

**MINUTES**  
**Regular Meeting of Lake Shore City Council**  
**Monday, July 26, 2021**  
**7:00 PM Lake Shore City Hall**

Acting Mayor Doug Miller called the July 26, 2021 Regular City Council meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

**Roll Call:** Council members present: Doug Miller, Wayne Anderson, John Terwilliger and Henry Cote. City Attorney Dan Hawley; City Engineer Dave Reese; City Administrator/Planning Zoning Administrator Teri Hastings; Police Chief Steve Sundstrom and City Clerk Patti McDonald were present. Mayor Krista Knudsen was absent. There were 3 people in the audience including Dan Determan, Pineandlakes Echo Journalist. A quorum was present and the City Council was competent to conduct business.

**APPROVAL OF MINUTES**

MOTION BY JOHN TERWILLIGER TO APPROVE THE JUNE 28, 2021 REGULAR CITY COUNCIL MINUTES AS PRESENTED. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**REPORTS**

**Police Report** – Officer Steve Sundstrom

Incident Report – In June 2021 there were 185 incidents in the city. There were 98 traffic-related incidents and 87 were miscellaneous department activity.

**Mayor’s Report** – Krista Knudsen was absent. Acting Doug Miller had nothing to report.

**Clerk/Treasurer’s Report** – Patti McDonald

Financials – MOTION BY JOHN TERWILLIGER TO APPROVE THE JUNE FINANCIALS AS PRESENTED (CLAIM NUMBERS 39265 THROUGH 39359 – TOTAL \$149,498.34). HENRY COTE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Pay Bills – MOTION BY WAYNE ANDERSON TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 39326 THROUGH 39397 – TOTAL \$75,465.63). JOHN TERWILLIGER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**City Administrator/Planning & Zoning Administrator** – Teri Hastings

Rezoning Request – Roger Lykins – Teri reviewed the staff report that included a recommendation from the action taken at the Board of Adjustment/Planning Commission meeting on July 12<sup>th</sup>. STAFF RECOMMENDATION – The Planning Commission recommended approval of the rezoning request based on the established criteria for consideration of a rezoning request.

Teri’s staff report indicated the following: The applicant requested to rezone the property described as Part of Government Lot 4, Section 32, Township 135, Range 29 from Waterfront Commercial to Medium Density Residential, the property known as Lykins Pinehurst Resort 1414 Pinehurst Lane. The minimum lot size for the R-2 district is 30,000 square feet and 15,000 square feet of buildable area. The minimum lot width for this district is 100’. The property will meet the lot size criteria for the R-2 district.

The property owner will no longer operate Lykins Pinehurst Resort and it will be used for residential purposes.

There are a number of factors that the ordinance lists in considering a rezoning request (Section 11.5).

- *Preservation of Natural Sensitive Areas:*

- There is a wetland area in the southwest area of the property.
- *Present Ownership and development:*  
As stated above the property owner will no longer operate the property as a commercial resort and will be used for residential purposes.
  - *Shoreland soil types and engineering capabilities:*  
Soil classifications for this property are 543-Markey Muck, occasionally ponded (wetland area); 730 B-Sanburn sandy loam 3-8% slopes and 730 C-sandburn sandy loam, 8-15% slopes.
  - *Topographic Characteristics:* The property does have some topographic changes including a bluff. Areas with the most topographic changes are near the wetland area and the area on the north side of the easement road. Topographic contours are shown on the survey submitted.
  - *Vegetative Cover:* The property is wooded particularly to the rear and the area to the lakeside is nicely treed for a developed property.
  - *In-Water Physical Characteristics:* There are no known protected, rare or endangered flora or fauna species in the area of the subject property. Lake bottom appears to be hard sand bottom.
  - *Recreational Use of Surface Water:* Gull Lake is classified as a General Development Lake. General development lakes are generally large, deep lakes or lakes of varying sizes and depths with high levels and mixes of existing development. These lakes often are extensively used for recreation and, except for the very large lakes, are heavily developed around the shore. Second and third tiers of development are fairly common. The larger examples in this class can accommodate additional development and use.
  - *Road and Service center accessibility:* The property is served by CSAH 77 – approximately 355 feet.
  - *Socio economic development needs of the public:* The following items appear in the city’s Comprehensive Plan:
    - Promote compatible land use development to protect investments and to protect our high quality of life.
    - Support growth patterns that reinforce our lake-oriented and rural development brand.
    - Ensure new residential development/redevelopment is efficient, environmentally sensitive, and offset any increased demand for services through valuation.
  - *Availability of public sewer and water utilities:* The property is not within a reasonable distance to the city’s wastewater system making and the city does not have a municipal water system. A subsurface treatment system currently serves the buildings on the property along with an individual well.
  - *The necessity to reserve and restore certain areas having significant historical or ecological value:* There are no known areas of significant historical or ecological value on the property.
  - *Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties:* The surrounding properties are zoned Medium Density Residential (R-2) so the rezoning would be consistent with the zoning to the north and south of the property.
  - *Alternatives available for desired land use:* There are alternatives for the desired land use as a majority of the shoreline is currently zoned Medium Density Residential (R-2).
  - *Prevention of spot zoning:* As mentioned above, the property to the north and south are zoned residential.
  - *Conformance to the Comprehensive Plan:* The rezoning would be consistent with the Comprehensive Plan as cited above in addition to the following:

**Policies**

**☐ Promote compatible land use development to protect investments and to protect the high quality of life in Lake Shore.**

Lake Shore is a beautiful place to live and, largely because of that, people have invested a lot of money in the community. For the health of the community and to attract additional quality investment, it is important to protect those investments that have been made by ensuring all new development is compatible with the community.

**☐ Support growth patterns that reinforce the lake-oriented and rural development that defines the character of Lake Shore.**

The growth of the City has been driven by the scenic amenities and rural feel of the community. This is the community’s brand. All new development should reinforce that brand by preserving or enhancing the rural recreation

character that distinguishes Lake Shore from other local communities.

**□ Ensure that new residential development and redevelopment is efficient, orderly, environmentally sensitive, and fiscally responsible.**

With the high demand to live in Lake Shore, there is no need for the taxpayers to directly, or even indirectly, subsidize the cost of development. New growth and development should pay for itself, not just through the development process but also the increased valuation must pay for the increased demand for services. Degradation of sensitive environmental features will have a negative economic impact on the City and must be avoided.

**STAFF RECOMMENDATION**

Based on the criteria established in the City's Zoning Ordinance it appears to be justifiable to rezone the property to Medium Density Residential (R-2); the Planning Commission is recommending approval of the rezoning request based on the above criteria being met.

The council had no additional concerns that the Planning Commission didn't discuss and resolve at the public hearing.

**MOTION BY JOHN TERWILLIGER TO APPROVE THE REZONING OF ROGER LYKINS BASED ON THE FINDINGS THAT THE REZONING IS CONSISTENT WITH THE COMPREHENSIVE PLAN. IT IS NOT SPOT ZONING; THE REZONING SUPPORTS ORDERLY AND FISCALLY RESPONSIBLE PLANNING. THERE IS NO CONFLICT WITH THE SURROUNDING PROPERTY, THERE IS NO ADVERSE AFFECTS FOR PUBLIC SAFETY AND PUBLIC HEALTH. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.**

June Minutes and Permit Summary – Teri included the June minutes and permit summary for review.

**Wastewater/Road Committee** – Wayne Anderson said the committee didn't meet in July.

Final Pay Estimate – Anderson Brothers – 2020 Lake Shore Street Improvements – After a conversation between Wayne Anderson and Joe Dubel from Widseth they decided to deduct \$500.00 (line item #55 – Seeding Deduction) from the total construction costs, Widseth recommended final payment in the amount of \$27,321.71 be submitted to the council for approval. With the original construction contract estimate of \$1,565,940.91 and total final construction costs of \$1,481,443.58, the total construction costs were \$84,997.33 below the original contract amount.

**MOTION BY WAYNE ANDERSON TO APPROVE THE FINAL PAY ESTIMATE REQUEST FROM ANDERSON BROTHERS CONSTRUCTION FOR THE COMPLETION OF THE 2020 LAKE SHORE STREET IMPROVEMENTS IN THE AMOUNT OF \$27,321.71. JOHN TERWILLIGER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.**

Wastewater Monthly Report – PRASD – The operations report for July was included for review.

**Park and Recreation Committee** – Henry Cote said the Park and Recreation committee met last week at Fritz Loven Park. They had intended to do a park walk through, but it started raining; there was a brief discussion regarding the trail and the upcoming 75<sup>th</sup> Anniversary of Lake Shore.

**Environmental Committee** – Doug Miller reported there was no meeting in June.

**Trail 77** –

Resolution 2021-07-01 A Resolution Supporting Legacy Funding for Faiview Twp. – Teri said Fairview is applying for Legacy funds to finish the last portion of the trail through the Township. Their application is due at the end of July.

MOTION BY JOHN TERWILLIGER TO APPROVE RESOLUTION 2021-07-01 A RESOLUTION SUPPORTING LEGACY FUNDING FOR FAIRVIEW TOWNSHIP. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**Personnel** – Krista Knudsen/Doug Miller –

Resignation of Robert Heidelberger – Robert Heidelberger submitted his letter of resignation for the Lake Shore part-time maintenance/public works position effective at the middle of August as he will be moving away from the area. The personnel policy will be reviewed and amended before the position is filled to clarify the part-time work classification.

MOTION BY JOHN TERWILLIGER TO REGRETFULLY ACCEPT THE RESIGNATION OF ROBERT HEIDELBERGER AS OF THE MIDDLE OF AUGUST. HENRY COTE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**City Attorney** – Gammello - Pearson – Dan Hawley had nothing to report.

**City Engineer** – Widseth – Dave Reese said paving for Robinhood Way should take place on Thursday followed by the ditch seeding. Wayne said that a resident pointed out a couple of cracked spots that Anderson Brothers will get sealed up.

**OLD BUSINESS** – There was no old business.

**NEW BUSINESS** –

Resolution 2021-07-02 Amending the City of Lake Shore Zoning Map – A resolution amending the Lake Shore Zoning map rezone Lot 5, Block 1, Auditor’s Plan of Rocky Point from Wooded Residential to Low Density Residential (an area of 5 acres in size).

MOTION BY JOHN TERWILLIGER TO APPROVE RESOLUTION 2021-07-02 A RESOLUTION AMENDING THE CITY OF LAKE SHORE ZONING MAP; APPROVING ORDINANCE AMENDMENT 2021-01; AND AUTHORIZING A SUMMARY OF SAME ORDINANCE AMENDMENT SHALL BE POSTED IN THE PINE AND LAKES ECHO JOURNAL. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Resolution 2021-07-03 Amending the City of Lake Shore Zoning Map – A resolution amending the Lake Shore Zoning map rezone part of Government Lot 4, Section 32, Township 135, Range 29 (known as Lykins Pinehurst Resort) from Water front Commercial to Medium Density Residential (an area of 9 acres in size) for Ordinance Amendment 2021-01.

MOTION BY HENRY COTE TO APPROVE RESOLUTION 2021-07-03 A RESOLUTION AMENDING THE CITY OF LAKE SHORE ZONING MAP; APPROVING ORDINANCE AMENDMENT 2021-02; AND AUTHORIZING A SUMMARY OF SAME ORDINANCE AMENDMENT SHALL BE POSTED IN THE PINE AND LAKES ECHO JOURNAL. JOHN TERWILLIGER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**ANNOUNCEMENTS/PUBLIC FORUM** – There was no announcements or public form.

MOTION BY JOHN TERWILLIGER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF JULY 26, 2021 AT 7:13 PM. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald  
Lake Shore City Clerk