

**CITY COUNCIL MEETING**  
**Tuesday, May 18, 2010**

**CITY COUNCIL PRESENT:** Bob Craggs, Richard Glasgow, Peg Larsen, Brian Zeller

**STAFF PRESENT:** Jim Gilles, Mark Nagel, Tom Niedzwiecki, John Parotti, Amy Schmidt, Chris Wallberg

**OTHERS PRESENT:** Joel Legut

1. **CALL TO ORDER** by Mayor Zeller at 7:02 p.m.

2. **PLEDGE OF ALLEGIANCE** was said

**3. SUMMARY OF APRIL 20, 2010 CLOSED SESSION**

Amy Schmidt, City Attorney, reported a Closed Session was held on April 20, 2010 on pending litigation; CC updated on matter, she answered questions, and received appropriate direction.

4. **CONSENT AGENDA** – Glasgow requested Items C, D, E, F, G, and H pulled. **M/S/P (Craggs, Glasgow) to approve Consent Agenda Items A and B. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

**A. Minutes of the April 20, 2010 Regular City Council meeting**

**B. Treasurer's Report**

Consent Agenda Item C. Glasgow asked on bills to be approved check #1364 and account allocation. Niedzwiecki advised all checks written out of General Fund and at month end reviewed and allocated to appropriate accounts. **M/S/P (Larsen/Craggs) to approve Consent Agenda Item C. Craggs, Glasgow, Larsen, and Zeller vote aye. Motion passed.**

**C. Bills to be Approved**

4a. **LAW ENFORCEMENT REPORT** (from Agenda Item 5 below)

Joel Legut, Deputy Sheriff, reported attempted break-ins continue to be a problem; total incident reports were 77 during April, with 3 citations issued.

4b. **CONSENT AGENDA** (continued from 4 above)

Consent Agenda Item D. Glasgow questioned if resolution should be on Consent or by roll call. **M/S/P (Craggs/Zeller) to adopt resolution accepting donation of batting cage at Crocker Park from Bud Winkle. By roll call, Craggs, Glasgow, Larsen, and Zeller voted aye. Resolution adopted. [Clerk's note – Resolution 2010-09.]**

Consent Agenda Item E & F. Glasgow noted agreement with Afton-Lakeland School for ball field maintenance and wants to insure City costs covered; basically service will be provided and he was concerned subsidizing Afton-Lakeland School; needs assurance \$14 covered City cost. **M/S/P (Glasgow/Craggs) to approve Consent Agenda Item E and F. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

**E. Agreement with Afton-Lakeland School for Ball field Maintenance**

**F. Contract with St. Mary's Point for Mowing**

Consent Agenda Item G. Glasgow again wanted to insure we are charging real costs to the Fire District with no subsidizing. Gilles reported there is no trimming with this contract and time charged less than two hours. **M/S/P (Glasgow/Craggs) to approve Consent Agenda Item G. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

**G. Contract with Fire District for Mowing**

Consent Agenda Item H. Craggs asked about 2011 Fire District Budget and related information to cities, as we have always been informed of any increase with representative's notification at CC. Zeller talked with Fire District representative, Jim Stanton, who indicated they wanted to inform everyone at the same time; misunderstanding circulating in Community; Stanton willing to attend CC meeting to provide information. **M/S/P (Craggs/Larsen) to approve Consent Agenda Item H. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

**H. 2011 Fire District Budget**

5. **LAW ENFORCEMENT REPORT** (see 4a above)

6. **PETITIONS TO THE COUNCIL** - none

**7. RESTRUCTURING COMMITTEE**

Memo drafted by City Administrator in regard to restructuring; recommendation 1 (Restructuring City Operations), they will begin drafting a new contract arrangement in the next 30 days; Item 2 (Reduce City Clerk hours to 36 hours/week and

Deputy City Clerk to 25 hours/week) will be researched for ramifications what exactly will be cut by this reduction. Craggs expressed concern what tasks would be eliminated and subsequent revised job descriptions. **M/S/P (Zeller/Larsen) to take action in regard to restructuring City operations for total savings of \$25,500. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.** Zeller continued on 2010 Expenditure Reductions. Glasgow suggested website be updated before implementing Newsletter reduction effective with July newsletter. Zeller sees value in placement of buoys defining swimming area in Lakeland Beach. Larsen and Craggs both acknowledged they had placed buoys in years past; Larsen will ask Tom Larsen if he is available. **M/S/P (Larsen/Glasgow) to consider items 2, 3, 4, and 5 from 2010 Expenditure Reductions.** Spring Clean Up fee for Lakeland Shores (cost sharing) and question whether planning every other year for Spring Clean Up advantageous versus every year. Nagel will revise fee schedule. **Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

#### **8. ENGINEERING CONTRACT**

City Engineer noted item covered last October. **M/S/P (Larsen/Glasgow) to approve Short Elliott Hendrickson, Inc. Agreement for Professional Engineering Services provided for the City of Lakeland. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.** Glasgow asked about SEH's contract for services, and it was noted the contract is reviewed every year.

#### **9. CHARITABLE GAMBLING ORDINANCE**

Proposed ordinance language reviewed, with 10% of revenue going to the City; contiguous versus local trade area discussed and use of proceeds clarified. **M/S/P (Larsen/Glasgow) to approve Resolution 2010-10, a Resolution adopting Ordinance No. 7521 amending Title XI of the Code of Ordinances of the City of Lakeland relative to business regulations to add Chapter 116 relative to permitted and regulations of legal charitable gambling. By roll call, Craggs, Glasgow, Larsen, and Zeller voted aye. Resolution 2010-10 adopted.** It was brought up in discussion approval of resolution in Consent Agenda. **M/S/P (Craggs/Zeller) to approve by roll call Consent Agenda Item D, a resolution accepting donation of batting cage at Crocker Park from Bud Winkle. By roll call, Craggs, Glasgow, Larsen, and Zeller voted aye. Resolution adopted.**

#### **10. SIGN ORDINANCE DISCUSSION**

Proposed sign at Freedom Valu and request for approval to complete job requiring variance considered. Zeller has checked with Bayport and Hudson on their interpretation of sign square footage. Definition of sign measurement needed and interpreting area of letters. Wallberg read present sign ordinance. Zeller requested City Attorney review language of ordinance and confirm definition of sign face and what qualifies as sign.

#### **11. CITY STAFF REPORTS**

Administrator – no additional report

Attorney – Understands there to be a developing case pending litigation that Vivian handled previously. Fire Department Joint Powers Agreement discussed. Zeller would like attorney's comments on changes to bylaws and agreement. Incident at Afton-Lakeland School brought up.

Clerk – Wallberg noted Lucas 2 Device donation of \$30; at March meeting \$1,000 authorized to be released from existing emergency services funds with City matching donations from residents; inquiry of possible kickball tournament to raise funds. Activities going through the City, i.e. marathons, races, observed.

Engineer – 8<sup>th</sup> Street Tank 1 work started; will coordinate date that anyone interested can view site; welcome on site at anytime one bid not included in packet; May 3 opened bids with 5 bids received. Asphalt Associates of Roberts, WI qualified to do this work; \$36,977 estimated - \$22,176.78 bid accepted.

**M/S/P (Zeller/Larsen) to award contract to Asphalt Associates of Roberts Wisconsin in the amount of \$22,176.78 for 2010 Street Maintenance – Bituminous Pavement Crack Sealing project. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.** Second issue is bituminous pavement crack sealing; four bids received with Allied Blacktop Company low bid of \$74,261.60. \$95,030 estimate. Parotti noted additional cost of \$2,148.30 to Lakeland for planned construction contingency on 3<sup>rd</sup> Street with Lakeland Shores.

**M/S/P (Zeller/Larsen) to approve the award of the 2010 Street Maintenance – Bituminous Street Seal Coating project to Allied Blacktop Company, Maple Grove Minnesota in the amount of \$76,409.90. Bid is lower than budgeted amount and allows adequate budget for soft costs. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

**M/S/P (Larsen/Craggs) to approve an estimated cost of street patching for 2010 in the amount of \$9,925.00 to Gator Maintenance of Roberts, Wisconsin. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

**M/S/P (Zeller/Larsen) to approve an amount, not to exceed \$3,000, to Gator Maintenance for additional patching of City streets, at the City Engineer and Public Works Director's discretion. Craggs, Glasgow, Larsen, and Zeller voted aye. Motion passed.**

Parotti noted there is a processing of payments and development of the two contracts cost to the City. Zeller would recommend a memo from SEH for payment approval next month.

Treasurer's Report – approved charitable gaming ordinance; accepting funds that will result in annual reporting. Will coordinate that as well as credits to Special Parks Fund.

**12. COUNCIL MEMBER REPORT/ Craggs**

Lakeland Garden Club (Diane Wirth) asked for approval to add tree in Humphries Park; will be coordinated with Jim Gilles; will need to be accepted by City. Garden Club has funds available and would like to prioritize preferences; LSCV Foundation funding mission to provide funds for Community projects. County maintenance of CSAH 18 issue; annual agreement with landscaper. Zeller also noted need for weed control and asked if Garden Club would be agreeable to maintain. Craggs will inquire if they would be willing.

**13. COUNCIL MEMBER REPORT/Glasgow**

Unable to attend Cable Commission. Alliance at 911 center held and included excellent tour of facility. Question about batting cages and insurance.

14. COUNCIL MEMBER REPORT/Larsen – no additional report

15. COUNCIL MEMBER REPORT/Livingston - absent

**16. MAYOR'S REPORT**

Attempting to shuffle meetings; July meeting looks to have meeting for water department at 5:30. I-94 Corridor went well. Congresswoman McCollum very supportive. Representative met with Franken and earmarked request.

**17. ADJOURN – M/S/P (Glasgow/Larsen) to adjourn the meeting at 9:11 p.m. Craggs, Glasgow, Larsen, and Zeller voted aye. Meeting adjourned.**

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Brian Zeller, Mayor

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Kate Piscitello, Recording Secretary