

Lakeland Shores City Council Meeting Minutes | 2017 May 4

Regular City Council Meeting
Lakeland City Hall

Lakeland Shores City Council Meeting Call to Order: Mayor Brian Zeller opened the May 4, 2017 City Council meeting at 6:30 p.m.

Roll Call:

Council Present: Mayor Brian Zeller, Council Member Tom Wilson, Council Member John Bischoff, Council Member Tim Schroeder, and Council Member Randy Kopesky

Council Absent: None

Staff Present: City Treasurer Tom Niedzwiecki, City Engineer John Parotti, **Staff Absent:** City Attorney Dave Magnuson

The Pledge of Allegiance was said.

Review and Approve Meeting Agenda: Council Member Wilson made a motion to adopt the agenda with the addition of Item 2C, Appoint Interim Clerk/Zoning Administrator; Council Member Kopesky seconded. All ayes, 5-0. Agenda Adopted.

Review and Approve Consent Agenda (Items may be pulled for discussion or separate action):

- A) Approve April 4, 2017 City Council Meeting Minutes
- B) Approve Monthly Claims and Financial Reports
- C) Appoint Interim City Clerk/Zoning Administrator

Mayor Zeller advised there was one change to the monthly claims and an additional check will be added to equal 2/3 payment to the Interim City Clerk.

Mayor Zeller made a motion to approve Consent Agenda as amended; Council Member Wilson seconded; All ayes, 5-0. Consent Agenda approved.

Public Comments: There were no public comments.

Washington County Sheriff's Report: Mayor Zeller referred to the Washington County Sheriff's Report for April 2017 and accepted the report. False alarms seem to be an issue and he requested the Deputy remind citizens in the area that dogs need to be leashed.

Fire Department Report: Council Member Wilson reported two runs in town. The approved budget will be available next month.

Building Permit Report: Mayor Zeller advised MNSPECT is currently issuing the administrative permits in absence of the Clerk.

Engineering Report: City Engineer Parotti reported the river elevation and noted the County's trail project was awarded. They have an aggressive schedule and should be completed by the June. The County is responsible for any signage on the trail as it is their right of way.

2017 Street Improvement Bid Concurrence: City Engineer Parotti provided the background of the project advising the Lakeland Shores City Council authorized the City Engineer to solicit quotes for the 2017 Street Improvements Project which will repave Quinnell Avenue North from 2nd Street North to 3rd Street North in accordance with the City's Capital Improvement Plan. This project was previously bid in 2016 but only one bid was received and that bid was higher than the budget so the bid was rejected.

The City of Lakeland Shores elected to complete this work as a cooperative project with the City of St. Mary's Point in order to obtain more favorable bid prices typically seen as overall project size increases. St. Mary's Point has the largest portion of the project and therefore is the lead agency and will enter into a contract with a contractor for this work. An agreement with St. Mary's Point is attached for approval.

Each city will have the opportunity to award the work within its corporate limits. The City of St. Mary's Point will be considering award on Tuesday, May 2, 2017 and Lakeland Shores will do so on Thursday, May 4, 2017.

City	Bid Amount	Budget	Concurrence Given?
St. Mary's Point (Schedule A)	\$86,828.48	\$97,600.00	N/A
Lakeland Shores (Schedule B)	\$25,565.75	\$30,000.00	Pending

For comparison, the bid received in 2016 for work in Lakeland Shores was \$38,834.12.

City Engineer Parotti advised the project includes 3 ½ inches of asphalt which will increase the strength of the road. The project can be expanded to better protect the staging area and complete additional shoulder work. There are no contingencies in the contract itself but the City is within the budget number of \$30,000 and does have the discretion to add more to the project.

Mayor Zeller made a motion to accept the bid as presented for the 2017 Street Improvement Project; Council Member Wilson seconded; All ayes, 5-0. Bid awarded.

2017 Street Improvements Cooperative Agreement: City Engineer Parotti advised the 2017 Cooperative Agreement acknowledges legally each City is paying its own project costs.

City Engineer Parotti recommended waiting on additional work on the intersection if the City is anticipating further project on that roadway. He advised he would do the additional gravel work to protect the east edge of the roadway.

Mayor Zeller made a motion to direct the City Engineer to negotiate and install a gravel shoulder not to exceed the amount of \$2,500.00. Council Member Wilson seconded; All ayes, 5-0. Additional gravel for road shoulder approved.

Roads Commissioner Report: Road Commissioner Bischoff advised the streets have been swept work on potholing is being completed.

City Treasurer Report: City Treasurer Niedzwiecki advised the City does have an excessive alarm ordinance placing a \$50 fee per false alarm occurring over three times in a twelve month period. It was the consensus of the Council to enforce the current ordinance. The budgeted amount of \$30,000 for the street project does include 10% for engineering. The bill approved this evening for the City Attorney does impact the budget this year in the amount of \$865.

City Clerk/Zoning Administrator Report: Interim City Clerk Points noted the City cleanup day is Saturday, May 6, 2017.

Mayor and Council Reports:

Council Member Kopesky: Council Member Kopesky stated the Yellow Ribbon Alliance has scheduled a band concert fund raiser in September and is in the early planning stage at this point. In May scholarship awards were presented at Stillwater High School. A barbeque fund raiser for community needs is being held at the Afton Bayport Lions Club on May 10, 2017 from 5-7 p.m.

Council Member Bischoff: No report.

Mayor Zeller: Mayor Zeller advised there may be grant dollars available for the City's Comprehensive Plan updates.

Council Member Schroeder: No report.

Council Member Wilson: Council Member Wilson stated the revised ordinance relating to solid waste will be on the June agenda for Council consideration.

Adjourn: Council Member Wilson made a motion to adjourn the meeting; Council Member Schroeder seconded the motion; All ayes; 5-0; Motion carried. Mayor Zeller adjourned the meeting at 7:33 p.m.

Brian Zeller, Mayor

Interim City Clerk

DRAFT

**City of Lakeland Shores
Financial Reports and Claims to be Approved**

Meeting Date: June 1, 2017

- A. Financial Snapshot – May 2017
- B. Statement of Receipts and Disb by Fund – May 2017
- C. *Applicant Escrow Report as of 5/31/17
- D. * Deposit Detail – May 2017
- E. * Claims to be Approved at 6/1/17 Meeting
- F. * Copies of Selected Invoices and Other Information

* Not on Web Site – contact
City Clerk under Data Practices
Act for a copy



Submitted by Thomas H. Niedzwiecki, Treasurer

*City of Lakeland Shores
Financial Snapshot
May 2017*

#	Fund Description	Balance 12/31/16	Balance 04/30/17	Revenue May 2017	Expense May 2017	Transfers May 2017	Balance 05/31/17	May 2017 Net Income
100	General Fund	\$51,255.04	\$23,812.25	(\$213.81)	\$6,645.21		\$16,953.23	(\$6,859.02)
200	Charitable Gaming Fund	\$363.83	\$595.41	\$0.00			\$595.41	\$0.00
300	LT Improvement Fund	\$27,208.14	\$30,204.73	\$0.00	\$100.00		\$30,104.73	(\$100.00)
400	Street Improvement Fund	\$341,720.92	\$341,746.94	\$0.00	\$1,673.43		\$340,073.51	(\$1,673.43)
500	Fire Station Debt Service Fund	\$228.67	\$220.01	\$0.00			\$230.01	\$0.00
525	Fire Relief Association Fund	\$1,280.35	\$1,282.32	\$0.00			\$1,282.32	\$0.00
Total Fund Balances		\$422,056.95	\$397,871.66	(\$213.81)	\$8,418.64	\$0.00	\$389,239.21	(\$8,632.43)

Significant Revenue:
None

Significant Expense:
100 \$1,303 Wash Cy 2017 Assessment Services
400 \$1,673 SEJE 2017 Street Payment Project

Detail of LT Improvement Fund	Balance 12/31/15	Balance 12/31/16	Revenue YTD 2017	Expense YTD 2017	Transfers YTD 2017	Balance 05/31/17	YTD 2017 Net Income
Snow & Ice Reserve	\$2,309.02	\$2,309.02				\$2,309.02	\$0.00
Parks and Recreation	\$2,724.23	\$2,724.23				\$2,724.23	\$0.00
Public Safety	\$150.57	\$150.57				\$150.57	\$0.00
Recycling Services	\$200.31	\$200.31				\$200.31	\$0.00
Clean Up Day Reserve	\$459.83	\$459.83				\$459.83	\$0.00
Elections	\$2,291.06	\$804.98		\$830.00		(\$25.02)	(\$830.00)
Community Communications (Cable)	\$11,091.86	\$10,767.66	\$3,916.63	\$2,342.55		\$14,241.74	\$3,174.08
Night to Unite	\$208.89	\$127.89				\$177.89	\$0.00
Interest Earnings (Unallocated)	\$9,151.25	\$9,663.65	\$152.51			\$9,816.16	\$152.51
Total LT Imp Fund as Above	\$28,587.02	\$27,208.14	\$6,069.14	\$3,172.55	\$0.00	\$30,104.73	\$2,896.59

City of Lakeland Shores
Statement of Receipts and Disbursements by Fund
May 2017

2017

	Actual Full Year 2013	Actual Full Year 2014	Actual Full Year 2015	Actual Full Year 2016	Current Month	Year to Date	Annual Budget 2017	YTD % Annual Budget
100 General Fund								
A. Receipts								
31000 Gen'l Prop Taxes								
31001 Curr Yr Gen'l Prop Taxes	103,825.95	102,650.44	104,210.67	106,662.50	0.00	0.00	108,134.00	0.0%
31002 Prior Yr Gen'l Prop Taxes	1,642.54	893.32	1,568.21	0.00	0.00	0.00	0.00	
31010 Market Value Credit	0.00	859.44	0.00	0.00	0.00	0.00	0.00	
31050 Curr Yr Fiscal Disp Tax Levy	227.02	1,836.63	3,577.70	2,927.16	0.00	0.00	4,889.00	0.0%
31051 Prior Yr Fiscal Disp Tax Levy	847.46	1,563.23	1,851.67	0.00	0.00	0.00	0.00	
Total 31000 Gen'l Prop Taxes	106,543.57	107,403.06	111,208.25	109,589.66	0.00	0.00	113,023.00	0.0%
31701 Gravel Tax								
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
32000 Licenses & Permits								
32110 Bus Lic (Liq, Cig, Beer, Other)	233.32	2,235.39	1,300.00	1,840.00	0.00	700.00	1,540.00	45.5%
32230 Building Permits & Fees	2,513.28	2,754.67	184.97	(202.39)	(213.81)	(137.81)	100.00	-127.8%
32255 Applications, CLPs	1,100.00	1,300.00	1,000.00	500.00	0.00	200.00	500.00	40.0%
32240 Pet Licenses & Releases	20.00	30.00	10.00	110.00	0.00	10.00	30.00	33.3%
32250 Misc & Other	0.00	0.00	0.00	20.00	0.00	0.00	0.00	
Total 32000 Licenses & Permits	1,866.61	6,326.06	2,494.97	2,267.61	(213.81)	772.19	2,170.00	35.6%
33403 LGA - Local Government Aid								
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
34107 Assessment Searches								
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
35104 Fines & Forfeits								
	463.32	703.28	133.32	692.01	0.00	853.27	300.00	426.6%
36000 Special Assessments								
36100 Spec Assess - Curr Yr								
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
36101 Spec Assess - Prior Yr								
	219.30	0.00	0.00	0.00	0.00	0.00	0.00	
Total 36000 Special Assessments	219.30	0.00	0.00	0.00	0.00	0.00	0.00	
36210 4M Fund								
	7.67	7.87	12.18	160.71	0.00	79.62	15.00	539.8%
36900 All Other Income								
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
36810 Ins/Tax Refunds/Dividends								
	674.00	599.00	1,220.00	1,743.00	0.00	0.00	0.00	
39900 Other Financing Sources/Transfers								
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Total A. Receipts	111,574.47	115,439.22	115,068.72	114,392.99	(213.81)	1,705.08	115,408.00	1.48%

B1

City of Lakeland Shores
Statement of Receipts and Disbursements by Fund
May 2017

2017

	Actual Full Year 2013	Actual Full Year 2014	Actual Full Year 2015	Actual Full Year 2016	Current Month	Year to Date	Annual Budget 2017	YTD % Annual Budget
B. Expenditures								
41101 Mayor/Council Wages & Benefit	10,033.05	9,188.18	12,072.90	11,477.99	787.72	3,938.64	13,830.00	30.7%
41400 Administration & Finance								
41401 Admin/Finance Wages & Benefit	11,655.63	11,445.64	11,672.52	15,199.78	1,960.20	6,282.37	16,000.00	39.1%
41420 Accounting Services	4,080.00	4,215.00	4,560.00	4,800.00	425.00	2,125.00	5,250.00	40.5%
41425 Office Supplies & Postage	1,233.12	925.41	960.61	1,279.42	64.00	509.11	1,000.00	50.9%
Total 41400 Administration & Finance	16,988.75	16,615.45	17,193.13	31,279.20	2,449.20	8,806.48	22,250.00	40.0%
41900 Other General Government								
41901 Office Communications	982.81	603.08	621.80	1,271.80	75.84	494.10	1,000.00	49.4%
41902 Community Communications	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
41903 Other Printing & Publishing	115.43	361.41	49.72	326.18	86.52	133.96	400.00	34.0%
41904 Dues & Subscriptions	705.95	746.95	681.95	725.95	0.00	0.00	775.00	0.0%
41905 City Hall Rent	1,200.00	1,200.00	1,100.00	1,300.00	100.00	500.00	1,200.00	41.7%
41910 Legal Services	8,817.44	9,991.75	632.50	5,162.50	0.00	811.07	4,700.00	17.3%
41920 Assessment Services	2,469.14	2,465.17	2,503.82	2,600.40	2,302.80	2,632.54	2,650.00	99.0%
41980/5 Equipment & Furniture	0.00	0.00	0.00	2.78	0.00	0.00	100.00	0.0%
Total 41900 Other General Government	14,290.77	15,370.36	5,589.79	11,289.65	2,564.86	4,563.67	10,821.00	42.1%
42000 Public Safety								
42100 Police Protection	17,748.19	18,131.43	18,161.14	19,089.89	0.00	0.00	19,000.00	0.0%
42200 Fire & Ambulance Services	22,740.00	22,902.00	22,147.00	22,800.00	0.00	11,586.50	23,173.00	50.0%
42700 Animal Control	0.00	48.53	236.81	70.15	0.00	0.00	300.00	0.0%
Total 42000 Public Safety	40,488.19	41,081.96	40,544.95	41,959.74	0.00	11,586.50	42,373.00	27.3%
43100 Streets & Drainage								
43105 Road Comm Wages & Benefits	1,751.96	1,723.44	1,583.25	0.00	0.00	0.00	1,800.00	0.0%
43110 Street Repairs & Maintenance	1,025.73	3,871.89	3,810.25	7,606.51	445.00	443.00	4,500.00	9.9%
43115 Flood Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
43125 Snow & Ice Removal	3,122.49	1,804.42	1,312.73	2,445.92	0.00	2,420.55	3,850.00	62.9%
43127 Monthly Mobilization Fee	700.00	600.00	400.00	0.00	0.00	0.00	0.00	0.0%
43130 Brush & Tree Control	136.74	0.00	0.00	0.00	0.00	0.00	300.00	0.0%
43140 Traffic & Signal Services	62.10	1,527.66	0.00	193.03	0.00	0.00	1,200.00	0.0%
43150 Engineering Services	8,837.46	4,224.63	2,117.52	1,369.56	323.30	1,753.04	2,900.00	60.4%
43160 Street Lighting	1,390.51	1,156.81	1,281.35	1,123.59	75.13	457.02	1,440.00	31.7%
Total 43100 Streets & Drainage	16,976.99	18,908.65	10,514.12	12,830.63	843.43	5,073.41	15,990.00	31.7%

BZ

City of Lakeland Shores
Statement of Receipts and Disbursements by Fund
May 2017

2017

	Actual Full Year 2013	Actual Full Year 2014	Actual Full Year 2015	Actual Full Year 2016	Current Month	Year to Date	Annual Budget 2017	YTD % Annual Budget
43200 Sanitation								
43230 Garbage Collection/Disposal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
43245 Recycling	2,532.00	3,009.47	3,418.58	3,500.00	0.00	1,163.74	4,000.00	29.1%
43250 Other/City Clean Up	321.92	0.00	280.02	393.30	0.00	0.00	600.00	0.0%
Total 43200 Sanitation	2,853.92	3,009.47	3,698.60	3,893.30	0.00	1,163.74	4,600.00	26.4%
43135 Wasteland Management	1,281.84	1,281.84	1,281.84	1,561.38	0.00	782.45	1,600.00	48.9%
43139 Economic Development	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
48000 Insurance								
48100 Surety Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
48105 Workers Compensation	341.00	328.00	258.00	183.00	0.00	0.00	340.00	0.0%
48110 Open Meeting Law	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
48115 General Liability	2,027.00	2,079.00	2,094.00	2,086.00	0.00	0.00	2,100.00	0.0%
48120 General Property	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Total 48000 Insurance	2,368.00	2,407.00	2,352.00	2,369.00	0.00	0.00	2,440.00	0.0%
49000 All Other Expenditures								
49105 Education & Training	385.00	953.17	0.00	0.00	0.00	0.00	900.00	0.0%
49110 Other Grants/Services	0.00	0.00	150.00	8.00	0.00	0.00	0.00	
49120 Miscellaneous	0.00	0.00	0.00	56.19	0.00	0.00	200.00	0.0%
Total 49000 All Other Expenditures	385.00	953.17	150.00	56.19	0.00	0.00	700.00	0.0%
Total B. Expenditures	105,666.51	104,818.08	93,997.33	106,617.08	6,645.21	26,006.89	113,408.00	21.7%
Total 100 General Fund W/ Trf	5,907.96	10,421.19	21,071.39	7,775.91	(6,839.02)	(34,301.81)	2,000.00	-1715.1%
C. Transfers & Other Financing								
89008 Trf to LT Imp - Street Imp	(4,000.00)	(8,500.00)	(18,500.00)	(5,000.00)	0.00	0.00	0.00	
89003 Trf to LT Imp - Elections	(1,600.00)	(1,600.00)	(2,050.00)	(2,000.00)	0.00	0.00	(2,000.00)	0.0%
Total C. Trf & Oth Financing	(5,600.00)	(10,100.00)	(20,550.00)	(7,000.00)	0.00	0.00	(2,000.00)	0.0%
D. Buy down of Levy fr Gen'l Fd Balance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Total 100 General Fund	307.96	521.19	521.39	775.91	(6,839.02)	(34,301.81)	0.00	

12:11 PM
05/28/17
Account Balan

City of Lakeland Shores
Applicant Expenses & Fees Sorted by Class
As of May 31, 2017

Type	Date	Num	Source Name	Desc	Debit	Credit	Balance
Checks - Dev Exp							
125 Lakeland Shores Rd							
SR	04/30/2017	030508	SE/H(City Engineer)	125 Lakeland Shores Rd - complete prescp review	437.28		437.28
SR	05/01/2017	032342	SE/H(City Engineer)	125 Lakeland Shores Rd. complete prescp review	323.00		760.28
Total 125 Lakeland Shores Rd					760.28	0.00	760.28
Brookman, Tom 185 Lakeland Shrs							
Deposit	03/22/2017	6194		Carve Variance Brookman, Tom 185 Lakeland Shrs Rd		1,200.00	-1,093.00
Gene	03/01/2017	Easton Engrg	Brookman, Tom 185 Lakeland Shrs Rd	City Eng Reiv, Tom Brookman 185 Lakeland Shores Rd. Amend Prescp 1742	367.75		642.25
Gene	04/06/2017	Easton Engrg	Brookman, Tom 185 Lakeland Shrs Rd	City Eng Smm, Tom Brookman 185 Lakeland Shores Rd. Amend Prescp 1742	115.80		73.25
Total Brookman, Tom 185 Lakeland Shrs					1,073.25	1,000.00	73.25
Cadwalader 424 Quillen							
Deposit	10/9/2012	157802		Grating Deposit		500.00	500.00
Total Cadwalader 424 Quillen					0.00	500.00	500.00
Billwater Ballroom CUP Dec08							
SR	11/07/2008	062006	Magrison Law Firm	Jacobs Ballroom CUP	393.75		393.75
SR	11/07/2008	062008	Magrison Law Firm	James Ballroom CUP	97.30		491.25
Deposit	12/03/2008	1216	Magrison Law Firm	Ballroom CUP Deposit	175.00	1,000.00	-516.75
SR	12/01/2008	Dec050800mm	Magrison Law Firm	Ballroom Launch			-343.75
Total Billwater Ballroom CUP Dec08					666.25	1,000.00	-343.75
Total Checks - Dev Exp					2,490.00	2,500.00	-9.00
TOTAL					2,490.00	2,500.00	-9.00

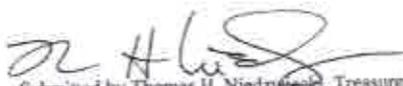
11:48 AM
05/28/17

City of Lakeland Shores
Deposit Detail
May 2017

Type	Date	Name	Memo	Amount
Deposit	05/02/2017		Deposit	152.00
		100 Genl P.c.A. Rec.32000 Licensee & Permits.32230 Building Permits & Fees	Dana Buisle 16660 2nd ST	-152.00
TOTAL				-152.00
Deposit	05/19/2017		Deposit	152.00
		100 Genl P.c.A. Rec.32000 Licensee & Permits.32230 Building Permits & Fees	Faul & Barbara L. Lazzese 16775 2nd St S	-76.00
		100 Genl P.c.A. Rec.32000 Licensee & Permits.32250 Building Permits & Fees	Ben Ratz 16540 3rd St N. carool	-76.00
TOTAL				-152.00

*City of Lakeland Shores
 Claims to be Approved
 May 5, 2017 through June 1, 2017*

<u>Checks Numbered</u>		<u>Description</u>	<u>Total Amount</u>
<u>From</u>	<u>To</u>		
6279	6280	Vendor and Other bills Paid at last Meeting	\$779.00
6281	6289	Vendor Bills	\$7,211.76
201706001 to 201706006		Direct Deposit: Council Payroll, Staff Exp Reimb & PERA	\$773.28
201706007 to 201706008		EFT Payment: AT&T Phone and Xcel Energy Street Lighting	\$150.97
Total Claims to Be Approved			<u>\$8,915.01</u>


 Submitted by Thomas H. Niedzwiedzki, Treasurer
 File: LS 2017 Claim Summary.xlsx Worksheet: May17 5/28/2017

E

City of Lakeland Shores
Check Detail - Claims to be Approved
 May 5 through June 1, 2017

05/28/17

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt ...	05/05/2017	6279	Tri-County Services, Inc		100 - Checking - 4M Fund/US B...	
Bill	05/05/2017	111	100 Genl Fd.B. Deb:43100 Stozzle & Dr.	Spring 2017 street sweeping: 3.5 hrs @ \$100 + 1 hr @ \$95 truck hauling	43110 - Street Repairs & Maintan...	-445.00
TOTAL						-445.00
Bill Pmt ...	05/05/2017	6280	Kim Points (1099 Vendor)		100 - Checking - 4M Fund/US B...	
Bill	05/05/2017	April2017 Ad	100 Genl Fd.B. Deb:41000 Genl Govt.4.	Adjust April Compensation to 25 of \$1,000.	41401 - City Clerk - Contract	-334.00
TOTAL						-334.00
Bill Pmt ...	05/01/2017	6281	City of Lakeland (Recycling)	Recycling Services	100 - Checking - 4M Fund/US B...	
Bill	05/01/2017	Recycling2017	100 Genl Fd.B. Deb:41000 Genl Govt.4.	Administration of Recycling Grants	41401 - City Clerk - Contract	-626.20
TOTAL						-626.20
Bill Pmt ...	05/01/2017	6282	City of Lakeland (Rent)	City Hall Rent \$100, AV \$25	100 - Checking - 4M Fund/US B...	
Bill	05/01/2017	050117	100 Genl Fd.B. Deb:41000 Genl Govt.4. 300 LT Imp Fund:45150 Cable Comm L.	Rent of Lakeland City Hall Rent of Lakeland A-V Equipment	41905 - City Hall Rent 45157 - Video Services, Equip	-100.00 -25.00
TOTAL						-125.00
Bill Pmt ...	05/01/2017	6283	Kim Points (1099 Vendor)		100 - Checking - 4M Fund/US B...	
Bill	05/01/2017	ClerkMay17	100 Genl Fd.B. Deb:41000 Genl Govt.4.	Standard monthly City Clerk services.	41401 - City Clerk - Contract	-1,000.00
TOTAL						-1,000.00
Bill Pmt ...	05/01/2017	6284	MNSPECT LLC	Building Inspection Services	100 - Checking - 4M Fund/US B...	
Bill	05/01/2017	7022	100 Genl Fd.A. Rec:32000 Licenses &	Inspection & Permit Fees	32230 - Building Permits	-517.81
TOTAL						-517.81
Bill Pmt ...	05/01/2017	6285	Niedzwiecki, Thomas H. (Treasurer)	Treasurer Services & Supplies	100 - Checking - 4M Fund/US B...	
Bill	05/01/2017	053117	100 Genl Fd.B. Deb:41000 Genl Govt.4. 100 Genl Fd.B. Deb:41000 Genl Govt.4. 100 Genl Fd.B. Deb:41000 Genl Govt.4. 100 Genl Fd.B. Deb:41000 Genl Govt.4.	monthly treasurer services: postage, envelopes, labels, fax, copies Monthly charge for Quickbooks, including payroll forms & updates Monthly Copies for Financial Reports	41420 - Treasurer Services 41425 - Office Supplies & Postage 41425 - Office Supplies & Postage 41425 - Office Supplies & Postage	-425.00 -15.00 -17.00 -35.00
TOTAL						-482.00
Bill Pmt ...	05/01/2017	6286	Pioneer Press (Notices)	Acct No. 415252 Sales Rep LuLatta Schmitz 6512389154	100 - Checking - 4M Fund/US B...	
Bill	05/01/2017	0417418252	100 Genl Fd.B. Deb:41000 Genl Govt.4.	legals - official publication	41903 - Other Printing & Publishing	-86.52

City of Lakeland Shores
Check Detail - Claims to be Approved
 May 5 through June 1, 2017

05/28/17

Type	Date	Num	Name	Memo	Account	Paid Amount
TOTAL						-68.52
Bill Pmt ...	05/31/2017	8287	SEH (City Engineer)	Client #1364: Street Maintenance	100 - Checking - 4M Fund/US B...	
Bill	05/31/2017	302243	452 Street Imp Fd 43620 Street Improve 100 Genl Fd B. Dist 43100 Streets & Dr.	2017 pavement rehab project 128 Lakeland Shores Rd. complete prebid revise	43620 - Street Improvements 43100 - City Engineer	1,873.43 -323.30
TOTAL						-1,896.79
Bill Pmt ...	05/31/2017	8288	Wash Cty (Assessment Services)	Account No. 30509	100 - Checking - 4M Fund/US B...	
Bill	05/31/2017	2017F08	100 Genl Fd B. Dist 41000 Genl Govt 4.	2017 assessing service fees	41520 - Assessment Services	-2,302.50
TOTAL						-2,302.50
Bill Pmt ...	06/01/2017	8289	Fixmer, Don (Videographer)	Video CC	100 - Checking - 4M Fund/US B...	
Bill	06/01/2017	080117	300 LT Imp Fund 46100 Calise Comm	videographer service monthly charge	45187 - Video Services, Equip	-75.00
TOTAL						-75.00
Paycheck	05/31/2017	201706001	Bischoff, John F	Direct Deposit	100 - Checking - 4M Fund/US B...	
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	181 - Wages - Mayor & Council	-185.00
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2140 - PERA Payable - Council	9.25
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	184 - PERA - Employer Paid (Coc	-9.25
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2140 - PERA Payable - Council	9.25
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	192 - Medicare Company	-2.58
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2103 - Payroll - Fed Medicare	2.88
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2103 - Payroll - Fed Medicare	2.88
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2110 - Direct Deposit Liabilities	173.07
TOTAL						0.00
Paycheck	05/31/2017	201706002	Kujesky, Randy J	Direct Deposit	100 - Checking - 4M Fund/US B...	
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	181 - Wages - Mayor & Council	-185.00
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2140 - PERA Payable - Council	9.25
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	184 - PERA - Employer Paid (Coc	-9.25
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2140 - PERA Payable - Council	9.25
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	182 - Medicare Company	-2.58
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2103 - Payroll - Fed Medicare	2.88
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2103 - Payroll - Fed Medicare	2.88
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2110 - Direct Deposit Liabilities	173.07
TOTAL						0.00
Paycheck	05/31/2017	201706003	Schroeder, Timothy A	Direct Deposit	100 - Checking - 4M Fund/US B...	
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	181 - Wages - Mayor & Council	-185.00
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	184 - PERA - Employer Paid (Coc	-9.25
			100 Genl Fd B. Dist 41000 Genl Govt 4.	Direct Deposit	2140 - PERA Payable - Council	9.25

City of Lakeland Shores
Check Detail - Claims to be Approved
 May 5 through June 1, 2017

06/28/17

Type	Date	Num	Name	Memo	Account	Paid Amount
			100 Genl Fd B. Dist:41000 Genl Govt 4.	Direct Deposit Direct Deposit Direct Deposit Direct Deposit Direct Deposit	2140 - PERA Payable - Council 192 - Medicare Company 2103 - Payroll - Fed Medicare 2103 - Payroll - Fed Medicare 2110 - Direct Deposit Liabilities	9.25 2.88 2.88 2.88 173.07 <hr/> 9.00
TOTAL						
Paycheck	05/31/2017	201706004	Wilson, Thomas R	Direct Deposit	100 - Checking - 4M Fund/US B...	
			100 Genl Fd B. Dist:41000 Genl Govt 4.	Direct Deposit	181 - Wages - Mayor & Council	-185.00
			100 Genl Fd B. Dist:41000 Genl Govt 4.	Direct Deposit	2140 - PERA Payable - Council	9.25
			100 Genl Fd B. Dist:41000 Genl Govt 4.	Direct Deposit	184 - PERA - Employer Part (Cou...	-8.25
			100 Genl Fd B. Dist:41000 Genl Govt 4.	Direct Deposit	2140 - PERA Payable - Council	9.25
			100 Genl Fd B. Dist:41000 Genl Govt 4.	Direct Deposit	192 - Medicare Company	-2.88
				Direct Deposit	2103 - Payroll - Fed Medicare	2.88
				Direct Deposit	2103 - Payroll - Fed Medicare	2.88
				Direct Deposit	2110 - Direct Deposit Liabilities	173.07 <hr/> 0.00
TOTAL						
Liability ...	05/30/2017	201706005	QuickBooks Payroll Service	Created by Payroll Service on 05/19/2017	100 - Checking - 4M Fund/US B...	
			100 Genl Fd B. Dist:41000 Genl Govt 4.	Free for 4 direct deposit(s) at \$1.75 each	41425 - Office Supplies & Postage	-7.80
			QuickBooks Payroll Service	Created by Payroll Service on 05/19/2017	2110 - Direct Deposit Liabilities	-682.28 <hr/> -690.08
TOTAL						
Liability ...	05/31/2017	201706006	PERA (Staff & Council)	300900	100 - Checking - 4M Fund/US B...	
				300900	2140 - PERA Payable - Council	-37.00
				300900	2140 - PERA Payable - Council	37.00 <hr/> -74.00
TOTAL						
Bill Pmt ...	05/31/2017	201706007	AT&T (851 436 1789) EFT	Account # 287288193487, Phone #651-436-1789	100 - Checking - 4M Fund/US B...	
Bill	05/31/2017	05152017	100 Genl Fd B. Dist:41000 Genl Govt 4.	City Phone Acct # 287288182487 Phone #651-436-1789	41901 - Office Communications	-75.84 <hr/> -75.84
TOTAL						
Bill Pmt ...	05/31/2017	201706008	Xcel Energy (61-6971717-9) EFT	Street Lighting Service (9 lights) AUTO PAY	100 - Checking - 4M Fund/US B...	
Bill	05/31/2017	145047162	100 Genl Fd B. Dist:43100 Streets & Ut...	Street lighting	43160 - Street Lighting	-75.13 <hr/> -75.13
TOTAL						



Invoice

Invoice Number: 332243

Short Elliott Hendrickson, Inc. FEIN: 41-1251208 | 651.490.2000 | 800.325.2055



BILL TO:

Accounts Payable
City of Lakeland Shores
PO Box 246
Lakeland Shores MN 55043

Pay This Amount \$1,996.73
Due Date 08-JUN-17
Invoice Date 09-MAY-17
Bill Through Date 30-APR-17
Terms 30 NET
SEH Customer Acct # 1384
Customer Project #
Agreement / PO # 138249

REMIT PAYMENT TO:

Short Elliott Hendrickson, Inc.
NW6262
PO Box 1450
Minneapolis, MN 55485-6262

Project Manager John Parotti
jparotti@sehinc.com
715.246.9906
Client Service Manager John Parotti
jparotti@sehinc.com
715.246.9906
Accounting Representative Janelle Stephens
jstephens@sehinc.com
715.246.9906

Project #	Project Name	Project Description
138249	LAKSH LS City Engineering	Lakeland Shores City Engineering Services

Notes:

Task: 5017 - 2017 Pavement Rehabilitation Project

Direct

Personnel	Hours	Amount
Senior Project Manager	10.25	\$1,829.75
Senior Admin Assistant	0.40	\$43.68
	<u>10.65</u>	<u>\$1,673.43</u>

43820

Task: 5017 Total: \$1,673.43

Task: 9009 - 125 Lakeland Shores Road; Complete Preapplication Review

Direct

Personnel	Hours	Amount
Senior Project Manager	2.00	\$318.00
	<u>2.00</u>	<u>\$318.00</u>

Reimbursed - Expenses

Expenditure Type	Amount
Mileage	\$5.30

\$5.30

F2



Invoice

Invoice Number: 332243

Short Elliott Hendrickson, Inc. FEIN: 41-1251208 | 651.490.2000 | 800.325.2055

Task: 9009 - 125 Lakeland Shores Road; Complete Preapplication Review

43150

Task: 9009 Total: \$323.30

Invoice total \$1,996.73

Wash Cty (Assessment ...)

F3

**LAKELAND SHORES
2017**

	# parcels	Rate	Total	
Agriculture	0	\$16.55	\$0.00	
Vacant Land	52		\$57.22	
C&I	2	\$2.36	\$4.72	
Ag	0	\$2.36	\$0.00	
Res	25	\$1.79	\$44.75	
Exempt	25	\$0.31	\$7.75	
Multi-Family (Townhome/Condo/Duplex)	0	\$5.92	\$0.00	
<i>Not included in Residential count</i>				
Residential	120		\$1,916.64	
<\$500,000	96	\$13.61	\$1,306.56	
> or equal to \$500,000	24	\$25.42	\$610.08	
Manufactured Homes	0	\$9.47	\$0.00	
Personal Property & PILT	2	\$4.72	\$9.44	
C&I	6		\$319.20	
<\$999,999	6	\$53.20	\$319.20	
> or equal to \$1,000,000	0	\$88.67	\$0.00	
Exempt Improved	0		\$0.00	
<\$999,999	0	\$5.92	\$0.00	
> or equal to \$1,000,000	0	\$5.92	\$0.00	
Apartments	0		\$0.00	
<\$999,999	0	\$29.56	\$0.00	
> or equal to \$1,000,000	0	\$41.38	\$0.00	Cost per parcel
2017 Base Fee	180		\$2,302.50	\$12.79
New Construction	<i>(count taken out of the lower tier base fee calc)</i>			
Residential				
Single Family	0	\$30.59	\$0.00	Start 2016
Townhome/Condo	0	\$11.82	\$0.00	Start 2016
C&I				
New	0	\$135.96	\$0.00	Start 2016
Apartments				
New	0	\$65.03	\$0.00	Start 2016
Exempt				
New	0	\$118.22	\$0.00	Start 2016
New Construction Fee	0		\$0.00	
2017 Billing	180		\$2,302.50	\$12.79

41920

AGENDA ITEM

STAFF ORIGINATOR Interim City Clerk
MEETING DATE June 1, 2017
TOPIC 2017 Liquor License, Shiner's LLC

BACKGROUND

Every year at the City of Lakeland Shores City Council liquor licenses considered for the following year, based on payment of taxes, state approval, insurance, background check and all fees paid.

Shiner's LLC has applied for a liquor license renewal as their current liquor license period ends 7/15/2017.

A Resolution for the City's license holder that submitted their renewal is attached and states approval is based on the outlined conditions.

Staff is requesting a motion, second and vote be taken for the liquor license renewal based on the state approval, insurance, background checks and all fees paid.

STAFF RECOMMENDATION

Approve Liquor License Renewal based on outlined conditions.

Resolution No. 2017-06-01

**Resolution to Approve On-Sale/Off-Sale and Sunday Liquor License for
Shiner's LLC**

(DBA: Shiner's Tavern)

WHEREAS, Shiner's LLC submitted an application for the issuance of an On-Sale/Off-Sale and Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakeland Shores that the City Council does hereby approve issuance of an On-Sale/Off-Sale and Sunday Intoxicating Liquor License to the applicant listed below for the period of July 16, 2017 through July 15, 2018:

Shiner's LLC
157 St. Croix Trail N
Lakeland Shores, MN 55043
Licensee:

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: June 1, 2017 by the City Council of the City of Lakeland Shores

Brian Zeller, Mayor

Interim City Clerk/Zoning Administrator

AGENDA ITEM

STAFF ORIGINATOR Interim City Clerk
MEETING DATE June 1, 2017
TOPIC Charitable Gambling

BACKGROUND

The St. Paul Festival and Heritage Foundation has applied for a Premises Permit for charitable Gambling at Shiners Bar and Grill. The organization is a licensed 501(c) (3) nonprofit. The application as well as a Lease Agreement is provided for your review.

The Organization has indicated owner Andrew Leiviska will be submitting a lease termination to the old organization with a June 30th leave date.

Per the 2017 Fee Schedule, a fee of \$50.00 should be made to the City based on approval.

The City Charitable Gambling is attached for reference.

STAFF RECOMMENDATION

Council Prerogative

CHAPTER 112 GAMBLING

Section

- § 112.01 Purpose
- § 112.02 Provisions of State Law Adopted
- § 112.03 Lawful Gambling
- § 112.04 Permit required
- § 112.05 City approval required
- § 112.06 Application, reporting regulations, investigation
- § 112.07 Notice, approval or disapproval of premises permits
- § 112.08 Authorized organizations
- § 112.09 Qualifications
- § 112.10 Location Criteria for premises permits
- § 112.11 Distribution of proceeds
- § 112.12 Penalties
- § 112.13 Enforcement responsibility

GAMBLING

§ 112.01 PURPOSE.

The purpose of this subchapter is to regulate and control the conduct of gambling, to insure integrity of operations and to provide for the use of net profits only for lawful purposes.

§ 112.02 PROVISIONS OF STATE LAW ADOPTED

The provisions of Minnesota Statutes Chapter 349 are hereby adopted and made a part of this subchapter as if set out in full.

§ 112.03 LAWFUL GAMBLING

There shall be no gambling in the City except as authorized pursuant to the provisions of Minnesota Statutes, Chapter 349, and the rules adopted pursuant to the authority contained in the statutes. Gambling shall be operated in accordance with the terms and conditions specified in this division, other applicable Lakeland Shores City Ordinances and state and federal laws and regulations.

§ 112.04 PERMIT REQUIRED.

Except for an organization licensed by the Board, no person may conduct a gambling event which would otherwise be allowed pursuant to the exclusions and exemptions set forth in Minnesota Statutes 349.166, without first securing a permit from the City and paying a permit fee in the amount of \$100.00.

§ 112.05 CITY APPROVAL REQUIRED/PREMISES PERMIT.

No person may conduct a gambling event within the City of Lakeland Shores without first securing a premises permit from the Board and a resolution from the City Council approving the premises permit. The Owner of the premises for which a premises permit is issued must comply with the requires of Minnesota Statutes 349.318 in renting or using the premises for lawful gambling.

§ 112.06 APPLICATION, REPORTING REGULATIONS, INVESTIGATION

A. Application and Investigation. Each organization licensed to conduct lawful gambling in the City of Lakeland Shores shall complete the City's investigation form and submit copies of all State gambling forms, all records and reports to be filed within the State Gambling Control Board, pursuant to Minnesota Statutes, Chapter 349, and the rules and regulations promulgated thereunder and submit any additional information required by the City.

B. Leasing Premises. Any organization leasing premises for the conduct of lawful gambling shall, upon the request from the City, file with the City a copy of the lease within one (1) week after execution of the lease. The lease shall not provide for rental payments based on a percentage of receipts or profits from lawful gambling.

C. Inspection. Every gambling event in the City of Lakeland Shores conducted by an organization under State license shall be open to inspection by the City and the County Sheriff's Department.

D. Records Inspection. The City may inspect, at any reasonable time without notice or search warrant, all records of a licensed organization required to be maintained by the State Gambling Control Board.

§ 112.07 NOTICE, APPROVAL OR DISAPPROVAL OF PERMIES PERMITS.

A. Notice. The Board shall notify the City Council, pending application or renewal for a premises permit. The applicant shall cooperate fully with the City in supplying all information provided for in this subchapter. The City Council shall determine whether the organization meets all criteria provided for in this subchapter necessary to approve a premises permit.

B. Approval or Disapproval. Each pending application for a premises permit shall be approved or disapproved by resolution of the City Council within sixty (60) days or receipt of a complete application.

§ 112.08 AUTHORIZED ORGANIZITIONS.

An organization shall not be eligible to conduct lawful gambling in the City of

Lakeland Shores unless it meets the qualifications in Minnesota Statutes §349.16, subd. 2.

§ 112.09 QUALIFICATIONS

The City Council shall not adopt a resolution approving a premises permit from any applicant who:

A. Has an officer, director or other person in a supervisory or management position that:

1. Has ever been convicted of a felony;
2. Has ever been convicted of a crime involving gambling;
3. Is not of good moral character and repute; or
4. Has ever been convicted of:
 - (a) assault,
 - (b) a criminal violation involving the use of a firearm; or
 - (c) making terroristic threats.

B. Which owes, or has an officer, director or other person in a supervisory or management position who owes, delinquent local, state or federal taxes, or is delinquent on any other City bill.

§ 112.10 LOCATION CRITERIA FOR PREMISES PERMITS.

All organizations applying for a premises permit must meet criteria set forth herein relating to location of lawful gambling activities, as follows.

A. An organization may conduct lawful gambling only on premises it owns or leases, except as authorized by Minnesota Statutes §349.18.

B. Gambling in the City of Lakeland Shores may be conducted only in the licensed organization's hall where it has its regular meetings or in a licensed on-sale liquor, wine and beer establishment.

C. No location shall be approved unless it complies with the applicable zoning, building, fire and health codes of the City of Lakeland Shores and other regulations contained in this subchapter.

§ 112.11 DISTRIBUTION OF PROCEEDS

Each organization licensed to conduct gambling within the City shall contribute to a fund administered and regulated by the City for distribution by the City for purposes authorized under Minnesota Statute §349.213, subd. 1, an amount equal to ten percent (10%) of the organization's net profits derived from lawful gambling. For purposes of this section, net profits are profits less amounts expended for allowable expenses.

MINNESOTA LAWFUL GAMBLING
LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use LG215 Lease for Lawful Gambling Activity.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "State of Minnesota."

Mail the application and required attachments to:
Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: St Paul Festival Heritage Foundation License Number: 04985
Chief Executive Officer (CEO): Rosanne Bump Daytime Phone: 651 223-7401
Gambling Manager: R. Robert Matson Daytime Phone: 612 889-4463

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Shiners Bar and Grill

List any previous names for this location:

Street address where premises is located: 157 St. Croix Trail Lakeland, MN 55043
(Do not use a P.O. box number or mailing address.) Shores

City: Lakeland Shores OR Township: _____ County: Washington Zip Code: 55043

Does your organization own the building where the gambling will be conducted?

Yes No If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Bank Cherokee Bank Account Number: 085753

Bank Street Address: 675 Randolph Ave City: St. Paul State: MN Zip Code: 55102

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number): Merrick 3210 Laborer City: St. Paul State: MN Zip Code: 55110

_____ State: MN

_____ State: MN

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION	
<p style="text-align: center;">CITY APPROVAL for a gambling premises located within city limits</p> <p>City Name: _____</p> <p>Date Approved by City Council: _____</p> <p>Resolution Number: _____ (If none, attach meeting minutes.)</p> <p>Signature of City Personnel: _____</p> <p>Title: _____ Date Signed: _____</p> <div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%; text-align: center;"> <p>Local unit of government must sign.</p> </div>	<p style="text-align: center;">COUNTY APPROVAL for a gambling premises located in a township</p> <p>County Name: _____</p> <p>Date Approved by County Board: _____</p> <p>Resolution Number: _____ (If none, attach meeting minutes.)</p> <p>Signature of County Personnel: _____</p> <p>Title: _____ Date Signed: _____</p> <p>TOWNSHIP NAME: _____</p> <p>Complete below only if required by the county. On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date Signed: _____</p>

ACKNOWLEDGMENT AND OATH	
<ol style="list-style-type: none"> 1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises. 2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law. 3. I have read this application and all information submitted to the Board is true, accurate, and complete. 4. All required information has been fully disclosed. 5. I am the chief executive officer of the organization. 	<ol style="list-style-type: none"> 6. I assume full responsibility for the fair and lawful operation of all activities to be conducted. 7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them. 8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect. 9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license. 10. I understand the fee is non-refundable regardless of license approval/denial.
<p> _____ Signature of Chief Executive Officer (designee may not sign)</p>	<p style="text-align: right;">Date <u>5/10/17</u></p>

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public

information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;

Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION		
Organization: <u>St. Paul Festival & Heritage Foundation</u>	License/Sale Number: <u>04985</u>	Daytime Phone: <u>651 223 7401</u>
Address: <u>75 W 5th St #429</u>	City: <u>St. Paul</u>	State: Zip: <u>MN 55102</u>
Name of Leased Premises: <u>Shiners Bar and Grill</u>	Street Address: <u>157 St. Croix Trail</u>	Daytime Phone: <u>651 337-1320</u>
City: <u>Lakeland</u>	State: Zip: <u>MN 55043</u>	Daytime Phone: <u>651 337-1320</u>
Name of Legal Owner: <u>Shiners LLC</u>	Business/Street Address: <u>557 Quant Ave North</u>	Daytime Phone: <u></u>
City: <u>Lakeland Shores</u>	State: Zip: <u>MN 55043</u>	Daytime Phone: <u></u>
Name of Lessor (if same as legal owner, write "SAME"): <u>SAME</u>	Address: <u></u>	Daytime Phone: <u></u>
City: <u></u>	State: Zip: <u></u>	Daytime Phone: <u></u>

Check applicable item:

New or amended lease. Effective date: 7-1-17. Submit changes at least ten days **before** the effective date of the change.

New owner. Effective date: . Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

<input type="checkbox"/> Pull-Tabs (paper)	<input checked="" type="checkbox"/> Electronic Pull-Tabs
<input checked="" type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input checked="" type="checkbox"/> Electronic Linked Bingo
<input checked="" type="checkbox"/> Bar Bingo	<input type="checkbox"/> Bingo
<input type="checkbox"/> Tipboards	
<input checked="" type="checkbox"/> Paddlewheel	<input type="checkbox"/> Paddlewheel with table

Electronic games may only be conducted:

- at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
- at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: %, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750.**
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 15 %, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: 20 %, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: %, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -**
- Rate to be paid: \$ per square foot, not to exceed **110%** of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.

- Rent may not be paid for bar bingo.**
- Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, Item II, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

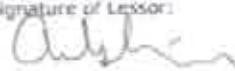
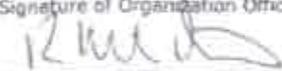
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor: 	Date: 5-11-17	Signature of Organization Official (Lessee): 	Date: 5/10/17
Print Name and Title of Lessor: ANDREW LEVSKA OWNER		Print Name and Title of Lessee: R. Robert M. Johnson, Gambling Mgr.	

Questions? Contact the licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:
Minnesota Gambling Control Board
1711 W. County Road B, Suite 300 South
Roseville, MN 55113
Fax: 651-639-4032

AGENDA ITEM

STAFF ORIGINATOR Interim City Clerk
MEETING DATE June 1, 2017
TOPIC Ordinance No. 74, Garbage and Solid Waste

BACKGROUND

In an effort to update the City's solid waste management Ordinance and obtain a RFP for participating communities, a consultant to Washington County, has reviewed the City of Lakeland Shores ordinances that pertain to solid waste management in the City.

Per Ms. Young, Foth Enviromental, the City's solid waste ordinances have not been updated for a considerable period of time. Modifications to the ordinances required by changes to State law or County ordinances are attached in the attached draft Ordinance. Highlights of the suggested updates to the Ordinance include:

- ◆ Definitions are updated to be consistent with definitions in State law and County ordinances.
- ◆ Provision has been made for collection of Source Separated Organic Materials (SSOM) when the regional collection system has matured to offer those services in the City.
- ◆ Requirements for licensing of private haulers include provisions for the hauler to provide a schedule of rates, documentation of fees to be charged to customers, certification that employees have undergone background checks for offenses such as felonies, and updated insurance requirements and reporting requirements.
- ◆ The hours of hauler operations are specified as 7:00 a.m. though 6:00 p.m.
- ◆ Weekly recycling service is specified if the City does not provide recycling service. Weekly recycling service is considered to be a best practice.
- ◆ Customer-service requirements are specified.
- ◆ Administrative Penalties are contained in the draft, to be used if haulers fail to comply with Ordinance requirements. This is a streamlined process for the City to achieve compliance with the Ordinance.

In addition, other recommended changed are outlined in the draft ordinance and noted as follows:

- The Ordinance draft refers to the 2040 Comprehensive Plan
- Trash/Hauler License \$80.00
- The Ordinance draft does not refer to specific amount of hauler fees but rather includes language that requires a variable rate billing structure in accordance with State Law
- Current bonding license at \$5,000
- The Ordinance draft refers to having a designated collection day. However, the ordinance does not need to expressly state the date as the joint contract will include that
- The Ordinance draft states the hauler “must” provide containers
- The Ordinance draft requires haulers to participate in an annual clean-up day as part of their license obligations

STAFF RECOMMENDATION

1. Approve revised Ordinance as presented
2. Approve revised Ordinance with additional changes.

Lakeland Shores Ordinance

TITLE V. PUBLIC WORKS

CHAPTER 51: GARBAGE AND SOLID WASTE

Section:

51.01 Title

51.02 Definitions

51.03 Purpose

51.04 License required

51.05 Duties and obligations of licensed holders

51.06 Regulations; rates

51.07 Bond required

51.08 Administrative Penalties

51.09 Contract for Collection Service

51.10 General Disposal Requirements

51.11 Containers

§ 51.01 TITLE.

This subchapter shall hereafter be known, cited and referred to as Solid Waste Disposal of the City of Lakeland Shores, except as referred to herein, where it shall be known as this Subchapter.

§ 51.02 DEFINITIONS.

For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BULKY WASTE. Shall have the meaning set forth in Minnesota Statutes and is a subset of Municipal Solid Waste. Includes household items and other discarded materials that due to their dimensions and weight are typically not collected as part of the regular garbage and recycling or for which there is a separate fee, such as furniture, carpeting, mattresses, and appliances including electronic devices.

CITY. City of Lakeland Shores, Washington County, Minnesota

COMMERCIAL/BUSINESS Any premises not primarily used for residential purposes and where a commercial, community, or industrial enterprise of any kind is carried on, including restaurants, clubs, churches, and schools

COMPOSTING. A method of recycling yard waste by allowing it to decay and then using it as a soil amendment.

CONSTRUCTION/DEMOLITION WASTE. Construction materials, packaging and rubble resulting from construction, remodeling, repair and demolition of buildings and roads, as well as sand, earth, brick, stone, trees, tree branches of more than two inches (2") in diameter and tree stumps.

COUNTY. Washington County, Minnesota

GARBAGE. See: Mixed Municipal Wastes

HAULER. Any person engaged in the business of collecting or removing MSW, recyclables, bulky wastes, yard wastes, SSOM, or construction/demolition wastes for hire. Also known as "Licensee."

HAZARDOUS WASTES. Shall have the meaning defined in Minnesota Statutes. Wastes are hazardous in Minnesota when they display one or more of these characteristics: Ignitable, Oxidizer, Corrosive, Reactive, Toxic, or Lethal.

HOLIDAYS. Shall include only New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.

MIXED MUNICIPAL SOLID WASTE (MSW). Has the meaning set forth in Minnesota Statutes and shall include garbage, refuse, rubbish, trash, and other Solid Waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection. MSW does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams. Also referred to as "garbage."

MULTIPLE RESIDENTIAL DWELLING. Any building used for residential purposes consisting of five (5) dwelling units or more with individual kitchen facilities for each.

RECYCLABLES. Shall have the meaning set forth in Minnesota Statutes and means materials that are separated from MSW for the purpose of recycling or composting, and/or materials which may be recycled or reused through recycling processes. At a minimum, the list of recyclables shall be at least inclusive of the Washington County Standard List of Residential Curbside Recyclables.

RECYCLING. Shall have the definition in Minnesota Statutes, and shall mean the process of collecting and preparing recyclable materials including yard waste and source-separated compostable materials, and reusing the materials in their original form or using them in composting or manufacturing processes that do not cause the destruction of Recyclable materials in a manner that precludes further use.

RECYCLING CONTAINER. A container provided by the City or the hauler for use in an authorized curbside recycling program.

RESIDENTIAL DWELLING. Any single building consisting of four (4) or less dwelling units with individual kitchen facilities for each.

ROLL-OFF CONTAINERS. Open top dumpsters characterized by a rectangular footprint. The container is designed to be transported by special Roll-off trucks. Roll-off containers are commonly used to contain loads of construction and demolition waste or large amounts of other waste types.

SOLID WASTE. The general term for MSW, Recyclables, Yard Waste, Bulky Waste, and Source Separated Organic Material.

SOURCE SEPARATED ORGANIC MATERIALS (SSOM). Shall include food waste and other compostable organic materials that are source separated for recovery and as defined in Minnesota Statutes. The term "Organics" does not include Yard Waste for purposes of this Ordinance. Also referred to as "food waste/organics" and "source separated organics."

SPECIAL PICK UP. Any collection of materials other than garbage, other refuse, recyclables, or yard waste, or SSOM including white goods including Bulky Waste and construction/demolition waste.

VOLUME BASED BILLING. A graduated rate structure based upon the volume of garbage collected from a residential dwelling, multiple-residential dwellings or a commercial enterprise.

YARD WASTE. Garden wastes, leaves, grass clippings, weeds, small branches, or other materials as defined by Minnesota Statutes.

§ 51.03 PURPOSE.

The purpose of this Subchapter is to protect the public health, safety, and welfare of the residents of the City of Lakeland Shores by licensing and regulating the hauling of solid wastes within the City, which licensing and regulation the City Council hereby determines to be necessary to ensure the proper management of solid wastes in compliance with the City's 2040 Comprehensive Plan, the Washington County Solid Waste Management Master Plan 2012–2030 and any updates to those Plans approved by the City or the County and with the State and/or the County recycling and solid waste reduction mandates and to eliminate other and similar health and safety hazards which the Council finds now exist or are to be anticipated in the absence of this licensing and regulation.

§ 51.04 LICENSE REQUIRED.

No person, firm, or corporation shall engage in the business of collecting or removing MSW, recyclables, bulky wastes, yard wastes, SSOM, or construction/demolition wastes within the City without first having obtained a license from the City Council. Such license shall be issued by the Council for a period of 1 year under the conditions prescribed within this Subchapter and upon payment of a license fee of \$80.00. A license so issued may at the sole discretion of the City be renewed annually upon the payment of a like fee and upon approval by the City. No licensee pursuant to this Chapter shall acquire vested rights in a license. The City may, upon finding that public necessity requires, establish other means of MSW, recyclables, bulky waste, yard waste, SSOM, or construction/demolition wastes collection. The City Council may for cause revoke or refuse to renew any license issued hereunder; the violation of any provisions of this Subchapter by the licensee shall be cause for the revocation or refusal to renew his or her license. If the County revokes or suspends any hauler's license, the City license, in case of revocation, shall be automatically terminated without any further action of the City, or, in case of suspension, the City license shall also be automatically suspended for the same length of time, without further action of the City.

(A) Any person desiring to be licensed as a licensed hauler shall make application to the City on a form prescribed by the City. Each licensed hauler operating under a separate name or identity, whether as parent/subsidiary or brother/sister organizations or as an independent organization, shall apply for and obtain a separate license prior to collecting MSW, recyclables, bulky wastes, yard waste, SSOM, or construction/demolition wastes.

(B) No license shall be issued until the applicant files with the City a current policy of public liability insurance and property damage insurance upon each of the trucks or other vehicles to be used by the applicant in the licensee's business. The limits of coverage of such insurance shall be at least the sum of \$1,000,000 for injury to one person, \$2,000,000 for injury to two or more persons in the same accident, \$200,000 for property damages and statutory limits for Workers Compensation Insurance and may be adjusted from time to time. The City shall be a named insured on each policy. There shall be a certificate showing that the licensee has in force and effect the aforesaid insurance covering both the licensee and the City, and said certificate shall be filed with the City Clerk within ten (10) days of the approval of the license, and yearly thereafter and at least thirty (30) days prior to the expiration of the policies of insurance for each year of the license.

(C) The application shall include a list of equipment to be utilized by the collector. Each vehicle for which a collector's license is issued may be inspected by the City, at the City's discretion, for conformance with this Subchapter.

(D) The application for license shall be accompanied by certification that each of the employees of the collector that will be performing work in the City shall have been found free of offenses of felony, gross misdemeanor or misdemeanor punishable by jail. The certification shall be approved by the City.

(E) In order to renew a residential dwelling/recycling license, the licensee must submit to the City a list of all active accounts.

(F) No license shall be issued until the applicant files with the City a schedule of volume based billing rates to be charged by the hauler during the license period for which the application is made. Differences between rates charged for the various garbage container sizes shall be sufficient to encourage recycling and waste reduction in accordance with Minnesota Statutes and the Washington County Solid Waste Master Plan. Every licensee shall provide notification at least two (2) weeks prior to any change in rates to be implemented during the licensed period. Failure to submit the rates in a timely manner shall render the changed rates void. In accordance with MN Stat. § 115A.93 Subd.3.(c) haulers shall not impose a greater charge on residents who recycle than on residents who do not recycle.

§ 51.05 DUTIES AND OBLIGATIONS OF LICENSED HAULERS.

All persons, firms, or corporations holding a license from the City pursuant to this Subsection must comply with the following operational requirements. Failure to observe these provisions shall be a basis for suspension or revocation of the license:

(A) *Operating procedures.* A licensee shall operate in a manner consistent with its application materials and provide notice to the City within 15 days of any change of information, forms, rate structures, or certificates filed as part of the license application process except for the 30-day notice requirement on insurance as is found herein.

(B) *Compliance with laws and regulations.* The licensee shall comply with all state, county, and local laws and regulations.

(C) *Services to be offered by Licensees.* In addition to collection of MSW, the following services shall be offered to all customers:

1. Recycling collection shall be provided to all customers if not otherwise provided by the City.
2. Bulky waste collection and processing/disposal shall be provided to all customers within five business days of request by the customer. An additional fee may be charged.
3. Yard waste collection and processing/disposal in season shall be provided to all customers within five business days of request by the customer. An additional fee may be charged.
4. SSOM collection and processing/disposal may be provided to all customers. An additional fee may be charged.

(D) *Collection days and hours.* The licensed hauler shall comply with days and hours for collection of MSW, recyclables, bulky wastes, yard wastes, SSOM, or construction/demolition wastes as specified by resolution of the City Council from time to time.

1. No collection of solid waste or construction/demolition waste shall be made except between the hours of seven o'clock (7:00) A.M. and six o'clock (6:00) P.M., Monday through Friday. Operation during these hours may require that service be moved back one day to accommodate holidays. Customers shall be notified of a specific day for collection of their solid waste or construction/demolition waste, and the licensee shall collect the materials within those time periods.

2. Commercial/multiple dwelling collection of solid waste and construction/demolition waste shall be made at least once a week between the hours of seven o'clock (7:00) A.M. and six o'clock (6:00) P.M., and on any day of the week and as often as is necessary to protect the public's health.
3. Residential "special pick up" as defined in section 50.02 of this Subchapter may take place on a specified day, Monday through Saturday, seven o'clock (7:00) A.M. to six o'clock (6:00) P.M., as arranged by the property owner and licensed hauler.

(E) *Vehicles and equipment.* Each licensed hauler shall only use vehicles and equipment so constructed that the contents shall not leak, spill or blow out of the vehicle. The vehicles and equipment shall be kept clean and as free from offensive odors as possible, and shall not stand on any street, alley, or public place longer than is reasonably necessary to collect MSW, recyclables, bulky wastes, yard wastes, SSOM, or construction/demolition wastes. Each vehicle for which a license is issued shall exhibit such license in a prominent position on said vehicle.

(F) *Collection site and Cleanup of Spills.* The licensee shall ensure that the collection site is left tidy and free of litter. Any spills, including spills of solid wastes, vehicle or waste fluids, or hydraulic fluids shall be cleaned up immediately. If not noticed by the hauler, spills that the City provides notice to the hauler of shall be cleaned within two (2) hours of notice by the City.

(G) *Reports.* Each licensed hauler shall compile and retain MSW, recycling, bulky waste, SSOM, yard waste, and construction/demolition waste weight slips and other data. Failure to certify accurate weights may be cause for revocation of the hauling license. All licensees shall submit to the Minnesota Pollution Control Agency (MPCA), the County, and other required reporting entities in the future required MSW, recycling, and other waste data in compliance with the MPCA's and the County's reporting requirements. Failure to submit the reports shall be cause for license suspension. In addition, the hauler shall furnish the City with copies of reports that are submitted to the reporting entities when requested by the City. Failure to keep accurate weights and/or to furnish this data to the required reporting entities or the City within 30 business days of it being due shall entitle the City to impose liquated damages and/or revoke the collection license.

1. Upon demand of the City, the licensee shall produce any records, which the City may require to verify that all MSW, recyclables, bulky waste, SSOM, and yard waste have been disposed of in a lawful manner. Each licensed hauler shall provide to the City during normal business hours, access to books, documents, papers, and other records of the licensee that are directly pertinent to the issuance and monitoring of the license and required reports. In addition, all licensed haulers shall report to the City such information as shall be required by the City Council by resolution from time to time, with such information being provided as required on a form provided through the office of the City Clerk for such purpose. Haulers shall be required to demonstrate that they have disposed of MSW at facilities which are duly licensed for that purpose.
2. Hauler shall also provide to the City, on demand, a master list of its customers so that the City may verify that every household and/or business located within the City has a contract for collection services as required by M.S. § 115A.941(a), as it may be amended from time to time.

3. The licensee shall notify the City of the discontinuance of service to any premises with a five (5) day written notice prior to service being discontinued, if possible, but no later than the date service is actually discontinued.

(H) *Opportunity to Recycle.* Unless the City provides recycling services, each licensed MSW hauler shall provide its customers with the opportunity to recycle through a weekly curbside collection of recyclables (as defined in section 50.0 of this Subchapter). The curbside collection of recyclables shall be on the same day as collection of customer's MSW but may occur at a different time within that day. The recyclables collection shall be from a location at or near the MSW collection site, or at such other location as mutually agreeable to the hauler and the customer. The hauler shall specify how the customers are to place and prepare their recyclables for collection. The licensee is also deemed the owner of recyclables, and upon collection, the licensee may market them. Nothing herein shall be construed to prevent the licensee from offering curbside collection for other recyclable materials in addition to the defined recyclables.

1. All separated recyclables must be transported to a licensed recycling facility or delivered to an end market for sale or reuse, or brought to an intermediate collection center for later delivery to a licensed processing center or end market for recycling. It is unlawful for any person to transport for disposal or to dispose of designated recyclables in an MSW disposal facility. No separated recyclables may be mixed with another waste material or incinerated or landfilled or composted or made into fuel pellets.
2. In each instance where a hauler does not collect recyclable materials from a residence or business, adequate notification as to why the recyclable material was not picked up must be left with the recyclable materials left at the curbside.

(I) *Billing Practices.* As licensor, the City reserves the right to insure billing practices and charges for service are fair and conscionable. All licensed haulers shall reimburse any unearned fees to any customer who cancels service for any reason. Additionally, haulers shall not charge any fees to remove any bin from a customer's property when they cancel service except, a hauler may charge a service fee for bin removal if they have entered into a written contract that expressly outlines this charge in the event the customer cancels service before the end of the contract period. In the event the City receives a complaint on billing practices it deems unfair and/or unconscionable, it shall send a violation notice to the hauler outlining the unacceptable billing practice. The hauler will be provided an opportunity to respond to the complaint before any enforcement action is taken.

(J) *Office Location.* The hauler shall establish and maintain an office with continuous supervision for accepting complaints and customer calls. The office shall be in service with continuous supervision during the hours of 8:00 a.m. to 4:30 p.m. CDT Monday through Friday. A system for recording and responding to customer calls outside business hours shall be established and described in the application for license. The address and telephone number of such office and any changes therein shall be given to the City in writing.

(K) *Annual Clean Up Day.* Haulers must participate in the annual Clean Up Day as part of their license obligations.

(K) *Complaints.* The hauler shall maintain a complaint response and file system. All complaints shall be answered courteously and promptly. The hauler is responsible for resolving all complaints received.

1. Missed collections reported by customers shall be collected within two (2) business days of the report of the miss.
2. The City will notify the hauler of any unresolved complaints that it receives. The hauler shall provide a semi-annual report in a format prescribed by the City on the total number and type of complaints received and the resolution of those complaints.

§ 51.06 REGULATIONS; RATES.

All collection and removal of solid waste within the City shall be performed in accordance with the following regulations:

(A) *Frequency of collections.* MSW, recycling, SSOM if provided, and yard waste during yard waste season shall be collected and removed from each premise with sufficient frequency to minimize purification, objectionable odors, infestation by vectors of disease or as determined by the City.

(B) *Limits on quantity.* There shall be no limits as to quantity but haulers need not collect or remove any MSW, recycling, SSOM, or yard waste unless the same is in appropriate containers.

(C) *Collection and removal fees/rates.* A variable rate billing schedule must be used for all MSW. No hauler shall charge a fee for the collection and removal of MSW, SSOM, or yard waste from any single-family residential dwelling house, as provided by divisions (A) and (B) of this section, in excess of the variable rate billing structure in accordance with State Law, such greater or lesser amount as the City Council of the City of Lakeland Shores may from time-to-time establish by Resolution. In the case of multiple-family residential buildings the fee for each unit within such building shall not exceed the amount permitted for service to any single-family residential dwelling house; however, in the case of commercial or other non-residential buildings, the hauler may charge fee to be established by agreement between the hauler and the individual customer, provided such fee is reasonable related to the rate established hereunder from the collection and removal of garbage and recyclables from residential buildings to the extent the collection and removal service required is comparable. No hauler shall charge a fee for the collection and removal of residential recyclables. The hauler in March and September shall notify each customer of the yard waste services, costs, and procedures for yard waste pickup provided by the hauler.

(D) *Effect of failure to pay fees.* Notwithstanding any provision of this Subchapter to the contrary, no hauler need collect or remove the garbage from any collection point if the customer for whom the garbage and rubbish is being collected and removed at that collection point is in default of any payment or payments required to be paid for the service under the contract or agreement existing between the hauler and the customer. All such accounts must be reported to the City within two (2) business days of non-collection.

(E) *Unlawful disposal of garbage, rubbish and recyclables.* No MSW, recycling, bulky waste, SSOM, yard waste, and construction/demolition waste shall be collected, conveyed or disposed of except by waste haulers licensed by the City.

§ 51.07 BOND REQUIRED.

No license issued hereunder shall be effective until the licensee shall have deposited with the City Clerk a license bond in the penal sum of \$5,000.00 conditioned on the licensee's compliance with the conditions of the license granted hereunder.

§ 51.08 ADMINISTRATIVE PENALTIES.

(A) Administrative Penalties shall be enforced for license violations including:

1. Failure to comply with statutory and code requirements, including liability insurance.
2. Failure to submit required reports by date specified by Ordinance.
3. Failure to respond to customer calls or missed collections within the times specified by Ordinance.
4. Failure to provide City with the name of disposal facility used, upon request.
5. Failure to display license in vehicle(s).
6. Failure to ensure contents do not leak or spill from vehicles or during collection.
7. Failure to clean up solid or liquid spills or leaks from vehicles within two (2) hours.
8. Failure to notify the City of rate changes in accordance with Chapter.
9. Failure to notify the City of non-collection of solid waste.

(B) All licensed collectors under this article shall promptly remit to the City any Administrative Penalties imposed.

1. Administrative Penalties not remitted within forty-five (45) days of imposition shall be doubled on the forty-sixth (46th) day after the date of the City's notification to the licensee of the imposition of Administrative Penalties, and shall double again after each successive thirty (30) day period in which the Penalties are not fully remitted to the City.
2. No license under this article shall be renewed or issued if the licensee, or individuals having interest in the business entity for which the license is sought, have any outstanding Administrative Penalties due to the City for that businesses entity or another business entity under their financial control.
3. The amounts of Administrative Penalties shall be determined annually by City Council Resolution.

§ 51.09 CONTRACT FOR COLLECTION SERVICES.

Every residential, business, or commercial property within the City shall have a contract for garbage and recyclables collection services except those which are exempted pursuant to the provisions of M.S. § 115A.941(b), as it may be amended from time to time, as long as that household, retail, or commercial business entity ensures that an environmentally sound alternative for garbage and recyclables disposal has and is being implemented. All persons seeking exemption from the provisions of this Subchapter shall submit a written application with the City Clerk specifying and identifying the environmentally sound alternative that it is seeking to implement in lieu of entering into a contract for garbage collection services with a licensed

hauler pursuant to the provisions of this Subchapter. The City Council shall conduct a hearing upon receipt of all such applications and determine whether or not the method proposed by the applicant for alternate disposal of his, her or its garbage and refuse is environmentally sound and reasonably acceptable.

§ 51.10 GENERAL DISPOSAL REQUIREMENTS.

(A) No person shall bury any MSW, recyclable materials, or other waste materials within the City. No person shall allow solid waste, recyclables, bulky waste, SSOM, or yard waste to accumulate upon property owned or occupied by any such person; or fails to dispose thereof in a manner meeting the provisions of this Chapter. It shall be unlawful for any person to permit MSW, recyclables, bulky waste, yard waste, SSOM or construction and demolition waste to be removed from his or her property by an unlicensed hauler.

(B) Nothing in this Chapter shall prevent persons from hauling MSW, recyclables, bulky waste, yard waste, tree waste, SSOM or construction and demolition waste or other waste from their own residences or business properties, provided the following rules are observed:

1. The disposal method must ensure that all waste will be deposited into a properly permitted and/or licensed site in accordance with State and County rules.
2. That all MSW, recyclables, or SSOM shall be hauled in containers that are watertight on all sides and the bottom, and with tight fitting covers on top.
3. That all bulky waste, yard waste, tree waste, or construction and demolition waste must be hauled in vehicles with leak-proof bodies and be completely covered or enclosed by canvas or other means of material so as to completely eliminate the possibility of loss of cargo.
4. That recyclables shall be disposed of at a recycling facility, an organized recycling drive, or through a licensed recycling hauler

(C) The discharging or depositing of MSW, recyclables, bulky waste, yard waste, tree waste, SSOM, or construction and demolition waste on any street, alley, drive, park, playground, or other public place or any privately-owned lot in the City by any person is unlawful. MSW is the responsibility of the property owner until such time as it is collected by a licensed hauler.

(D) It is unlawful for any person to scavenge or otherwise collect MSW, or other recyclable materials, bulky wastes, yard wastes, SSOM, or construction and demolition waste at the curb or from recyclable containers without a license from the City and an account relationship with the owner of the premises.

(E) Except as provided in section (B) above, MSW shall be disposed of by contracting with a licensed hauler to haul the waste to a properly permitted and/or licensed site in accordance with State and County rules.

(F) Residents of residential dwelling units are strongly encouraged to separate recyclables from the waste stream for recycling. Owners/occupants of commercial buildings shall comply with Minnesota Statutes and recycle at least three (3) types of material.

(G) Except as provided in Section (B) above bulky waste must be disposed of by contracting with a licensed private hauler to haul the waste to a State licensed and/or County-approved processing or disposal site

(H) Yard Waste:

1. It shall be unlawful for any person to dispose of yard waste into the MSW, recyclables, bulky waste, or construction/demolition waste streams. All yard waste to be picked up by a licensed hauler shall be placed in separate compostable bags or containers in compliance with Minnesota Statutes and shall not contain garbage, recyclables, or construction/demolition waste.
2. Yard waste shall be disposed of by:
 - a. Contracting with a licensed private hauler to haul the yard waste to a county approved properly permitted and/or licensed compost site;
 - b. The resident transporting the yard waste to a compost site; or,
 - c. Composting the yard waste on the resident's property.
3. It shall be unlawful for a licensed private hauler to dispose of yard waste into the garbage, other refuse, recyclables, bulky waste, or construction/demolition waste stream.
4. Residential composting shall be conducted within an enclosed container(s). Containers shall be of a durable material including, but not limited to, sturdy woven wire fencing, rot-resistant wood, or a commercially purchased composting unit which will provide for adequate aeration. Containers shall be constructed and maintained in a structurally sound manner. Wood used in the construction of a compost container must be sound and free of rot. The compost container(s) shall be located in the rear yard no closer than one foot to any side property line and shall not be located closer than one (1) foot from the rear property line and shall not be located in any required front or side yard as defined in the zoning code, nor closer than twenty (20) feet to any habitable building other than the resident's own home off of the subject property. Composting shall be accomplished in compliance with Minnesota Statutes and the applicable Administrative Rules of the Minnesota Pollution Control Agency.

(I) It shall be unlawful for any person to permit SSOM to be removed from the property by an unlicensed hauler. A hauler licensed for SSOM may also be licensed for garbage and/or recyclables.

§ 51.11 CONTAINERS.

(A) Containers Required:

1. Containers: All residents of residential dwellings and owners or managers of multiple-residential dwellings and commercial establishments shall provide one or more containers to receive and collect all MSW, recyclables, and other materials required by the City which may accumulate between times of collection. The container must be provided by the hauler.
2. Dumpsters:
 - a. For all multiple-residential dwellings and commercial establishments where solid wastes must be disposed of and the volume exceeds three (3) 90-gallon containers per week, dumpster service shall be utilized with the frequency of pick up being not

less than once per week. Actual size of the dumpster or the frequency of pick up shall be determined by need as established by the director of public works.

- b. No person shall deposit garbage, bulky waste, SSOM, yard waste, construction/demolition waste or other refuse in a dumpster except the owner, occupant or authorized agent of the premises using such container. It shall be a misdemeanor to deposit garbage, bulky waste, SSOM, yard waste, construction/demolition waste or other refuse in a dumpster in violation of this section.
3. Recycling Containers: All owners and/or managers of multiple-residential dwellings and commercial buildings are required to provide containers or dumpsters for tenants to deposit recyclables and have adequate storage between collections by a licensed hauler.
4. At each construction or demolition site, the contractor and/or property owner shall provide at least one roll-off container. No solid wastes or construction/demolition waste, whether generated at the site or elsewhere, shall be stored outside the roll-off container. The roll-off container shall be emptied within seven (7) days of the container being filled to capacity. Contractors and/or property owners shall be responsible for cleaning up and disposing of construction debris carried by the elements onto neighboring property.

(B). Storage and Placement:

1. Containers shall be placed for collection not earlier than six o'clock (6:00) P.M. the evening before collection and must be put away no later than six o'clock (6:00) P.M. on the day of collection. At all other times, the containers shall be so located as to be out of public view in a secure place insofar as possible.
2. Every owner, operator or lessee of a multi-family, industrial and/or commercial business shall keep all containers for solid waste, recyclables, bulky waste, SSOM or yard wastes in an enclosure or building. All new garbage and recycling enclosures or buildings constructed in compliance with this provision, and all major alterations to such existing garbage and recycling enclosures and buildings, shall be constructed in compliance with the provisions relating to garbage and recycling enclosure structures. Containers shall not be filled to the extent that the garbage or recycling placed therein can drop or spill therefrom, and bulky waste shall be contained within the enclosure.

**CITY OF LAKELAND SHORES
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2017-06-02

A RESOLUTION OF THE CITY OF LAKELAND SHORES, WASHINGTON COUNTY, MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF ORDINANCE NO. 74

WHEREAS, On June 1, 2017 at the regular Lakeland Shores City Council meeting, by majority vote, the City Council adopted Ordinance No. 74 amending Chapter 51, Garbage and Solid Waste to amend certain sections; and

WHEREAS, State law requires that all ordinances adopted be published prior to becoming effective; and

WHEREAS, the City Council for the City of Lakeland Shores has determined that publication of the title and a summary of Ordinance No. 74 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Lakeland Shores has reviewed the summary of Ordinance No. 74 attached and incorporated herein as **Exhibit A**; and

NOW THEREFORE BE IT RESOLVED, the City Council for the City of Lakeland Shores hereby:

1. Approves the text of the summary of Ordinance No. 74 attached as **Exhibit A**.
2. Directs the City Clerk to post a copy of the entire text of Ordinance No. 74 in a public location designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 1st day of June 2017.

Brian Zeller, Mayor

ATTEST:

Interim City Clerk

EXHIBIT A

Ordinance Summary

Ordinance No. 74

**AN ORDINANCE AMENDING CHAPTER 51, GARBAGE AND SOLID WASTE
FOR THE CITY OF LAKELAND SHORES, MINNESOTA**

On June 1, 2017, the City of Lakeland Shores adopted an ordinance to amend Chapter 51, Sections 51.01-51.11 to update and modify the City's Solid Waste and Recycling Ordinance required by changes to State law or County Ordinances within the City of Lakeland Shores, Minnesota.

A printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the City Clerk or by standard or electronic mail.



a special place to be!

CITY OF LAKELAND SHORES

PROCLAMATION

WHEREAS: Kris Peterson has announced his intention to retire from the Lower St. Croix Valley Fire Department; and

WHEREAS: Kris Peterson joined the Lower St. Croix Valley Fire Department as a firefighter in 1977; and

WHEREAS: During the course of his 40 years of service, Kris was promoted to Fire Chief; and

WHEREAS: Kris has guided his department through hard work and diligence; contributed to safety, well-being and mentorship of the Department; and

WHEREAS: Kris has given his own personal time on many occasions to assist with projects and events in the community; and

NOW, THEREFORE BE IT RESOLVED, in recognition of his 40 years of service to the citizens of Lakeland Shores, Afton, Lake St. Croix Beach, and Lakeland, we offer our sincerest congratulations to **Fire Chief Kris Peterson** and extend our heartfelt thanks, and our fondest wishes for a happy, healthy and extremely long retirement.

Signed this 1st day of June, 2017.

Brian Zeller
Mayor

- (a) Principal buildings with more than one (1) use, in which one (1) of those uses is a dwelling unit shall require a conditional use permit.
- (3) All principal buildings hereafter erected on unplatted land shall be so placed as to avoid obstruction of future street or utility extensions and shall be so placed as to permit reasonably anticipated future subdivisions and land use.
- (4) All principal buildings shall meet or exceed the minimum standard of the Minnesota State Building Code, the Minnesota State Uniform Fire Code, the Minnesota Department of Health, the Minnesota Pollution Control Agency and the Washington County On-Site Sewage Treatment Ordinance.
 - (a) The keeping of animals except for domesticated pets inside of the dwelling unit shall be prohibited.
- (5) All existing principal buildings in residential districts with non-winterized construction or inadequate non-conforming year-round on-site sewage treatment systems shall be considered a seasonal principal building. No building permit shall be issued for the improvement of a seasonal principal building to a continuous year-round (365 days) inhabitable dwelling unit unless the existing building conforms or the building after such improvement (including septic systems) will conform with all the requirements of the Washington County Development Code and any applicable State requirements.
- (6) Any alterations, modifications or enlargements of an existing seasonal principal building for the purpose of continuing the seasonal use shall require a conditional use permit.

C. Accessory Buildings and Structures. The purpose of these standards is to regulate the size, use and location of accessory structures.

- (1) **Required Permits.** A building permit is required for all accessory structures.
- (2) **Performance Standards.** The following standards apply in all districts:
 - (a) No accessory structure shall be constructed on a lot prior to construction of the principal structure.
 - (b) An accessory structure shall be considered attached to the principal building if it is within six (6) feet or less from the

principal building and is physically attached to the principal building.

- (c) All accessory structures over thirty-five (35) square feet in area shall have a foundation or concrete slab. Accessory buildings larger than two hundred (100) square feet shall require a building permit regardless of improvement value. Roof and wind loads shall conform to requirements as contained in the Building Code.
 - (d) **Compatibility.** The same or similar quality exterior material shall be used in the accessory building and in the principal building. All accessory buildings shall also be compatible with the principal building on the lot. "Compatible" means that the exterior appearance of the accessory building including roof pitch and style is not at variance with the principal building from an aesthetic and architectural standpoint as to cause:
 - (i) A difference to a degree to cause incongruity.
 - (ii) A depreciation of neighborhood values or adjacent property values.
 - (iii) A Nuisance. Types of nuisance characteristics include unsightly building exterior.
 - (e) No detached accessory structure shall be located closer to the road right of way than the principal building on a lot unless:
 - (i) City Council approves location, and
 - (ii) All setback requirements are met.
- (3) **Residential Districts.** The following additional standards apply to all land within these districts and residential dwellings in the commercial district:
- (a) On parcels less than two (2) acres, one accessory structure is allowed. On parcels greater than two (2) acres, a maximum of two (2) accessory structures are allowed.
- On parcels greater than five (5) acres, a maximum of three (3) accessory structures are allowed. One (1) single story shed of two hundred (200) square feet or less is permitted in addition to the accessory structures. All accessory structures shall be limited to one story in height, and in no case, shall exceed the height of the principal structure.

- (b) The permitted size of accessory structures are as follows:

	LOT AREA	TOTAL SQUARE FOOTAGE
(i)	Parcels less than 1 acre:	768 sq. ft.
(ii)	1 acre – 1.99 acres:	1,008 sq. ft.
(iii)	2 acres – 5 acres:	2,000 sq. ft.
(iv)	Over 5.01 acres:	2,500 sq. ft.

- (c) All detached accessory structures are to be used for personal or agricultural use only. No commercial use or commercial related storage is allowed in these structures. No detached accessory structure shall be used as living quarters or as a personal residence of any person, including family members.

- (d) No land shall be subdivided so as to have a larger structure and/or exceed the total number of structures permitted by this ordinance.

- (4) **Commercial.** The following additional standards shall apply in this district to commercial uses:

- (a) One accessory structure is allowed on a parcel in the Commercial District, provided it is used for storage related to the principal use of the property. No separate business is allowed in the accessory structure.
- (b) The accessory structure must be placed to the rear of the principal building and conform with applicable setback requirements and lot coverage standards.
- (c) The permitted size of accessory structures in the commercial district are governed by Chapter 151.008C3(b).

D. Public Convenience Structures.

- (1) No public use or convenience structure shall be located within the public right-of-way except by a certificate of compliance issued by the Zoning Administrator. Such structure shall include, but not be limited to trash containers, institutional direction signs, bicycle racks, benches, planting boxes, awnings, flag poles, bus shelters, light standards, stairs, stoop, light wells, newspaper storage