ 19.70	\$ 41,074.50	
56	2575.000	RAPID STABILIZATION METHOD 3	1043	SY	\$ 5.00	\$ 5,215.00	\$ 5.00	\$ 5,215.00	\$ 1.00	\$ 1,043.00	\$ 25.00	\$ 26,075.00	\$ 4.80	\$ 5,006.40	\$ 4.00	\$ 4,172.00	\$ 3.88	\$ 4,046.84	
57	2575.000	TURF MAINTENANCE	30	DAY	\$ 1,500.00	\$ 45,000.00	\$ 100.00	\$ 3,000.00	\$ 116.67	\$ 3,500.10	\$ 421.00	\$ 12,630.00	\$ 600.00	\$ 18,000.00	\$ 450.00	\$ 13,500.00	\$ 1,000.00	\$ 30,000.00	
<b>BASE BID TOTAL:</b>						<b>\$ 1,340,291.00</b>		<b>\$ 955,411.00</b>		<b>\$ 1,007,159.67</b>		<b>\$ 1,062,535.50</b>		<b>\$ 1,228,562.75</b>		<b>\$ 1,519,470.50</b>		<b>\$ 1,781,672.76</b>	
<b>BID ALTERNATE A - STEEL CAP</b>																			
100	2402.000	STRUCTURAL STEEL (3306)	16981	POUND	\$ 3.00	\$ 50,943.00	\$ 3.30	\$ 56,037.30	\$ 2.59	\$ 43,980.79	\$ 5.70	\$ 96,791.70	\$ 5.80	\$ 98,489.80	\$ 3.70	\$ 62,829.70	\$ 5.46	\$ 92,716.26	
<b>BID ALTERNATE A - STEEL CAP TOTAL:</b>						<b>\$ 50,943.00</b>		<b>\$ 56,037.30</b>		<b>\$ 43,980.79</b>		<b>\$ 96,791.70</b>		<b>\$ 98,489.80</b>		<b>\$ 62,829.70</b>		<b>\$ 92,716.26</b>	
<b>BID ALTERNATE B - CONCRETE PARAPET</b>																			
200	2411.000	STRUCTURAL CONCRETE (3G52)	99	CY	\$ 1,200.00	\$ 118,800.00	\$ 1,400.00	\$ 138,600.00	\$ 1,885.00	\$ 186,615.00	\$ 1,376.00	\$ 136,224.00	\$ 403.20	\$ 39,916.80	\$ 5,200.00	\$ 514,800.00	\$ 3,693.24	\$ 365,630.76	
201	2411.000	REINFORCEMENT BARS (EPOXY COATED)	8990	POUND	\$ 2.50	\$ 22,475.00	\$ 3.00	\$ 26,970.00	\$ 1.69	\$ 15,193.10	\$ 2.15	\$ 19,328.50	\$ 2.40	\$ 21,576.00	\$ 2.50	\$ 22,475.00	\$ 3.88	\$ 34,881.20	
202	2411.000	ARCHITECTURAL CONCRETE TEXTURE	1366	SF	\$ 45.00	\$ 61,470.00	\$ 15.00	\$ 20,490.00	\$ 4.05	\$ 5,532.30	\$ 22.00	\$ 30,052.00	\$ 223.80	\$ 305,710.80	\$ 10.00	\$ 13,660.00	\$ 52.84	\$ 72,179.44	
203	2411.000	ARCHITECTURAL SURFACE FINISH (SINGLE COLOR)	3117	SF	\$ 5.00	\$ 15,585.00	\$ 8.00	\$ 24,936.00	\$ 3.50	\$ 10,909.50	\$ 8.50	\$ 26,494.50	\$ 7.20	\$ 22,442.40	\$ 9.50	\$ 29,611.50	\$ 8.00	\$ 24,936.00	
204	2411.000	ARCHITECTURAL SURFACE FINISH (MULTI-COLOR)	1366	SF	\$ 10.00	\$ 13,660.00	\$ 12.00	\$ 16,392.00	\$ 4.00	\$ 5,464.00	\$ 12.00	\$ 16,392.00	\$ 7.20	\$ 9,835.20	\$ 13.50	\$ 18,441.00	\$ 11.50	\$ 15,709.00	
205	2411.000	ANTI-GRAFFITI COATING	1366	SF	\$ 5.00	\$ 6,830.00	\$ 5.00	\$ 6,830.00	\$ 2.00	\$ 2,732.00	\$ 5.00	\$ 6,830.00	\$ 4.80	\$ 6,556.80	\$ 5.50	\$ 7,513.00	\$ 4.55	\$ 6,215.30	
<b>BID ALTERNATE B - CONCRETE PARAPET TOTAL:</b>						<b>\$ 238,820.00</b>		<b>\$ 234,218.00</b>		<b>\$ 226,445.90</b>		<b>\$ 235,321.00</b>		<b>\$ 406,038.00</b>		<b>\$ 606,500.50</b>		<b>\$ 519,551.70</b>	
<b>BASE BID + BID ALTERNATE A AMOUNT:</b>						<b>\$ 1,391,234.00</b>		<b>\$ 1,011,448.30</b>		<b>\$ 1,051,140.46</b>		<b>\$ 1,159,327.20</b>		<b>\$ 1,327,052.55</b>		<b>\$ 1,582,300.20</b>		<b>\$ 1,874,389.02</b>	
<b>BASE BID + BID ALTERNATE B AMOUNT:</b>						<b>\$ 1,579,111.00</b>		<b>\$ 1,189,629.00</b>		<b>\$ 1,233,605.57</b>		<b>\$ 1,297,856.50</b>		<b>\$ 1,634,600.75</b>		<b>\$ 2,125,971.00</b>		<b>\$ 2,301,224.46</b>	
<b>BASE BID + BID ALTERNATE A AMOUNT:</b>							<b>\$ 1,011,448.30</b>		<b>\$ 1,051,140.46</b>		<b>\$ 1,159,327.20</b>		<b>\$ 1,327,052.55</b>		<b>\$ 1,582,300.20</b>		<b>\$ 1,874,389.02</b>		
<b>DIFFERENCE FROM LOW BIDDER</b>								<b>\$ 39,692.16</b>		<b>\$ 147,878.90</b>		<b>\$ 315,604.25</b>		<b>\$ 570,851.90</b>		<b>\$ 862,940.72</b>			
<b>BASE BID + BID ALTERNATE B AMOUNT:</b>							<b>\$ 1,189,629.00</b>		<b>\$ 1,233,605.57</b>		<b>\$ 1,297,856.50</b>		<b>\$ 1,634,600.75</b>		<b>\$ 2,125,971.00</b>		<b>\$ 2,301,224.46</b>		
<b>DIFFERENCE FROM LOW BIDDER</b>								<b>\$ 43,976.57</b>		<b>\$ 108,227.50</b>		<b>\$ 444,971.75</b>		<b>\$ 936,342.00</b>		<b>\$ 1,111,595.46</b>			

**City of Lake City  
State Bonding Projects  
Summary**

	<u>Estimates</u>	<u>Bid Results</u>	<u>Budget</u>
Original Design	128,600	128,600	
Amendment 1, Task V	3,075	3,075	
Amendment 1, Task VI	36,125	36,125	
Total Design	<u>167,800</u>	<u>167,800</u>	
Construction with concrete parapet	1,579,111	1,189,629	
Construction Services Engineering	60,000	60,000	
Construction material testing	8,000	8,000	
Total Construction Cost	<u>1,647,111</u>	<u>1,257,629</u>	
Total Ohuta Wall Estimated Project Cost	<u>1,814,911</u>	<u>1,425,429</u>	<u>2,041,000</u>
<b>Summary with Both State Bonding Projects</b> <i>(using HSL engineer estimate-not bid yet)</i>			
HSL Sewer Project	<u>887,500</u>	<u>887,500</u>	<u>887,500</u>
Total State Bonding Projects	<u>2,702,411</u>	<u>2,312,929</u>	<u>2,928,500</u>
State Bond Proceeds		<u>(1,645,000)</u>	<u>(1,645,000)</u>
City Share <i>(coming from capital project fund-half LGA amount)</i>		667,929	1,283,500
Estimated City Share Savings Thus Far <i>(without HSL bid-using engineer estimate)</i>			<u><u>615,571</u></u>



October 14, 2024

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**Agenda Item Description:** Review and approve Council minutes  
September 9, 2024

**Originating Department:** City Clerk

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

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**Action Requested:**  
Review and approve Council minutes September 9, 2024

**Reviewed By:** Administration

**Preparer:** Kari Schreck, City Clerk

**ATTACHMENTS:**

**Description**

- ▣ 9.9.24 minutes



**Lake City Common Council  
Regular Meeting  
September 9, 2024, 6:00 p.m.  
City Hall Chambers**

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

Members Absent: None

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

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

Review adopt/ amend agenda

Nichols moved item 8 e from consent adopt Resolution 24-030 Wayfinding signage to new business.

**Motion Kramer second Boe to adopt the agenda as amended. All ayes 7-0-0. Motion carried.**

Disclose conflicts relating to agenda items

Alkire will recuse from item new business item 6 h, Approve hire of Library page Ada Alkire

Mayor and Council member minute

Public Forum

None

Communication Updates:

Update from Lake Pepin Legacy Alliance

Peter Coyle discussed with the council an overview of the work that is being done by the Lake Pepin Legacy Alliance whose goal is to reduce sediment loads into Lake Pepin. He requested the councils continued support of the organization.

Informational Reports:

Personnel Committee minutes August 5, 2024

Marina Board minutes August 14, 2024

Heritage Preservation minutes August 14, 2024

Port Authority minutes August 19, 2024

Ambulance Commission minutes August 19, 2024

Street/Park/Public Safety Commission minutes August 20, 2024

Port Authority special minutes August 27, 2024

Planning commission workshop minutes August 27, 2024

Utility board minutes August 28, 2024

Fire department relief minutes August 29, 2024

New Business:

Conduct public hearing-certification of delinquent utilities and nuisance violations and adopt Resolutions 24-027 & 24-029

Utilities and Ambulance

In April 2019, the council approved an ordinance that allowed the city to collect delinquent utilities and ambulance charges through certification to property owners. This is the fifth year utilizing that collection process. The city is not required to have a public hearing for this certification process but has done it in this instance to allow people an opportunity to speak on the matter if they desire.

The city sent out sixteen notices for utilities totaling \$9,842.18 in July. We have received payments of \$1,726.02 from seven utility accounts.

The city did not send out any ambulance assessment notices since the new ambulance billing company methods for collections have proven to be more effective currently. That process will be evaluated next year to make sure it is still effective versus assessments.

#### Nuisance

We are including nuisance violations as part of this similar process. The amounts were invoiced to the property owner and follow up attempts made to collect the bill. In accordance with the State law and local code Section 96.44 B and 94.43 D, the City is authorized to collect these charges. The city has certified amounts in past years. The city has five parcels that have not paid their nuisance violations.

By approval of these resolutions and certifications, it will provide a better collection method of past due utilities, ambulance charges, and nuisance violations. A \$15 fee per certification has been added for processing costs (i.e. hearing notice, mailing, processing time, county certification fee, etc). We will collect \$8,251.16 by certification for delinquent utility charges. We will collect \$680.00 by certification for nuisance violation charges. All certifications will be payable by the property owner with their 2025 property taxes.

**Motion McGrath, second Brown to open public hearing at 6:37 p.m. All ayes 7-0-0. Motion carried.**

Receive comments and questions.

No one from the public spoke

**Motion Alkire, second Kramer to close public hearing at 6:37 p.m. All ayes 7-0-0. Motion carried.**

**Motion Boe, second Alkire to approve Resolution 24-027 certification of delinquent utilities-Wabasha County. All ayes 7-0-0. Motion carried**

**Motion McGrath, second Quinn to approve Resolution 24-029 certification of delinquent nuisance violations-Wabasha County. All ayes 7-0-0. Motion carried**

#### Adopt Resolution 24-023 approving proposed 2025 General Fund Revenue and Expenditure Budgets

The City of Lake City is required by Minnesota Statute 275.065, on or before September 30, 2024, to adopt a proposed 2025 General Fund budget for the following year.

At the July Council Workshop, the council reviewed and discussed the detailed operating budget requests. At the June Council Workshop, updated 10-year tax and utility projections were reviewed. Consensus was reached to increase preliminary levy by \$122,500 to plan for future street and utility project debt service payments.

The preliminary levy set in September by the council is a not to exceed levy, therefore it cannot be increased but can be decreased before a final levy is set in December.

By adopting Resolution 24-023, it will establish the proposed 2025 General Fund Revenue and Expenditure Budgets.

Proposed Revenues	\$ 7,986,830
Proposed Expenditures	<u>- 7,986,830</u>
Use of Fund Balance	\$ 0

Council will approve the final 2025 Budget at the December 9, 2024, meeting.

Staff and council will continue to review prior to the December meeting.

**Motion Alkire, second Brown to adopt Resolution 24-023 approving the proposed 2025 General Fund Revenue and Expenditure budgets. All ayes 7-0-0. Motion carried.**

Adopt Resolution 24-024 approving proposed Property Tax Levy Payable in 2025

The City of Lake City is required by Minnesota Statute 275.065, on or before September 30, 2024, to certify to the home county auditor the proposed taxes payable in the following year. Wabasha County is Lake City's home county.

The council will discuss a final budget and levy at their 6 pm Regular Meeting held on December 9, 2024, at City Hall. Public input will be allowed at this meeting prior to final budget and levy determination. The city's final levy may not exceed the preliminary amount approved at this meeting.

If anyone is interested in budget line item detail, it can be found online using the following link: <https://lakecity.novusagenda.com/Agendapublic/CoverSheet.aspx?ItemID=9033&MeetingID=1301>

Adopting Resolution 24-024 will establish the maximum levy collectible in 2025 thereby establishing the maximum amount of revenues to be collected from property taxes in 2025.

It should be noted that this levy includes the \$47,000 2023 Goodhue County tax collection shortfall correction that was discussed at February council workshop. Council requested a quarterly snapshot of city funds to be provided to them as a tool for future budgeting.

**Motion Brown, second McGrath to adopt Resolution 24-024, approving the proposed Property Tax Levy payable in 2025. All ayes 7-0-0. Motion carried.**

Approve hire of Joan Nelson as Utility Billing Clerk

The utilities clerk position has been vacant since the August 9, 2024, due to an employee resignation. The position was advertised, and nineteen applications were received. Staff interviewed five applicants and Joan Nelson was offered the position. The start date is September 16, 2024. The position is in the 2024 budget.

**Motion McGrath, second Alkire approving hire of Joan Nelson as Utility Billing Clerk effective September 16, 2024, at Grade 5 Step 2 full time pay scale \$24.51/hr. All ayes 7-0-0. Motion carried.**

Approve hiring of full-time EMT Austin Babcock

Austin Babcock has been employed as a part-time EMT with the ambulance service since October of 2023. Austin Babcock is being hired for the open full-time EMT position being vacated by EMT Colton Chicos. Austin Babcock will be hired at a Grade 6, Step 2 \$25.98/ hr on the 2024 full-time pay schedule. The hire was approved by the Ambulance Commission on August 19, 2024. Austin Babcock has a start date of September 10, 2024.

**Motion McGrath, second Brown, to approve hire of full-time EMT Austin Babcock. All ayes 7-0-0. Motion carried.**

Approve hire of Kristi Gross as Planning and Community Development Director

The Planning and Community Development Director position has been vacant since July 11, 2024. The position was advertised, 10 applications were received, and five candidates were interviewed. Kristi Gross was selected and offered the position, which she accepted with a start date of September 30, 2024. This position is budgeted.

**Motion McGrath, second Alkire approving hire of Kristi Gross as Planning and Community Development Director effective September 30, 2024, at Grade 16 Step 2 full time pay scale \$46.52/hr. All ayes 7-0-0. Motion carried.**

Approve hire of Douglas Grout as Port Authority Executive Director

The City and Port Authority made the decision to hire a Port Authority executive director rather than continue to contract with CEDA for this service as it has in the past. The position was advertised, six applications received, and a team of Port Authority members and the City administrator interviewed four candidates. The payroll cost of the position will fall within the amount budgeted for the CEDA contract. The Personnel Committee met on September 9 at 5:30 and approved pay at grade 12 step 5.

**Motion Nichols, second McGrath approving hire of Douglas Grout as Port Authority Executive Director effective September 30, 2024, at Grade 12, Step 5 full time pay scale \$39.98/hr. All ayes 7-0-0. Motion carried.**

Approve hire of Library Page Ada Alkire

The Library has been operating with a vacant Library Page position since April. This hire will fill the vacant position. Library Pages work 3.5 hours per week assisting librarians with circulation duties, as well as other tasks as assigned. The Library Page positions are a paid internship for high school students to offer an opportunity for experience in a library setting.

**Motion Boe, second Kramer approving hire of Ada Alkire as Library Page at Grade 1, Step A, \$15.11/hr. All ayes 6-0-1 (Alkire recused from the vote). Motion carried.**

Approve hire of Library Aides Jan Olson and Amy Henderson.

The Library have been working with a vacant Library Aide position since Joyce Schlicker retired in March. This position, as well as the position vacated by Marian Mahoney will be filled by these two hires. Library Aides are responsible for multiple duties at the library, including circulation, assisting patrons and other duties that help the library run well.

**Motion McGrath, second Brown, to approve hires of Library Aides Jan Olson and Amy Henderson at Grade 1, Step A, \$15.11/hr. All ayes 7-0-0. Motion carried.**

Approve wage adjustments for electric utility positions

Wages in Lake City electric utility positions have trended below industry averages.

The utility recently lost two apprentice line workers to other utilities, largely based on compensation. City staff has met with the IBEW business agent and union steward to look at wages across many Minnesota utilities. These included other municipalities, larger and smaller, co-op electric utilities and investor-owned utilities. The proposed wage adjustments are based off journey line worker positions, since this is the most populated and consistent position among all electric utilities. The other positions were then adjusted accordingly to maintain grade and step separation, like all other city positions. With existing vacancies in the department, no budget amendments are expected to be necessary, and Finance will adjust payroll numbers in the 2025 proposed budget. McGrath and Brown voted nay because at the council retreat meeting where this was discussed in April, only the journeymen wages were discussed and requested to be increased, not all electric department positions.

**Motion Boe, second Alkire to approve wage adjustments for electric utility positions and direct the City Administrator to execute a memorandum of understanding with the IBEW.**

**Roll call vote: Quinn aye, McGrath nay, Kramer aye, Nichols aye, Alkire aye, Brown nay, Boe aye. 5-2-0 Motion carried.**

Adopt Resolution 24-030 Wayfinding Signage

This item was moved from consent to new business for council discussion by Nichols.

Resolution 24-030 establishes the responsibilities of the city when constructing, installing and maintaining the wayfinding signage, as previously approved, in concept, by the City Council. The signage plan has been reviewed and approved by MnDOT. Action on this item carries no monetary

cost. The project is estimated to cost almost \$40,000. The Planning budget has \$15,000 designated for the project. The wayfinding signage group, through DLC, is applying for a \$10,000 SMIF (Southern Minnesota Initiative Foundation) grant. If successful, that would leave a funding gap of an estimated \$15,000.

**Motion Nichols, second Boe to adopt Resolution 24-030 establishing guidelines adopted by the Minnesota Department of Transportation for community wayfinding signing. All ayes 7-0-0. Motion carried.**

Consent Agenda:

- a. Review and approve Council minutes August 5, 2024.
- b. Review and approve expense claims July 31, 2024- September 4, 2024
- c. Adopt Resolution 24-024 approving gambling premise permit application for the Mazeppa Lions Clug to conduct lawful gambling at 115 S Lakeshore Dr.
- d. Adopt Resolution 24-026 confirming board and commission appointment James Moeching to the Planning Commission.
- e. ~~Adopt Resolution 24-030 Wayfinding signage.~~ moved to new business
- f. Approve 2025-2027 Township fire contracts
- g. Approve request for the Rotary Club of Lake City Foundation to host a raffle October 18, 2024.
- h. Approve request for the Lake City Sportsman's Club to host a raffle and bingo event on February 15, 2025, at the Lake City Sportsman's Club.
- i. Approve Marina 2024 seasonal hire.

**Motion Brown, second Boe to approve the consent agenda as amended. All ayes 7-0-0. Motion carried.**

Future meeting dates:

September 2024 calendar

October 2024 draft calendar

**Motion McGrath, second Alkire to adjourn at 7:28 p.m. All ayes 7-0-0. Motion carried.**

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

ATTEST:

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



**October 14, 2024**

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**Agenda Item Description:** Review and approve expense claims  
September 5, 2024- October 8, 2024

**Originating Department:** City Clerk

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

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**Action Requested:**  
Review and approve expense claims September 5, 2024- October 8, 2024

**Reviewed By:** Administration, Finance

**Preparer:** Kari Schreck, City Clerk

**ATTACHMENTS:**

**Description**

- ▣ exp claims

Account Description	Total Invoice Amounts
Total 101-34051-33112 General Liquor Licenses:	1,200.00
Total 101-34140-33522 Ambulance Residential Calls:	120.00
Total 101-44011-210 Council Operating Supplies:	50.55
Total 101-44011-300 Council Professional Services:	445.08
Total 101-44011-340 Council Printing/Publishing:	1,386.09
Total 101-44011-360 Council Food Shelf Utilities:	28.80
Total 101-44011-361 Council Old PS Building:	106.79
Total 101-44011-400 Council Miscellaneous:	2,327.00
Total 101-44011-410 Council Work Comp Insurance:	15.00
Total 101-44022-310 City Admin Communication:	49.88
Total 101-44022-320 City Admin Travel, Conf, Sch:	592.54
Total 101-44022-410 City Admin Work Comp Ins:	172.75
Total 101-44040-210 Elections Operating Supplies:	556.22
Total 101-44051-210 Clerk/Finance Operating Suppli:	532.16
Total 101-44051-300 Clerk/Finance Professional Svc:	2,500.00
Total 101-44051-320 Clerk/Finance Travel, Conf, Sc:	1,187.99
Total 101-44051-390 Clerk/Finance Contractual:	76.28
Total 101-44051-400 Clerk/Finance Miscellaneous:	.73
Total 101-44051-410 Clerk/Finance Work Comp Ins:	410.00
Total 101-44060-390 Legal Contractual-Prosecutions:	2,650.00
Total 101-44060-391 Legal Contractual-Civil:	3,400.00
Total 101-44091-320 Planning Travel, Conf, School:	255.38
Total 101-44091-410 Planning Work Comp Insurance:	189.00
Total 101-44110-210 Police Operating Supplies:	4,345.15
Total 101-44110-220 Police Maint/Repair:	377.24
Total 101-44110-310 Police Communication:	795.14
Total 101-44110-320 Police Travel, Conf, School:	585.00
Total 101-44110-390 Police Contractual:	705.07
Total 101-44110-410 Police Work Comp Insurance:	14,028.50

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Account Description	Total Invoice Amounts
Total 101-44110-900 Police Projects/Programs:	1,024.46
Total 101-44120-210 Fire Operating Supplies:	854.56
Total 101-44120-220 Fire Maint/Repair:	118.26
Total 101-44120-300 Fire Professional Services:	50.00
Total 101-44120-310 Fire Communication:	36.50
Total 101-44120-320 Fire Travel, Conf, School:	1,542.00
Total 101-44120-410 Fire Work Comp Insurance:	2,827.75
Total 101-44140-210 Ambulance Operating Supplies:	7,929.83
Total 101-44140-220 Ambulance Maint/Repair:	1,210.99
Total 101-44140-310 Ambulance Communication:	485.09
Total 101-44140-321 Ambulance Training Classes:	150.00
Total 101-44140-390 Ambulance Contractual:	3,175.32
Total 101-44140-410 Ambulance Work Comp Insurance:	9,763.00
Total 101-44191-210 EOC Operating Supplies:	901.38
Total 101-44191-220 EOC Maint/Repair:	403.48
Total 101-44191-310 EOC Communication:	46.95
Total 101-44191-410 EOC Workers Comp Ins:	25.00
Total 101-44212-210 Streets Operating Supplies:	3,559.02
Total 101-44212-220 Streets Maint/Repair:	389.28
Total 101-44212-310 Streets Communication:	78.69
Total 101-44212-340 Streets Printing/Publishing:	87.50
Total 101-44212-390 Streets Contractual:	13,050.27
Total 101-44212-410 Streets Workers Comp Ins:	4,876.25
Total 101-44212-450 Streets Trees:	1,086.54
Total 101-44510-210 Parks Operating Supplies:	1,290.09
Total 101-44510-220 Parks Maint/Repair:	319.54
Total 101-44510-310 Parks Communication:	47.07
Total 101-44510-390 Parks Contractual:	746.80
Total 101-44510-410 Parks Workers Comp Insurance:	1,415.00

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Account Description	Total Invoice Amounts
Total 101-44524-220 Pool Maint/Repair:	7,812.00
Total 101-44524-310 Pool Communication:	128.51
Total 101-44524-410 Pool Work Comp Insurance:	689.00
Total 101-44543-210 HSL Operating Supplies:	888.50
Total 101-44543-220 HSL Maint/Repair:	90.87
Total 101-44543-230 HSL Tools/Equip:	44.99
Total 101-44543-310 HSL Communication:	173.74
Total 101-44543-390 HSL Contractual:	4,415.31
Total 101-44543-410 HSL Work Comp Insurance:	1,415.00
Total 101-44543-840 HSL Resale Merch-Non Tax:	1,287.80
Total 210-11450 Prepaid Insurance:	219.25
Total 210-45210-210 Library Operating Supplies:	912.60
Total 210-45210-240 Library Books & Materials:	2,883.01
Total 210-45210-320 Library Travel, Conf, School:	250.00
Total 210-45210-390 Library Contractual:	859.52
Total 210-45210-391 Library Programs:	220.37
Total 210-45210-401 Donation Expenses:	139.11
Total 210-45210-410 Library Worker Comp Insurance:	219.25
Total 400-44120-530 Cap Project Fire-Mach/Equip:	750.00
Total 400-44510-500 Cap Project Parks-Land:	17,536.50
Total 400-44543-500 Cap Project HSL-Land:	13,779.50
Total 400-44605-520 Cap Project Firehall-Building:	10,693.00
Total 407-44070-500 2023 N 7th Reconstruction-Land:	35,379.81
Total 602-11450 Prepaid Insurance:	35.50
Total 602-44602-210 City Hall-Operating Supplies:	397.96
Total 602-44602-220 City Hall-Maint/Repair:	185.00
Total 602-44602-310 City Hall-Communication:	347.98
Total 602-44602-360 City Hall-Utilities:	123.83
Total 602-44602-390 City Hall Building-Contractual:	6,912.54

Account Description	Total Invoice Amounts
Total 602-44602-410 City Hall Work Comp Insurance:	35.50
Total 602-44603-310 Library Building-Communication:	156.56
Total 602-44603-360 Library Building-Utilities:	97.51
Total 602-44603-390 Library Building-Contractual:	646.97
Total 602-44604-210 PS Building-Operating Supplies:	117.13
Total 602-44604-220 PS Building-Maint/Repair:	100.00
Total 602-44604-310 PS Building-Communication:	639.26
Total 602-44604-360 PS Building-Utilities:	169.43
Total 602-44604-390 PS Building-Contractual:	1,181.25
Total 602-44605-210 Fire Hall-Operating Supplies:	225.11
Total 602-44605-220 Fire Hall-Maint/Repair:	2,533.46
Total 602-44605-310 Fire Hall-Communication:	139.48
Total 602-44605-360 Fire Hall-Utilities:	71.58
Total 602-44605-390 Fire Hall-Contractual:	110.00
Total 701-11450 Prepaid Insurance:	2,718.50
Total 701-41920-210 Electric Operating Supplies:	9,113.70
Total 701-41920-310 Electric Communication:	394.10
Total 701-41920-320 Electric Travel, Conf, School:	237.67
Total 701-41920-340 Electric Printing/Publish:	300.00
Total 701-41920-360 Electric Utilities:	173.21
Total 701-41920-370 Electric Maint/Repair:	3,923.16
Total 701-41920-390 Electric Contractual:	8,898.05
Total 701-41920-410 Electric Workers Comp Ins:	2,718.50
Total 701-41920-530 Electric Capital-Machin/Equip:	11,303.53
Total 701-41920-830 Electric Rebate Payments:	18,438.31
Total 702-11450 Prepaid Insurance:	1,049.50
Total 702-42920-210 Water Admin Operating Supplies:	2,368.12
Total 702-42920-230 Water Admin Tools/Equip:	73.45
Total 702-42920-300 Water Admin Professional Svcs:	144.00

Account Description	Total Invoice Amounts
Total 702-42920-310 Water Admin Communication:	227.50
Total 702-42920-320 Water Admin Travel, Conf, Sch:	160.50
Total 702-42920-340 Water Admin Printing/Publish:	150.00
Total 702-42920-370 Water Admin Maint/Repair:	11,821.82
Total 702-42920-390 Water Admin Contractual:	1,065.60
Total 702-42920-410 Water Admin Workers Comp Ins:	1,049.50
Total 702-42920-530 Water Capital-Machin/Equip:	1,225.78
Total 703-11450 Prepaid Insurance:	1,625.25
Total 703-43500-210 Treatment Operating Supplies:	722.28
Total 703-43500-300 Treatment Professional Svcs:	1,843.00
Total 703-43500-310 Treatment Communication:	236.23
Total 703-43500-360 Treatment Utilities:	127.90
Total 703-43500-370 Treatment Maint/Repair:	1,039.02
Total 703-43500-390 Treatment Contractual:	18,089.76
Total 703-43920-210 Sewer Admin Operating Supplies:	875.95
Total 703-43920-230 Sewer Admin Tools/Equip:	26.99
Total 703-43920-310 Sewer Admin Communication:	227.50
Total 703-43920-320 Sewer Admin Travel, Conf, Sch:	160.49
Total 703-43920-360 Sewer Admin Utilities:	36.03
Total 703-43920-370 Sewer Admin Maint/Repair:	9,275.93
Total 703-43920-390 Sewer Admin Contractual:	1,010.70
Total 703-43920-410 Sewer Admin Workers Comp Ins:	1,625.25
Total 703-43920-530 Sewer Capital-Machin/Equip:	1,225.79
Total 706-47706-210 Storm Water Operating Supplies:	1,654.66
Total 706-47706-220 Storm Water Maint/Repair:	2,003.88
Total 706-47706-300 Storm Water Professional Svcs:	9,795.00
Total 706-47706-340 Storm Water Printing/Publish:	57.20
Total 706-47706-390 Storm Water Contractual:	2,690.95
Total 710-11450 Prepaid Insurance:	5,091.00

Account Description	Total Invoice Amounts
Total 710-40746-210 Marina Beach Operating Supplie:	360.70
Total 710-40746-220 Marina Beach Maint/Repair:	214.76
Total 710-40746-390 Marina Beach Contractual:	220.80
Total 710-40746-410 Marina Beach Workers Comp Ins:	224.25
Total 710-40760-220 Marina Trailer Maint/Repair:	229.32
Total 710-40760-390 Marina Trailer Contractual:	3,198.75
Total 710-40760-410 Marina Trailer Workers Comp In:	449.00
Total 710-40771-210 Marina Lift Operating Supplies:	1,672.30
Total 710-40771-220 Marina Lift Maint/Repair:	943.65
Total 710-40771-410 Marina Lift Workers Comp Ins:	1,148.75
Total 710-40773-200 Marina Harbor Office Supplies:	396.75
Total 710-40773-210 Marina Harbor Operating Suppli:	2,264.75
Total 710-40773-220 Marina Harbor Maint/Repair:	2,604.82
Total 710-40773-230 Marina Harbor Tools/Equip:	69.56
Total 710-40773-310 Marina Harbor Communications:	330.23
Total 710-40773-360 Marina Harbor Utilities:	147.52
Total 710-40773-390 Marina Harbor Contractual:	3,482.65
Total 710-40773-400 Marina Harbor Miscellaneous:	1,170.73
Total 710-40773-410 Marina Harbor Workers Comp Ins:	2,910.25
Total 710-40773-850 Marina Harbor Resale Merch-Tax:	597.02
Total 710-40780-410 Marina Security Workers Comp:	358.75
Total 720-11450 Prepaid Insurance:	195.75
Total 720-47500-340 Clean Up Day Printing/Publish:	1,305.00
Total 720-47720-360 Compost/Leaf Vac Utilities:	30.52
Total 720-47720-410 Compost/Leaf Vac Work Comp Ins:	195.75
Grand Totals:	<u><u>373,310.24</u></u>



October 14, 2024

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**Agenda Item Description:** Adopt Resolution 24-028 confirming board and commission appointments – Jack Rol, Planning Commission; Joshua Tripp, Heritage Preservation Commission

**Originating Department:** City Clerk

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

**Consent Agenda?:** Yes

---

**Action Requested:**

Adopt Resolution 24-028 confirming appointments:

Planning Commission – Jack Rol – New (Partial 1) through 3/1/2026 replaces T Rasmussen vacancy.

Heritage Preservation Commission - Joshua Tripp - New (Partial 1) through 3/1/2027 replaces B Threinen 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 24-028

**RESOLUTION 24-028**

**CITY OF LAKE CITY, MINNESOTA**

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

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

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

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

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

**Planning Commission**

Jack Rol 2024 – **NEW– P1** thru 03/01/2026 – partial term fills T Rasmussen vacancy

**Heritage Preservation Commission**

Joshua Tripp 2024 – **NEW– P1** thru 03/01/2027 – partial term fills B Threinen vacancy

Resolution adopted this 14<sup>th</sup> day of October, 2024.

---

Mark Nichols, Mayor

Attest:

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Kari Schreck, City Clerk



October 14, 2024

---

**Agenda Item Description:** Adopt Resolution 24-031 accepting donations for the third quarter 2024

**Originating Department:** City Clerk

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

**Consent Agenda?:** Yes

---

**Action Requested:**

Adopt Resolution 24-031 accepting 3rd Quarter 2024 donations totaling \$11,500.52.

**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 24-031

**RESOLUTION 24-031**

**RESOLUTION ACCEPTING DONATIONS TOTALING \$11,500.52 FROM THE INDIVIDUALS LISTED BELOW FOR THE THIRD 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 \$11,500.52 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	1,000.00	Anonymous	101-44140-320	Ambulance Travel, Conf, School	Training and Conferences
Hok-Si-La	101-34543-33162	HSL Donations	722.00	Donation Boxes	n/a	n/a	
Library	210-32100-33162	Library Donations	98.18	Friends of the Library	210-45210-210	Library Operating Supplies	June Bookshelf Sales
Library	210-32100-33162	Library Donations	1,391.85	Friends of the Library	210-45210-210	Library Operating Supplies	1/2 Water Ski Days Sale
Library	210-32100-33162	Library Donations	675.00	Friends of the Library	210-45210-401	Library Donation Expenses	Purchase Tonies Storytelling Kits
Library	210-32100-33162	Library Donations	100.00	Ann Corrigan	210-45210-210	Library Operating Supplies	Memorial for Daniel Staker
Library	210-32100-33162	Library Donations	369.37	Friends of the Library	210-45210-210	Library Operating Supplies	1/2 July Book Sale
Library	210-32100-33162	Library Donations	401.75	Friends of the Library	210-45210-210	Library Operating Supplies	August Book Sale
Library	210-32100-33162	Library Donations	34.95	Friends of the Library	210-45210-210	Library Operating Supplies	August Book Sale
Library	210-32100-33162	Library Donations	323.20	Friends of the Library	210-45210-401	Library Donation Expenses	Eagle Bluff Skunk Program
Library	210-32100-33162	Library Donations	233.41	Friends of the Library	210-45210-210	Library Operating Supplies	July/August Book Shelf
Library	210-32100-33162	Library Donations	75.81	front desk donations	n/a		General-front desk donations
Streets	101-34212-33162	Streets Donations	825.00	Paul & Barb Gifford	101-44212-450	Streets Trees	Memorial trees in dog park
Parks	400-34510-33162	Parks Capital Donations	500.00	Steven & Paula Prigge			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	150.00	Scott Fredrik Rev Living Trust			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	1,000.00	Anonymous			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	500.00	Jacquelyn & Lawrence Lyons			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	200.00	Dan & Mary Coyle			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	100.00	Eric & Sandra Meier			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	500.00	Marco & Lisa Molinari			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	100.00	Bradley & Mary Nelson			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	1,500.00	Greater Lake City Community Foundation			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	200.00	John & Kathleen Cole			Pickleball Fund
Parks	400-34510-33162	Parks Capital Donations	500.00	Scott & Terri Sandeman			Pickleball Fund
			\$ 11,500.52				

Adopted this 14th day of October, 2024.

ATTEST:

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

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





October 14, 2024

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**Agenda Item Description:** Approve League of MN Cities Liability Coverage Waiver Form

**Originating Department:** Finance

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

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**Action Requested:**

Approve League of MN Cities Liability Coverage-Waiver Form, electing not to waive the statutory limit on municipal tort liability.

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

The city purchases liability insurance through the League of Minnesota Cities Insurance Trust (LMCIT). As part of the insurance renewal process, the city must decide whether or not to waive the statutory limits on municipal tort liability.

Under MN Statute 466.04, the city's liability is limited to no more than \$500,000 per claimant and \$1.5 million per occurrence. Members who choose to waive the statutory limits are waiving the protection of the statutory limit, up to the amount of coverage the city has. LMCIT carries a standard limit of \$2 million per claimant. Because the waiver increases the city's exposure, the premium is a few percentage points higher for coverage under the waiver option.

Based on the advice of our insurance adviser, staff recommendation is that the city not waive the statutory limits on municipal tort liability.

**Reviewed By:** Administration, Legal

**Preparer:** Jerome Illg, Finance Director

**ATTACHMENTS:**

**Description**

- ▣ **Liability Coverage Waiver Form**



LIABILITY COVERAGE WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before their effective date of coverage. Email completed form to your city's underwriter, to pstech@lmc.org, or fax to 651.281.1298.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary. The decision has the following effects:

- If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.
If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: \_\_\_\_\_

Check one:

- The member DOES NOT WAIVE the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.
The member WAIVES the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: \_\_\_\_\_

Signature: \_\_\_\_\_

Position: \_\_\_\_\_



October 14, 2024

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**Agenda Item Description:** Approve 2024 municipal contribution to Lake City Fire Relief Association

**Originating Department:** Finance

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

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**Action Requested:**

Approve 2024 municipal contribution to Lake City Fire Relief Association of \$100,912.28.

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

Each year, the Lake City Relief Association is required to submit two forms to the Office of the State Auditor for review: Financial and Investment Reporting Entry (FIRE Form) and Schedule Form for Lump-Sum Pension Plans (SC Form).

The SC Form is designed to identify any potential surpluses or deficits in the pension plan as well as calculate any required municipal contributions for the year. These amounts can vary from year to year based on annual pension payouts, fluctuating pension plan investment returns, and fire state aid. The most recent SC-23 Form shows that as of December 31, 2023, the plan did not require a municipal contribution for 2024.

The Relief Association's current benefit level is \$6,500/year of active service. Members are partially vested at 10 years of service (60%) and completely vested at 20 years of service (100%).

As a member of the Board of Trustees, the Finance Director has taken on the review of these reports. Once the review is complete, the City Clerk signs the municipal clerk certification portion of each form. As part of this certification, the Clerk agrees to advise the governing municipal body of any required contribution at the next regularly scheduled meeting.

In the past, while it may not require a city contribution, the city has historically given \$20,000 to mitigate future pension fund shortfalls that could require a contribution that is higher than budgeted or past practice.

**Budgetary/Fiscal Impact:**

101-44120-409 Fire Relief Association Disbursements

The city has received \$80,912.28 in Fire State Aid and Fire Supplemental State Aid from the State of Minnesota in 2024. This aid is designed to help subsidize pension costs for firefighters and these monies are passed on to the Lake City Relief Association. Only \$62,500 was budgeted to be received for Fire State Aid and Fire Supplemental State Aid. Since this amount is passed through to the Fire Relief Association it has no budget impact to increase Fire State Aid Pension Revenue by \$18,412.28 and increase Fire Relief Association Disbursements by \$18,412.28.

Although the SC Form has not always required a municipal contribution, these funds were always contributed to the Lake City Fire Relief Association to help build and stabilize the pension fund.

The 2024 budget included a voluntary municipal contribution of \$20,000.

The 2024 contribution to the Lake City Fire Relief Association will be \$100,912.28. The 2024 remaining funds owed to Lake City Fire Relief Association will be transferred by ACH with this approval.

**Reviewed By:** Administration, City Clerk, Fire Chief, Fire Relief Association President

**Preparer:** Jerome Illg, Finance Director



October 14, 2024

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**Agenda Item Description:** Approve request for the Lake City Education Foundation to host a raffle on November 16, 2024.

**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 Education Foundation to host a raffle on November 16, 2024 for their annual Gala event. The raffle will be held at Lake City Sportsman’s Club, located at 2200 S Oak Street.

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

The Lake City Education Foundation 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 Education Foundation 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 was received from the Lake City Education Foundation with a request to host a raffle on November 16, 2024 at the Lake City Sportsman’s Club located at 2200 S Oak 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



October 14, 2024

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**Agenda Item Description:** Approve request for the Wabasha County Pheasants Forever #41 to host a raffle event on April 5, 2025 at the Lake City Sportsman’s Club.

**Originating Department:** City Clerk

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

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**Action Requested:**

Approve the request for the Wabasha County Pheasants Forever #41 to host a raffle event on April 5, 2025. The raffle event will be held at the Lake City Sportsman’s Club located at 2200 S Oak Street.

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

The Wabasha County Pheasants Forever #41 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 Wabasha County Pheasants Forever #41 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 were received from the Wabasha County Pheasants Forever #41 with a request to host a raffle event on April 5, 2025 at the Lake City Sportsman’s Club, 2200 S Oak 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



October 14, 2024

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**Agenda Item Description:** Approve Sale of Public Works equipment

**Originating Department:** Finance

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

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**Action Requested:**

Approve sale of Plow Truck, Loader, and Loader Plow

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

The City has a policy for disposal or sale of city property. Public Works has 3 pieces of equipment that it intends to trade in or sell at public auction. Historically, the city has had favorable auction results from Wisconsin Surplus in the past.

Plow Truck Public Works has a 2003 Sterling Acterra dump/plow truck that it intends to sell at public auction because it is replacing truck as part of 2024 budget.

Loader

Public Works has a 2006 John Deere 544J Loader that it intends to trade in or sell at public auction as part of 2025 budget. Current trade in value offered by vendor is \$55,000. That retainer amount will be placed on loader for auction. If auction results are less, loader will be traded in.

Loader Plow Public Works has a Loader Plow that it intends to sell at public auction. Due to its age and condition auction results will yield greater results than trading in.

**Budgetary/Fiscal Impact:**

The plow truck replacement is budgeted in 2024. Sale proceeds will offset new plow truck costs. Net cost is within budgeted amount. The loader is budgeted to be replaced in 2025. With trade in or auction sale, it is estimated that loader will be within 2025 preliminary budgeted amounts.

**Reviewed By:** Administration, Public Works Director

**Preparer:** Jerome Illg, Finance Director



October 14, 2024

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**Agenda Item Description:** Approve Fire Department Grant budget adjustment

**Originating Department:** Finance

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

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**Action Requested:**

Approve \$4,000 fire budget adjustment for People's Energy Co-op grant.

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

The Fire department applied for grant funding from People's Energy Co-Op through their Operation Round Up program. We were awarded \$4,000 in funding to purchase 3 new MSA 4xr gas monitors to enable quicker and safer response to safety alarm calls.

**Budgetary/Fiscal Impact:**

Budget increase revenue 101-34120-33162 and expense 101-44120-210 by \$4,000.

**Reviewed By:** Administration, Fire Chief

**Preparer:** Jerome Illg, Finance Director

**ATTACHMENTS:**

**Description**

- ▣ **Reimbursement Form**





## People's Energy Cooperative Trust Fund Donation Reimbursement Request

Date:	
Name of Organization:	
Project Name:	
Dollar Amount Awarded:	

### Documentation Requirements

- All receipts or invoices for the project must show PAID IN FULL
- Total amount of receipts should meet or exceed the total amount awarded

***Please confirm the contact information below is correct!***

Contact Name	
Organization	
Street Address	
City	
State	
Zip	
Phone Number	

### **Additional Comments or Concerns:**

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If you have any questions regarding reimbursement for your award amount, please contact Ashley Kincaid at People's Energy Cooperative at 507-367-7054 or [akincaid@peoplesrec.com](mailto:akincaid@peoplesrec.com).



October 14, 2024

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**Agenda Item Description:** Approve Emerald Ash Borer Tree Grant certification for restricted property

**Originating Department:** Finance

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

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**Action Requested:**

Approve Emerald Ash Borer Tree Grant certification for restricted property.

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

The City was awarded a \$49,784 DNR grant for Emerald Ash Borer (EAB). This grant was for the removal of 55 ash trees and replanting a diverse selection of 55 new trees. The EAB trees have been removed and new trees planted. The DNR grant requires a blank restricted property certification because the new trees are considered state property. This is a procedural item and not a concern since the new trees were planted on public right-of-way (boulevard).

**Budgetary/Fiscal Impact:**

Increase grant revenue (101-34212-33440) and street tree expense (101-44212-450) budget for no net budget impact.

**Reviewed By:** Administration, Public Works Director

**Preparer:** Jerome Illg, Finance Director

**ATTACHMENTS:**

**Description**

- ☐ **Certification Restricted Property**
- ☐ **Planting Map**

**ATTACHMENT IA**

**CERTIFICATION**

**State of Minnesota  
General Obligation Bond Financed Property**

The undersigned has a fee simple, leasehold and/or easement interest in the real property located in the County(ies) of **Goodhue and Wabasha**, State of Minnesota, that is generally described or illustrated graphically in **Exhibit A** attached and all facilities situated thereon (the “Restricted Property”) and acknowledges that the Restricted Property is or may become State bond-financed property. To the extent that the Restricted Property is or becomes State bond-financed property, the undersigned acknowledges that:

- A. The Restricted Property is state bond financed property within the meaning of Minn. Stat. Sec. 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget;
- B. The Restricted Property is subject to the provisions of the **Preparing for Emerald Ash Borer Bonding Grants** between **Minnesota Department of Natural Resources** and **City of Lake City, Minnesota**, dated **June 21, 2023**; and
- C. The Restricted Property shall continue to be deemed state bond financed property for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget.

Date: \_\_\_\_\_, 20\_\_\_\_

City of Lake City, a political subdivision of the  
State of Minnesota

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

Name: \_\_\_\_\_

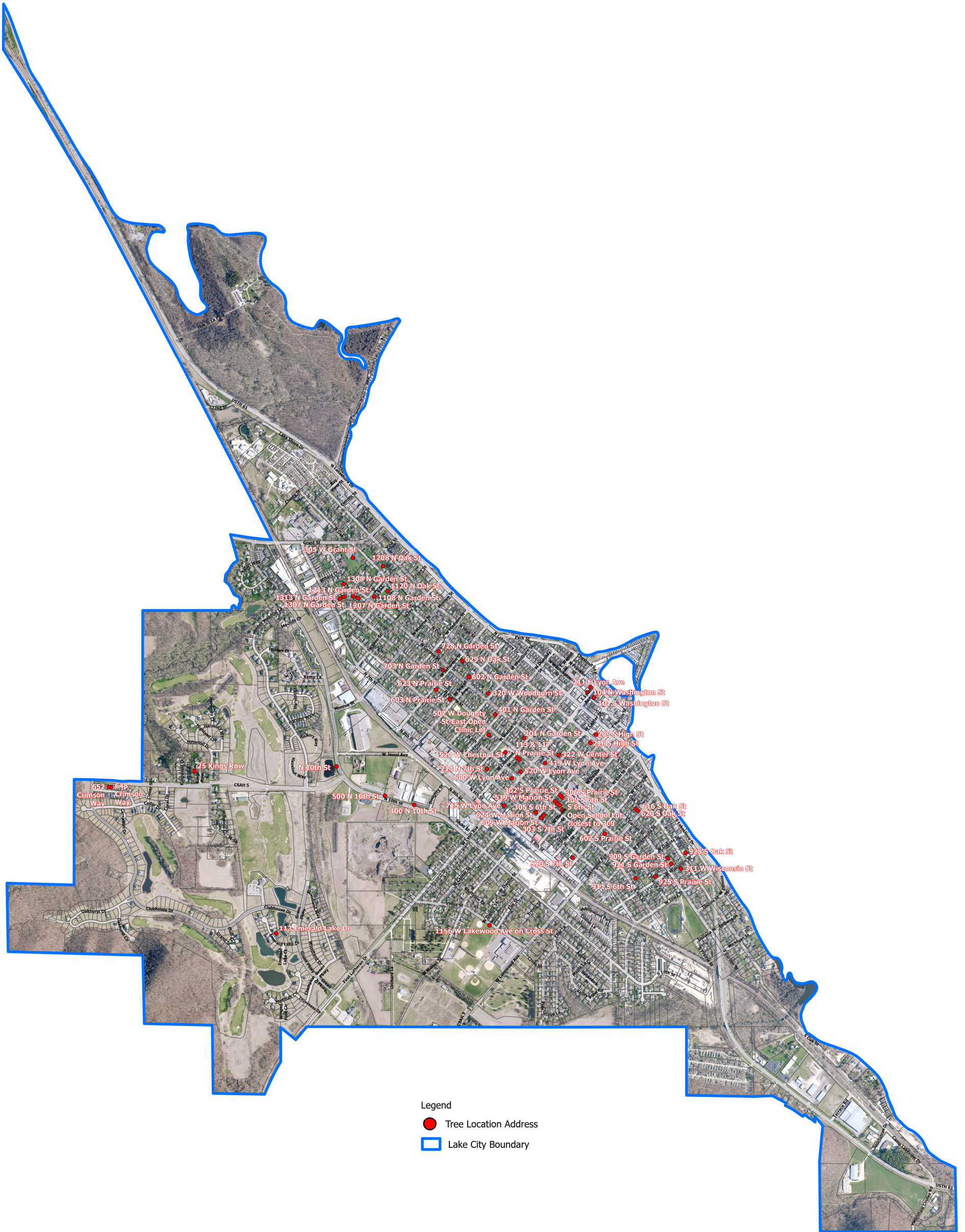
Title: \_\_\_\_\_

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

Name: \_\_\_\_\_

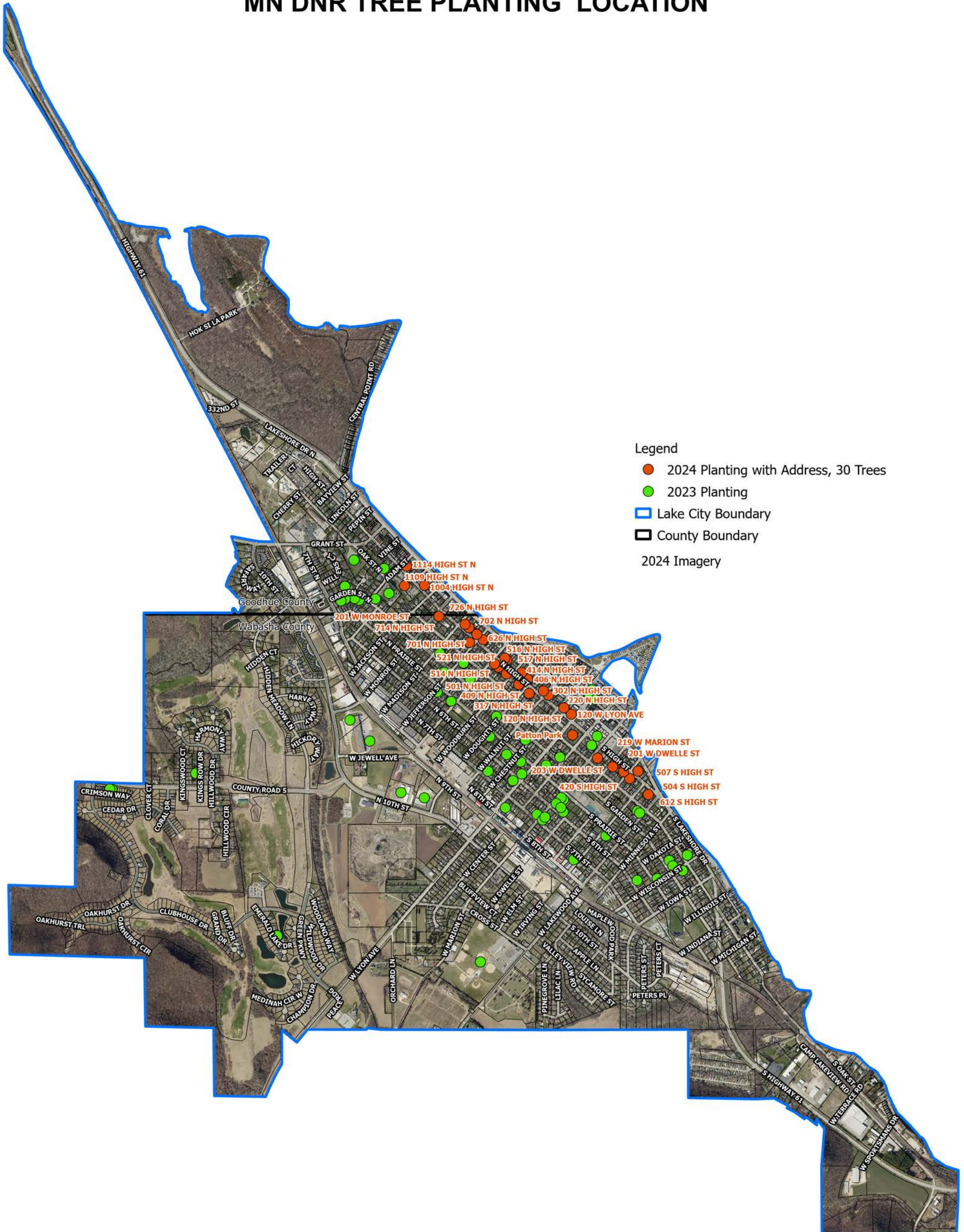
Title: \_\_\_\_\_

# CITY OF LAKE CITY, MINNESOTA MN DNR TREE PLANTING LOCATION

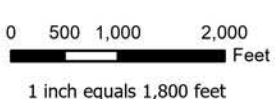


- Legend
- Tree Location Address
  - Lake City Boundary

# CITY OF LAKE CITY, MINNESOTA MN DNR TREE PLANTING LOCATION



- Legend
- 2024 Planting with Address, 30 Trees
  - 2023 Planting
  - Lake City Boundary
  - County Boundary
  - 2024 Imagery





October 14, 2024

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**Agenda Item Description:** Approve Marina 2024 seasonal hires

**Originating Department:** Marina

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

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**Action Requested:**

Approve Marina 2024 seasonal hires

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

Marina Seasonal Hire

Mark Dieltz, Grade 5 Step 7 - \$22.45/hour starting September 24, 2024  
Jeff Swiggum Grade 5 Step 7 - \$22.45/hour starting September 24, 2024  
Dan Erdahl Grade 5 Step 7 - \$22.45/hour starting September 24, 2024

**Budgetary/Fiscal Impact:**

This part-time seasonal position is covered under the Lift budget.

**Reviewed By:** Jeff Brand, Marina Administrator

**Preparer:** Jeff Brand, Marina Administrator



October 14, 2024

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**Agenda Item Description:** Approve out of state travel for Library Director

**Originating Department:** Library

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

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**Action Requested:**

Approve out of state travel to Green Bay, WI, for the Wisconsin Library Association Annual Conference.

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

The WLA Annual Conference features presentations and professional development opportunities that are relevant to libraries serving small communities.

This will be the first WLA Annual Conference for the LCPL Director. This conference was recommended by several SE Minnesota library colleagues as being beneficial and educational.

**Budgetary/Fiscal Impact:**

The library has a budget for conference, travel and education that will cover the cost of attendance. There will be no cost for lodging, as Library Director will be staying with a friend who lives in the area.

Conference Fees: \$590.00

Travel: Mileage (approx. 500 miles round trip)

**Reviewed By:** City Administrator

**Preparer:** Brigette Rol, Library Director



October 14, 2024

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**Agenda Item Description:** Approve a utility cost sharing agreement for Block 15

**Originating Department:** City Administrator

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

---

**Action Requested:**

Approve a utility cost sharing agreement for Block 15.

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

The block 15 alley project has progressed quickly. It has become apparent that a cost sharing agreement should be entered into by all parties. This agreement will split the cost of excavation, backfilling, restoration, etc. among all utilities (up to 6 utilities total) in a particular section of trench, or other related costs. Because the city has the excavation contract with Glander Excavating, all costs will be identified and invoiced to the proper parties by the City of Lake City.

The attached agreement was drafted by City Attorney Sarah Sonsalla.

**Budgetary/Fiscal Impact:**

The contract with Glander Excavating is approximately \$94,000 and includes contingency funds. Most areas in the alley include 4 to 6 utilities, which will allow for a significant cost share. Only those items directly related to storm water improvements will be considered for assessment against affected properties, which is what the excavation contract is based on. HBC, Lumen, Xcel, and Mediacom will be billed for their calculated share based upon agreement.

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

**Preparer:** Scott Jensen, Public Works Director

**ATTACHMENTS:**

**Description**

- ▣ **Cost Sharing Agreement**



## UTILITY COST SHARING AGREEMENT

### BLOCK 15 PROJECT

**THIS UTILITY COST SHARING AGREEMENT** (this “Agreement”), dated as of \_\_\_\_\_, 2024, is by and between City of Lake City, a Minnesota municipal corporation (the “City”), Northern States Power Co, d/b/a Xcel Energy, a Minnesota corporation (“Xcel”), Hiawatha Broadband Communications, Inc., a Minnesota corporation (“HBC”), Mediacom Communications Corporation, a Delaware corporation (“Mediacom”), and Lumen Technologies, Inc., a Louisiana corporation (“Lumen”).

### RECITALS

**WHEREAS**, the City is undertaking a stormwater drainage and utility improvement project in the area known as “Block 15” which is located in Block 15 of the plat of Lake City, Wabasha County, Minnesota (the “Project”); and

**WHEREAS**, as part of making the drainage and utility improvements in Block 15, the City will be excavating its drainage and utility easement area, which is legally described as follows:

City of Lake City Right of Way Plat No. 2, County of Wabasha, State of Minnesota  
(the “Easement Area”); and

**WHEREAS**, Xcel, HBC, Mediacom, and Lumen all have or will have utilities that will need to be placed within the Easement Area in various trenches that will be shared with the City and the other parties; and

**WHEREAS**, the City will also have electric and stormwater utilities that will need to be placed within the Easement Area in trenches that will be shared with the other parties; and

**WHEREAS**, the parties wish to share the cost of excavating the trenches for the Project, said costs include mobilization, bituminous removal, concrete cutting and removal, excavation, aggregate base and pipe bedding, backfill and compaction, bituminous milling surfacing, and hourly equipment use of the backhoe, skid loader, dump truck, compactor, and vacuum truck (the “Project Costs”); and

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

## **AGREEMENT**

1. Project Costs. The parties agree that they will share the Project Costs. The Project Costs shall be shared by the parties in proportion to the number of utility lines that they install within the trench. For example, the City has both electric and storm sewer utility lines that will be installed within a trench. Therefore, the City should pay 33 percent of the Project Costs for that particular trench if all of the other parties are all installing one utility line in the trench.

2. Cost Sharing. Upon completion of the Project, the parties shall submit their Project Costs to the City. The City will add up and calculate each party's share of the Project Costs based on trench usage by the parties and provide each party with an invoice. Each party shall pay its share of the Project Costs to the City within 60 days of the date of the City's invoice. Any Project Costs incurred by a party other than the City shall be submitted for payment by the party to the City and will be added to the total amount of Project Costs for the involved parties.

3. Easement Rights. The City acknowledges that Xcel, HBC, Mediacom, and Lumen shall be entitled to install their utilities over and under the Easement Area controlled by the City within the Project. The City shall not deny any such requests for installation of utilities except based on a reasonable concern regarding public safety.

4. Assignment. Xcel, HBC, Mediacom, and Lumen shall neither assign nor transfer any rights or obligations under this Agreement without the prior written consent of the City.

5. Severability. If any provision of this Agreement, or the application of such provision to any party or circumstance, is found to be illegal or unenforceable for any reason, such provision will be modified or severed from this Agreement to the extent necessary to make such provision enforceable against such party or in such circumstance. Neither the unenforceability of such provision nor the modification or severance of such provision will affect the enforceability of any other provision of this Agreement.

6. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of Minnesota, without regard to its conflict of laws principles.

7. Entire Agreement; Amendment. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and there are no other representations, warranties or agreements except as herein provided. This Agreement may be amended only by a written instrument signed by all of the parties.

**IN WITNESS WHEREOF**, the parties have entered into this Agreement effective as of the date first written above.

**CITY OF LAKE CITY**

By: \_\_\_\_\_  
Mark Nichols

Title: Mayor

By: \_\_\_\_\_  
Kari Schreck

Title: City Clerk

**NORTHERN STATES POWER CO**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**HIAWATHA BROADBAND  
COMMUNICATIONS, INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**MEDIACOM COMMUNICATIONS, INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**LUMEN TECHNOLOGIES, INC.**

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

Name: \_\_\_\_\_  
Title: \_\_\_\_\_



October 14, 2024

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**Agenda Item Description:** Approve cleaning contract for Public Works with Bonnie Buck

**Originating Department:** City Administrator

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

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**Action Requested:**

Approve cleaning contract for Public Works with Bonnie Buck.

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

Public Works is renewing the contract with its building cleaning service provider. Hours are expected to stay similar with no change in overall scope of work. The attached contract was drafted by the city attorney and insurance requirements were reviewed.

**Budgetary/Fiscal Impact:**

Costs are shared among the multiple divisions of Public Works from their contractual budget lines. Bi-weekly costs are typically \$350 for the service at \$50 per hour.

**Reviewed By:** Administration

**Preparer:** Scott Jensen, Public Works Director

**ATTACHMENTS:**

**Description**

- ▣ **Cleaning Contract - Buck**

## PUBLIC WORKS BUILDING CLEANING AGREEMENT

This Public Works Building Cleaning Agreement (the "Agreement") is made and entered into this 14th day of October, 2024 (the "Effective Date"), by and between the City of Lake City, a Minnesota municipal corporation (the "City"), and Bonnie Buck (the "Contractor"). The City and the Contractor may be collectively referred to herein as the "Parties".

### RECITALS

**WHEREAS**, the City wishes to hire the Contractor to perform cleaning services at the Lake City Public Works Building as they are described in Exhibit A, attached hereto (the "Cleaning Services"); and

**WHEREAS**, the Contractor represents that the Contractor has the necessary skill, equipment, and personnel to adequately provide the Cleaning Services to the City; and

**WHEREAS**, the City desires to contract with the Contractor to provide, and the Contractor desires to provide, the Cleaning Services in accordance with the terms and conditions of this Agreement.

**NOW, THEREFORE**, in consideration of the promises and the mutual obligations of the Parties hereto, each of them does hereby covenant and agree with the other as follows:

### TERMS

#### **1.0 SCOPE OF SERVICES.**

**1.01** The Contractor agrees to provide the City with the Cleaning Services, as described in Exhibit A attached hereto, at the Lake City Public Works Building, located at 1885 South Highway 61, Lake City, Minnesota 55041 (the "Public Works Building"). All Cleaning Services provided by the Contractor shall be performed in compliance with current OSHA standards and shall be of similar quality of other professionals who provide similar services and consistent with any applicable professional standards. The Cleaning Services provided under this Agreement may be further expanded upon to include additional or special services by mutual agreement of the Parties without invalidating this Agreement. Any such modification must be in writing and signed by both Parties.

**1.02** All cleaning tools and products, including, but not limited to, disinfectants, cleaning agents, floor machines, buffers, carpet extractors, vacuums, maid carts, mop buckets, wringers, mops, and brooms (the "Equipment"), shall be provided by The City. The City shall provide a secure space at the Public Works Building for the Contractor to use the Equipment. All consumable products, including, but not limited to, toilet tissue, paper towels, trash liners, and hand soap, shall be provided by the City.

**1.03** The Cleaning Services shall be performed at the Public Works Building on one day per week unless otherwise indicated on Exhibit A, and for the most part, outside of

the Public Works Building's normal operating hours. The City and the Contractor may mutually agree to further specify the days or hours when the Cleaning Services are to be performed, if necessary. Any such modification must be in writing and signed by both Parties.

**1.04** The City shall provide the Contractor with a key or access card for the Public Works Building or shall otherwise ensure that the Contractor has the ability to gain entry in order to complete the Cleaning Services in accordance with this Agreement. The Contractor shall provide the City with all names of the Contractor's employees that will be performing the Cleaning Services, if any.

**2.0. TERM.** The term of this Agreement shall be for one full year, commencing on the Effective Date. The Agreement may be terminated for any reason by either party upon providing 30 days written notice to the other party. Upon termination, the City shall be responsible for paying the Contractor only for the Cleaning Services performed up through the date of termination. The Contractor's indemnification obligations shall survive the termination of this Agreement. The Parties may agree in writing to renew this Agreement for an additional annual term, not to exceed two annual renewals.

**3.0 COMPENSATION.** In exchange for performing the Cleaning Services, the City shall pay the Contractor \$50.00 per hour for approximately 4 hours of Cleaning Services. The Contractor shall invoice the City monthly for the Cleaning Services that were provided during the previous month. The City shall pay the Contractor within 30 days of the date of the invoice. Invoices submitted will be processed and paid in the same manner as other claims made to the City.

**4.0 INDEPENDENT CONTRACTOR.** Both the Contractor and the City acknowledge and agree that the Contractor is not an employee of the City. Any employee, subcontractor, or agent who may perform services for the Contractor in connection with this Agreement is also not an employee of the City. The Contractor understands that the City will not provide any benefits of any type in connection with this Agreement, including but not limited to health or medical insurance, workers' compensation insurance and unemployment insurance, nor will the City withhold any state or federal taxes, including income or payroll taxes, which may be payable by the Contractor. The Contractor acknowledges that any general instruction it receives from the City has no effect on its status as an independent contractor.

**5.0 INSURANCE.**

**5.01** The Contractor must maintain insurance to protect the Contractor and the City from claims and liability for injury or damage to persons or property for all work performed by the Contractor and its respective employees or agents under this Agreement. The Contractor must name the City as an "additional insured" under its commercial general liability policy in limits acceptable to the City. Prior to performing any services under this Agreement, the Contractor must provide evidence to the City that acceptable insurance coverage is effective. Additionally, the Contractor must notify the City of any changes to its insurance policies.

**5.02** The Contractor must comply with the provisions of the Minnesota workers' compensation statute as an independent contractor before commencing work under this Agreement. The Contractor must provide its own workers' compensation insurance when required by law, and shall provide evidence to the City of such coverage before commencing work under this Agreement. The Contractor must notify the City of any changes to its workers' compensation insurance policies.

**6.0 INDEMNIFICATION.** To the fullest extent permitted by law, the Contractor agrees to protect, defend, save, and hold harmless the City, its officers, agents, and employees from all claims, suits, or actions of any kind, nature, or character, and the costs, disbursements, and expenses of defending the same including, but not limited to, attorneys' fees, professional services, and other technical, administrative, or professional assistance resulting from or arising out of the alleged negligence, breach of contract, or willful misconduct of the Contractor, its subcontractors, agents, or employees related to or arising out of the performance of, or failure to perform, the Services under this Agreement. Nothing herein shall be construed as a limitation on or waiver of any immunities or limitations on liability otherwise available to the City.

**7.0 BACKGROUND CHECKS.** The Contractor shall perform background checks, in accordance with state law, on any of the Contractor's employees, agents, or subcontractors who provide services to the City under this Agreement.

**8.0 DATA PRACTICES ACT COMPLIANCE.** Data provided, produced, or obtained under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13. The Contractor will immediately report to the City any requests from third parties for information relating to this Agreement. The Contractor agrees to promptly respond to inquiries from the City concerning data requests. The Contractor agrees to defend and indemnify the City from any claim, liability, damage or loss asserted against the City as a result of the Contractor's failure to comply with the requirements of this paragraph; provided that the Contractor shall have no duty to defend or indemnify where the Contractor has acted in conformance with the City's written directions.

**9.0 AUDIT DISCLOSURE.** The Contractor must allow the City, or its duly authorized agents, and the state auditor or legislative auditor reasonable access to the Contractor's books, records, documents, and accounting procedures and practices that are pertinent to all services provided under this Agreement for a minimum of six years from the termination of this Agreement.

**10.0 COMPLIANCE; EQUAL OPPORTUNITY.** During the performance of this Agreement, the Contractor must abide by all applicable laws, statutes, ordinances, rules, and regulations. The Contractor must not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age. Any violation of this section will constitute a material breach of this Agreement and entitle the City to immediately terminate this Agreement.

**11.0 NOTICES.** Any notices permitted or required by this Agreement shall be deemed given when personally delivered or upon deposit in the United States mail, first class and postage fully prepaid, and addressed to:



The City:                   The City of Lake City  
205 West Center Street  
Lake City, MN 55041  
Attn: City Administrator

The Contractor:       Bonnie Buck  
804 N 7m Street  
Lake City, MN 55041

Or such other address as either party may provide to the other by notice given in accordance with this provision.

**12.0 APPLICABLE LAW.** The execution, interpretation, and performance of this Agreement will, in all respects, be controlled and governed by the laws of Minnesota.

**13.0 ASSIGNMENT.** The Contractor may not assign this Agreement or procure the services of another individual or company to provide services under this Agreement without first obtaining the express written consent of the City.

**14.0 ENTIRE AGREEMENT; AMENDMENTS.** This Agreement constitutes the entire Agreement between the Parties, and no other agreement prior to or contemporaneous with this Agreement shall be effective, except as expressly set forth or incorporated herein. Any purported amendment to this Agreement is not effective unless it is in writing and executed by both Parties.

**15.0 WAIVERS.** By entering into this Agreement, the City does not waive its entitlement to any immunities under statute or common law. Any waiver by either party of a breach of any provision of this Agreement will not affect, in any respect, the validity of the remainder of this Agreement.

**16.0 SEVERABILITY.** The provisions of this Agreement are severable. If any portion of this Agreement is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision will not affect the remaining provisions of the Agreement.

**17.0 HEADINGS.** The headings contained in this Agreement have been inserted for convenience of reference only and shall in no way define, limit, or affect the scope and intent of this Agreement.

[signature page to follow]

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date and year first written above.

CITY OF LAKE CITY:

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

Its: Mayor

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

Its: City Clerk

CONTRACTOR:

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



October 14, 2024

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**Agenda Item Description:** October 2024 Calendar

**Originating Department:** City Clerk

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

**Consent Agenda?:** No

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

October 2024 calendar

**Budgetary/Fiscal Impact:**

None

**Reviewed By:** Administration

**Preparer:** Diane Johnson, Administrative Clerk

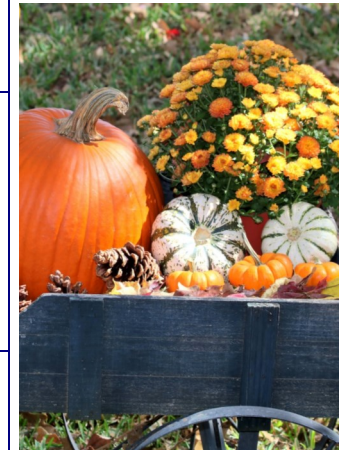
**ATTACHMENTS:**

**Description**

- ▣ **October 2024 Calendar**

# October 2024

MON	TUE	WED	THU	FRI	SAT/
	1 Planning Commission 5:30 PM  Board of Adjustment 6:00 PM	2	3	4	5/6
7	8 Marina Board 5:00 PM	9 Heritage Preservation Commission 5:00 PM	10	11	12/13
14 Council Workshop 5:00 PM  Common Council 6:00 PM	15 Street/Parks/Pub Safety Commission 4:30 PM	16 Utility Board 5:30 PM	17 Port Authority 4:30 PM	18	19/20
21 Council Retreat 4:30 PM  Library Board 6:00 PM  Ambulance Commission 6:00 PM	22 Environmental Commission 5:00 PM	23	24 Fire Department 7:00 PM	25	26/27
28	29	30	31 		





October 14, 2024

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**Agenda Item Description:** November 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:**

November 2024 Draft Calendar

**Budgetary/Fiscal Impact:**

None

**Reviewed By:** Administration





**Preparer:** Diane Johnson, Administrative Clerk

**ATTACHMENTS:**

**Description**

- **November 2024 Draft Calendar**

# November 2024

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

