

Lakeland Shores City Council Meeting  
September 6, 2017, 6:00 p.m.  
Lake St. Croix Beach City Hall



**1) Regular Council Meeting**

- Call to Order
- Roll Call
- Pledge of Allegiance
- Adopt Agenda

**2) Consent Agenda (Items may be pulled for discussion and/or separate action)**

- A) Approve August 3, 2017 City Council Meeting Minutes
- B) Approve Monthly Claims and Financial Reports
- C) Waiver of Liability

**3) Public Comments**

**4) Unfinished and New Business**

- A) Revised Lease Agreement with City of Lake St. Croix Beach
- B) Consideration of Financial Contribution for Flashing LED Sign System
- C) Consideration of Resolution No. 2017-09-01, Preliminary 2018 Budget/Levy

**5) Council and Staff Reports**

- A) Roads Commissioner Report
- B) Treasurer Report
- C) City Clerk/Zoning Administrator Report
- D) Mayor and Council Reports

**6) Agency Reports**

- A) Washington County Sheriff Report
- B) Fire Department Report

**7) Adjourn**

# Lakeland Shores City Council Meeting Minutes | 2017 August 3

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Regular City Council Meeting  
Lakeland City Hall

**Lakeland Shores City Council Meeting Call to Order:** Mayor Brian Zeller opened the August 3, 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, Interim City Clerk; City Attorney Dave Magnuson; City Engineer John Parotti

The Pledge of Allegiance was said.

**Review and Approve Meeting Agenda: Council Member Wilson made a motion to adopt the agenda; Council Member Schroeder seconded. All ayes, 5-0. Agenda Adopted.**

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

- A) Approve June 1, 2017 City Council Meeting Minutes
- B) Approve Monthly Claims and Financial Report

**Council Member Wilson made a motion to approve Consent Agenda as presented; Council Member Bischoff seconded; All ayes, 5-0. Consent Agenda approved.**

**Public Comments:**

Ms. Kandis Hanson, MNSPECT, came forward and reviewed her background and provided the mid-year building permit report. She noted there were less permits this year but they are at a higher valuation. She thanked the City for their business.

**Unfinished and New Business:**

**Consideration of Lease Agreement with City of Lake St. Croix Beach** - The City previously had a lease agreement with the City of Lakeland for use of the Town Hall. The City indicated interest in a change in location for City meetings.

The City of Lake St. Croix Beach has provided consent for the City to utilize their building and Council Chambers for City meetings at a fee of \$100 per month, each additional meeting night at a fee of \$50, based on availability.

The City of Lakeland incurs the cost for the video technician for recordings. The lease agreement for review is similar to the previous agreement with the City of Lakeland.

**Council Member Bischoff made a motion to approve Lease Agreement with City of Lake St. Croix Beach as presented; Council Member Schroeder seconded; All ayes, 5-0. Lease Agreement approved.**

**Elections JPA, Washington County** - Washington County Elections submitted a 2018 Estimated Election Costs for managing the City's elections. The estimated costs are in the amount of \$9,326.00 for the primary and general elections.

Mayor Zeller advised the City did not necessarily solicit the JPA and the cost estimate is very high. The City is happy to continue to run the elections as they have done in the past.

**Mayor Zeller made a motion to deny Elections JPA, Washington County. Council Member Schroeder seconded: All ayes, 5-0. Elections JPA denied.**

**Appointment to Recycling Collaboration Board** - The City of Lakeland Shores has amended and updated the City's solid waste management Ordinance in an effort to obtain a RFP for participating communities. The Ordinance has been adopted and published.

The next step in the process is to draft a Joint Powers Agreement for the four participating communities to go out for the RFP. Each City is appointing a member to the JPA Board to work collaboratively on the Joint Powers Agreement.

Council Member Tom Wilson has participated in the Recycling Collaboration meetings and has indicated he is willing to serve on the JPA Board on behalf of the City of Lakeland Shores.

**Mayor Zeller made a motion to appoint Council Member Wilson to the Recycling Collaboration Board; Council Member Schroeder seconded: All ayes, 5-0. Appointment approved.**

**Consideration of Contractor Application for Payment No. 1, 2017 Street Improvements** - City Engineer Parotti provided a summary of the first payment due for the 2017 Street Project.

**Council Member Kopesky made a motion to approve Contractor Application for Payment No. 1, 2017 Street Improvements as presented; Council Member Schroeder seconded: All ayes, 5-0. Payment No. 1 2017 Street Improvements approved.**

**Council and Staff Reports:**

**Roads Commissioner Report** - Road Commissioner Bischoff stated buckthorn is getting to its full height and asked residents to make every effort to cut it back. He noted the roads are all in pretty good shape at this point.

**City Treasurer Report** – City Treasurer Niedzwiecki reviewed the June through July financial reports noting the City did get the first half property tax payment. 2017 licenses and permits are coming in over budget and he forecasted the City would come in approximately \$10,000 under budget for year 2017.

**City Clerk/Zoning Administrator Report** - Interim City Clerk provided an update on building permits, city computer and lock box by school that City posts its meeting notices.

**Mayor and Council Reports:**

**Mayor Zeller** - Mayor Zeller advised the City of Lakeland approached him on maintaining the boulevards and requested the City take the lead on this next year. There are still file cabinets at Lakeland Town Hall that need to be moved and gone through. A storage area will be needed.

**Council Member Bischoff-** Council Member Bischoff stated he attended a St. Croix Riverway Association meeting regarding recommended colors and per application meeting suggestions.

**Council Member Kopesky:** Council Member Kopesky advised there was an Alliance meeting to assist in a Vietnam Veteran that recently passed. The Alliance is gearing up for the Lower St. Croix Valley Veterans Recognition Day in November.

**Council Member Wilson:** Council Member Wilson stated the Recycling Committee is recommending that the chosen vendor supplies and maintains the recycling bins but the cities would own them. That would eliminate replacements if there was another vendor change. The group is trying to get same day service for all participating cities.

**Council Member Schroeder:** Council Member Schroeder stated he did get an inquiry from a citizen and was incorrectly referred to that citizen by the County. He requested he be removed from the County list. He thanked the City Treasurer for the information on the City benches. He added her attended the retirement party for Kris Peterson and welcomed the new Fire Chief.

**Agency Reports**

**Washington County Sheriff's Report:** Deputy Fry provided an overview of the monthly report.

**Fire Department Report:** There were three probationary members of the department that are now fully vested members. There were four calls in Lakeland Shores last month.

**Engineering Report:** City Engineer Parotti advised crack sealing was planned this year but the Road Commissioner has indicated that it is not year a priority. The City may move forward with that next year.

**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 7:30 p.m.

City Council of Lakeland Shores

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Brian Zeller, Mayor

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Interim City Clerk

DRAFT



CONNECTING & INNOVATING  
SINCE 1913

## LIABILITY COVERAGE – WAIVER FORM

**LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to [pstech@lmc.org](mailto:pstech@lmc.org)**

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

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

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

CITY OF LAKE LAND SHORES

LMCIT Member Name

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.

The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting 9-7-17

Signature [Handwritten Signature]

Position Treasurer

## CONTRACT WITH CITY OF LAKE ST. CROIX BEACH FOR USE OF ITS PREMISES

This Contract made this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by and between the City of Lakeland Shores, a Minnesota municipal corporation located in Washington County, Minnesota ("LS"), and the City of Lake Saint Croix Beach, a Minnesota municipal corporation located in Washington County, Minnesota ("LSCB")

WHEREAS, LSCB owns the premises located at 16455 20<sup>th</sup> Street South, Lake Saint Croix Beach, Minnesota 55043; and

WHEREAS, LS desires to use the premises for the purpose of conducting meetings for the City of Lakeland Shores; and

WHEREAS, LSCB has agreed to allow LS to use the building in accordance with the following terms and conditions.

NOW THEREFORE, It is hereby mutually agreed by the parties, as follows:

1. LSCB agrees to provide access to LS for the use of the premises located at 16455 20<sup>th</sup> Street South, Lake Saint Croix Beach, Minnesota for the following purposes:
  - a. Conducting meetings of the City of Lakeland Shores in the Council Chambers.
  - b. Use of audio-video equipment in the Council Chambers to record said meetings.

The City Clerk is designated as the contact person for LS. The contact person can be reached at 651-436-1789.

The City Clerk-Administrator is the contact person for LSCB. All correspondence and communication directed to LSCB shall be directed to the City Clerk-Administrator.

2. LSCB agrees to allow LS to use the premises located at 16455 20<sup>th</sup> Street South, Lake St. Croix Beach, MN 55043 on the following dates:
  - a. 1<sup>st</sup> Thursday each month for regularly scheduled evening meetings.
  - b. Other meetings as scheduled with the LSCB City Clerk-Administrator.
3. LS agrees to pay LSCB \$100.00 per month from August 2017 through August 2018 for use of the premises and audio-video equipment as described under Section 1 above for one meeting per month. LS agrees to pay LSCB \$50.00 per meeting for any additional meetings each month.
4. LS agrees to abide by any rules or regulations for use of the premises that may be promulgated by LSCB, as follows:
  - a. The LS Contact Person shall be provided the door code.

- b. The LS Contact Person shall be responsible for making sure all outside doors are locked before leaving the building.
  - c. No alcohol on the premises.
  - d. No firearms on the premises.
  - e. Restore the room, furniture and equipment to its original location.
- All other work necessary to complete the work as specified shall be incidental including
5. LS promises and warrants that it carries liability insurance with a minimum liability occurrence limit of \$1,500,000.00. LS will provide a Certificate of Insurance to LSCB at least seven (7) days prior to the next meeting date upon which LS intends on using the above-described premises. The Certificate of Insurance will reference LSCB as an “additional insured” on LS’ policy with respect to the use by LS of the above-described premises.
  6. LS agrees to hold harmless, indemnify and defend LSCB (including LSCB’s agents, employees, and representatives) from any and all liability for injury or damage including, but not limited to, bodily injury, personal injury, emotional injury or property damage which may result for any person using the above-described premises, its entrances and exits, and surrounding areas, for LS’ purposes, regardless of whether such injury or damage results from the negligence of LSCB (including LSCB’s agents, employees, and representatives) or otherwise.
  7. LS agrees to be responsible for preparing for use and returning to the pre-use condition all areas of the premises which LS will use including entrances and exits.
  8. LS agrees to conduct a visual inspection of the premises including entrances and exits prior to each use and warrants that the premises will be used only if it is in a safe condition.
  9. This Agreement may be terminated unilaterally by either party with thirty (30) days written notice to the other party.
  10. LS agrees it will not assign any of its rights under this Agreement, and such assignment will void this Agreement at the sole discretion of LSCB.
  - ~~11. LSCB and LS agree that any disputes arising under this Agreement will be resolved in a mutually acceptable alternative dispute resolution process. If LSCB and LS cannot mutually agree upon such a process, the dispute will be submitted to a three (3) member arbitration panel of the American Arbitration Association for final resolution.~~
  12. This document contains the entire Agreement of the Parties and supersedes all prior written or oral Agreements relating to the subject matter.
  13. This Agreement shall be interpreted in accordance with the laws of the State of Minnesota without regard to its conflict of laws provisions.

**IN WITNESS WHEREOF**, the Parties have caused this Contract to be executed as of the dates set forth below.

**CITY OF LAKELAND SHORES**

By: \_\_\_\_\_  
Brian Zeller, Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Kim Points, Interim City Clerk

Dated: \_\_\_\_\_

**CITY OF LAKE ST. CROIX BEACH**

By: \_\_\_\_\_  
Thomas McCarthy, Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Dale Powers, Interim City Clerk-Administrator

Dated: \_\_\_\_\_



August 28, 2017

City of Lakeland Shores  
P.O. Box 246  
Lakeland, MN 55043

Dear City of Lakeland Shores,

The City of Lakeland was recently awarded a small grant in the amount of \$2,500 from CenterPoint Energy Community Partnership to increase pedestrian safety. We are looking to install flashing LED sign systems at the round-a-bout intersection by Afton-Lakeland Elementary School. The cost for installing four of the flashing sign systems will cost approximately \$8,000.

Lakeland City Council would like to extend an invitation to neighboring cities that would benefit from the project an opportunity to contribute financially. Please note that if there is not enough community support from nearby cities the project may be limited to just the installation of two flashing sign systems.

**Please respond no later than Monday, October 9, 2017 as to whether or not the City of Lakeland Shores will financially contribute to the project cost of installing flashing sign systems at the intersection by Afton-Lakeland Elementary School to increase pedestrian safety.**

Respectfully,

Jennifer N. Hutchins Farrell  
City Clerk  
City of Lakeland