

January 20, 2009

A regular meeting of the Scandia City Council was held on the above date. Mayor Seefeldt called the meeting to order at 7:00 p.m. The following council members were present: Council members Connie Amos, Pete Crum, John Lindell, Dolores Peterson and Mayor Dennis Seefeldt. Staff present: Administrator Anne Hurlburt, City Attorney Dave Hebert, Building/Code Enforcement Official Steve Thorp, Treasurer Colleen Firkus, Deputy Clerk Brenda Eklund.

### **PUBLIC FORUM**

There were no public comments.

### **APPROVAL OF AGENDA**

The following additions to the agenda were noted: 1) a report on the council's closed meeting held just prior to the regular meeting for the purpose of evaluating the ability of Maintenance Supervisor John Morrison to return to work following a medical leave; 2) Council member Lindell's discussion of agenda reports. **Peterson, seconded by Amos, moved to approve the agenda as amended. The motion passed unanimously.**

### **APPROVAL OF CONSENT AGENDA**

The following consent agenda was presented:

- a) Minutes
  - 1) December 16, 2008 Regular Meeting
  - 2) January 6, 2009 Meeting with Planning Commission
- b) Treasurer's Report

Beginning Balance 12/01/08		\$704,581.53
Receipts		+ <u>817,154.95</u>
Expenditures	65,005.05	
Payroll	<u>29,003.66</u>	<u>- 94,003.71</u>
Ending Balance 12/31/08		\$1,427,732.77
- c) Payment of Vouchers
- d) Communications System Subscriber Agreement with Washington County for 800 MHz Radio System
- e) Agreement for Individual Sewage Treatment System Inspection Services with Washington County
- f) Approve Official Depositories (*Resolution 01-20-09-01*)
- g) Ratify Surety and Blanket Bonds (*Resolution 01-20-09-02*)
- h) 2009 Pay Equity Report

**Crum, seconded by Peterson, moved to approve the Consent Agenda as presented. The motion passed unanimously.**

### **PARK AND RECREATION COMMITTEE**

Karen Schik, Park and Recreation Chair, presented an update of the Vinterfest activities planned for Saturday, February 7<sup>th</sup>.

## **POLICE DEPARTMENT**

Deputy Chris Majeski reported on the past month's police activity. Random mailbox vandalism, theft from ice houses on Big Marine Lake and a home burglary on Mayberry Trail have occurred within the city.

## **FIRE DEPARTMENT**

Assistant Fire Chief Steve Yehle presented a year-end summary of the fire department's activity. There were 189 emergency calls, a slight increase over 2007. The pager and siren switch-over to the 800 MHz radio frequency is on schedule for February.

## **CITY ENGINEER**

City Engineer Paul Hornby submitted the January Engineer's Report.

### ***2009 Engineering Rates***

Bonestroo proposed an hourly rate schedule for 2009 that represents a 5.3% increase over the 2007 rates. No rate increase was undertaken in 2008. Council member Lindell felt that a rate increase was not justified at this time and proposed that alternative contract services be looked at. Council members Peterson and Amos were in agreement with this. **Lindell, seconded by Peterson, moved to disapprove the 2009 Engineering Rates and discuss cost saving measures with Bonestroo. The motion passed unanimously.**

Administrator Hurlburt will request that Bonestroo continue with the 2008 rate schedule for the city's engineering services and report back at the next meeting.

## **BUILDING/CODE ENFORCEMENT**

Building/Code Enforcement Official Steve Thorp reported that 276 building permits were issued in 2008, with four of these being new residential home permits. Thorp has attended Wetland Conservation Act Administration training and is continuing with NIMS training.

## **CITY ADMINISTRATOR**

### ***Animal Control***

On a continuation of this issue, Administrator Hurlburt reported that Animal Control Officer Sherrill Reid submitted a new proposal that establishes a rate of \$90 per call at any time of day. The cost of liability insurance would not be billed to the city. With this proposal, Hillcrest Animal Hospital, Maplewood, has offered to provide impound services directly with the city. Based on the new proposal, Ms. Reid's services appear to be less costly than the proposal received from the other contractor (Animal Control Services/Rick Ruzicka). Council consensus was that the proposal appears acceptable and directed staff to proceed with formal agreements with Reid and Hillcrest.

## **MUTUAL AID AND INTERGOVERNMENTAL AGREEMENTS**

A draft resolution was presented to the council which covers the need to delegate authority to respond to disasters and to cover the execution of emergency intergovernmental agreements. Assistant Fire Chief Yehle requested that council table this issue until a committee within the department can meet with Council member Crum to discuss the logistics and come to an

understanding of the terms. Council agreed to table adoption of the resolution to a future meeting.

### **APPOINT ACTING MAYOR AND OTHER OFFICIALS**

**Peterson, seconded by Amos, moved to appoint Council member Crum as Acting Mayor for 2009. The motion passed unanimously.**

**Lindell, seconded by Amos, moved to appoint Council member Peterson to the Lakes Area Community Television Commission. The motion passed unanimously.**

### **ADVISORY COMMITTEE APPOINTMENTS**

Notices of the Planning Commission and Park and Recreation Committee vacancies were issued in early January. Peter Schwarz (Planning Commission) and Dan Skupien (Parks) have submitted applications for re-appointment. To date, no new applications were received. Council directed staff to continue to advertise these positions.

Consensus of the council was to retire the Commercial/Retail Development Committee, as the purpose of making recommendations to the Comprehensive Plan Committee had been fulfilled. Members may have the option to serve on subcommittees regarding the implementation of the Comprehensive Plan.

**Crum, seconded by Amos, moved to appoint Mayor Seefeldt to the Capital Improvements Committee and to retire the Commercial/Retail Development Committee. The motion passed unanimously.**

**Peterson, seconded by Amos, moved to appoint Council member Crum as the representative to the Park and Recreation Committee. The motion passed unanimously.**

### **WETLAND CONSERVATION PERMIT FOR 19489 MANNING TRAIL – PATRICK AND BRENDA MELCHIOR**

Jyneen Thatcher, Washington Conservation District, was present to report on a wetland permit application for Patrick and Brenda Melchior. An upgrade to an existing driveway across a wetland complex was done at 19489 Manning Trail. The applicants are requesting a “no net loss” determination through the Wetland Conservation Act. Ms. Thatcher presented findings which supported a conclusion that the project qualified as a no-loss condition, in that the repair did not encroach further into the adjacent wetland areas. The purchase of mitigation credits will not be required. Ms. Thatcher recommended that future maintenance of the driveway and/or culverts must be reviewed and approved by the watershed district. **Peterson, seconded by Crum, moved to approve the Wetland Permit Application for a No-loss Decision at 19489 Manning Trail based on findings prepared by Jyneen Thatcher. The motion passed unanimously.**

### **DESIGNATE OFFICIAL NEWSPAPER**

Proposals were received from the Forest Lake Times, Country Messenger and the Pioneer Press to publish legal notices for the City. The Forest Lake Times submitted a low bid of \$6.35 per column inch (6 point type and 11 lines per inch). State law requires that specific qualifications be met for the publication of legal notices. City Attorney Hebert advised that the Country

Messenger did not meet circulation or location of an office within the required geographical area. By choosing a newspaper that is not qualified, hearing notices may be deemed invalid and challenged in court. Mayor Seefeldt acknowledged that a number of residents would like the City to designate the Country Messenger as the official paper, but that legal issues are involved in this decision. Judy Mattson, 12750 182<sup>nd</sup> Street, submitted a petition of residents asking that legal notices be published in the Country Messenger instead of or in addition to the Forest Lake Times, as those in the 55047 zip code do not receive a free copy of the weekly Times. Discussion of publishing a summary of notices in the Messenger was discussed, but the cost of doing this would go well beyond the budget set for this year. Council member Peterson stated that the Country Messenger should be designated as the official paper as the statute appears vague depending on how it is interpreted. Mayor Seefeldt stated that legally and economically the Times meets criteria as the official paper. **Lindell, seconded by Seefeldt, moved to designate the Forest Lake Times as the official newspaper for 2009. Voting in favor: Crum, Lindell, Seefeldt. Voting opposed: Peterson, Amos. The motion passed.**

#### **SNOWPLOWING AND ICE CONTROL POLICY**

On January 9, a meeting was held with Council members Peterson and Amos, Administrator Hurlburt and Public Works employees Egelkraut and Regnier to evaluate the Snowplowing and Ice Control Policy adopted in October 2008. There was consensus that the policy should be modified to begin snowplowing operations with a 2-inch (instead of 3-inch) snowfall. It was agreed to add a statement to make it clear that snow and ice removal will continue during regular work shifts, subject to the availability of personnel and equipment. There was also consensus that the proposal to construct a salt/sand storage structure should be reexamined by the Council. During Council discussion, Lindell suggested that an agreement for sharing of salt/sand purchases be looked into with Marine and May Township. **Peterson, seconded by Lindell, moved to adopt the revisions to the Snowplowing and Ice Control Policy as recommended at the sub-committee meeting on January 9, 2009. The motion passed unanimously.**

Council decided not to reconsider the salt/sand storage structure through an update of bids at this time.

#### **RESOLUTION IN SUPPORT OF THE MINNESOTA NATIONAL GUARD ON ITS DEPLOYMENT TO IRAQ (RESOLUTION 01-20-09-03)**

The Washington County Board has requested that local governments adopt a resolution in support of several National Guard Units that will soon be deployed to Iraq. The resolutions will be presented to the Division before their departure for training on February 13, 2009. **Peterson, seconded by Amos, moved to adopt Resolution 01-20-09-03, Supporting the 34<sup>th</sup> Red Bull Infantry Division and Stillwater-based 34<sup>th</sup> Military Police Company of the Minnesota National Guard. The motion passed unanimously.**

#### **REPORT ON SPECIAL MEETING REGARDING MORRISON EVALUATION**

Mayor Seefeldt summarized the conclusions of the closed Special Council meeting held just prior to the start of the regular meeting. Maintenance Supervisor John Morrison, having been on medical leave since August 1, 2008, submitted a written request for a leave of absence without pay. He is not able to give a specific end date, but would return to work as soon as medically possible. **Crum, seconded by Amos, moved to approve John Morrison's request for unpaid**

**leave for up to 30 days, with a return to work pending a medical examination by a physician of the City's choosing. The motion passed unanimously.**

**DISCUSSION OF STAFF REPORTS**

Council member Lindell suggested that a statutory reference be listed in the cover memos attached to the agenda reports. Lindell reasoned that this would assist him in researching any legal issues involved with council decisions. Staff will apply this where applicable.

**Peterson, seconded by Crum, moved to adjourn.**

The meeting adjourned at 9:07 p.m.

Respectfully submitted,

Brenda Eklund  
*Deputy Clerk*