

December 15, 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. Following the Pledge of Allegiance, roll call was taken. 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, City Planner Sherri Buss, Building/Code Enforcement Official Steve Thorp, Treasurer Colleen Firkus, Deputy Clerk Brenda Eklund, Fire Chief Jim Finnegan and Police Deputy Chris Majeski.

PUBLIC FORUM

Kristin Tuenge, 20595 Quinnell Avenue, commented on the Zavoral EIS process. Ms. Tuenge requested that there be an open forum for public discussion concerning the changes being proposed for Tiller’s Scandia mining site. Ms. Tuenge was informed that there would be further discussion on this agenda item later in the meeting.

APPROVAL OF AGENDA

Two additions to the agenda were noted: 5.c) Five additional voucher payments; 8.b)2) Grant acceptance and purchase of two digital radios for the Fire Department. **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) November 17, 2009 Regular Meeting
 - 2) December 1, 2009 Meeting
 - 3) December 2, 2009 Special Meeting with Planning Commission
- b) Treasurer’s Report

Beginning Balance 11/01/09		\$1,072,636.37
Receipts		+ <u>19,767.52</u>
Expenditures	\$131,493.39	
Payroll	<u>21,756.59</u>	- <u>153,249.98</u>
Ending Balance 11/30/09		\$ 939,153.91
- c) Payment of Vouchers
- d) 2010 Liquor Licenses
 - 1) Mi Casita Mexican Grill, On-Sale/Sunday On-Sale Intoxicating
 - 2) Meister’s Bar & Grill, Combination On/Off-Sale and Sunday Intoxicating
- e) Certificate of Compliance for Agricultural Building, Daniel and Renee Lee, 19703 Olinda Trail N. (*Resolution No. 12-15-09-01*)

Peterson, seconded by Crum, moved to approve the Consent Agenda.

Council member Lindell asked for clarification of the requirements of Dan Lee’s Certificate of Compliance.

Mayor Seefeldt noted a correction to page 2 of the December 1, 2009 Council meeting minutes.

The motion to approve the Consent Agenda with corrections passed unanimously.

ADOPTION OF 2010 BUDGET AND FINAL PROPERTY TAX LEVY (RESOLUTION 12-15-09-02)

A public meeting on the proposed 2010 budget and tax levy was held on December 1, 2009. The final tax levy must be certified to the county by December 28, 2009.

Peterson, seconded by Seefeldt, moved to approve Resolution 12-15-09-02 Adopting Budget and Certifying Property Tax Levy Payable in 2010 with the elimination of Capital Improvement Project A-0001, City Meeting/Office Space Study, in the amount of \$18,000, and elimination of Capital Improvement Project CC-001, Community Center Interior Flooring Improvements, in the amount of \$10,000.

Administrator Hurlburt explained that as the office space study would be funded through the capital improvements fund, the \$18,000 is not included in the levy. The flooring project expense would be drawn from the general fund, thereby reducing the levy by \$10,000.

Council member Peterson stated that she had received many public comments against these two expenses and was disappointed that the budget showed an increase in 2010. Administrator Hurlburt clarified that the operating budget will actually be lower in 2010 once the reimbursable expenses are factored in.

Mayor Seefeldt agreed with the recommendation to not reduce the levy. Even if the projects did not proceed, funds would be available to transfer to reserves which need to be brought up for future expenses. Mayor Seefeldt also stressed the need for long term office space planning. The deputy's office in the firehall/public works building is not appropriate in the long term. The lack of storage and meeting space needs to be addressed.

Council member Lindell stated his agreement with eliminating the office space study until the city is capable of funding the improvements. He suggested forming an internal committee to examine the current needs.

Council member Crum felt that the city is not in crisis by any means. The budget is a plan, not authorization for expenses. Careful and thoughtful planning is the objective.

Council member Amos stated that she had received comments from residents who had issues with the office space study.

Seefeldt, seconded by Crum, moved to amend the motion on the floor to 1) reduce the proposed levy in the amount of \$10,000 by removing the Community Center replacement flooring expense from the general fund; 2) remove the office space study from the Capital Improvements Fund in the amount of \$18,000; 3) form an internal study committee to enumerate the needs for office space. The amended motion passed unanimously.

Lindell, seconded by Amos, moved to amend the levy by reducing the Special Levy for Unallotments by \$50,000.

In discussing this motion, Council member Lindell noted that changes were made to the 2009 budget to account for the loss of state aid. There would not be a need to recoup the loss now that the budget period is closed.

Administrator Hurlburt explained that drastic reductions were made to road maintenance expenses and professional services necessary to update the development code. Work was postponed for the short term, but reserve funds need to be built up to plan for future costs. Reserves in the equipment replacement fund need to be built up to avoid borrowing, which in turn would be a cost to taxpayers in the form of a greater levy. Road maintenance needs to be fully funded to prevent roads from deteriorating.

Council member Lindell recognized that the city is short on reserves and asked that the levy funds be dedicated to the capital improvement and equipment replacement funds. Administrator Hurlburt stated that the 2010 budget shows \$30,000 going into the capital fund and \$80,000 towards the equipment replacement fund.

Council member Lindell withdrew his motion.

The vote to adopt Resolution 12-15-09-02, Adopting Budget and Certifying Property Tax Levy Payable in 2010, as amended (total levy of \$1,918,647) passed unanimously.

PARK AND RECREATION COMMITTEE REPORT

Alex Bildeaux, Park and Rec Committee Chair, gave an update on plans for the annual Vinterfest event to be held on February 6, 2010. Snow golf will be an added activity this year. Banners publicizing the event will be going up soon.

The 2009 Recreation Program Report from Marty McKelvey was received. There were no questions. Council accepted the resignation of Ms. McKelvey as Recreation Program Coordinator. On behalf of the council, Mayor Seefeldt expressed appreciation for the work Ms. McKelvey has put into the city's recreation program since being hired for the position in 2006.

Peterson, seconded by Lindell, moved to authorize the advertisement for the position of part-time Park and Recreation Coordinator and to send a note of thanks to Ms. McKelvey for serving as Recreation Program Coordinator. The motion passed unanimously.

POLICE DEPARTMENT

Deputy Chris Majeski reported that the dumping of garbage, tires and appliances has been increasing. An irrigation pipe was reported stolen from the Berry Patch. Deputy Majeski assisted with the removal of a potentially explosive device from a garage on Oakhill Road. A World War II land mine had been stored in the rafters for many years.

FIRE DEPARTMENT

Fire Chief Jim Finnegan presented the department's activity report. A new K-12 saw was recently purchased to assist in auto extrication. Two structure fires were called out in the past month, along with eleven medical calls.

Chief Finnegan requested that a letter of commendation be sent regarding community actions taken by Deputy Majeski and Deputy Reedy. Mayor Seefeldt directed that a letter be sent to Sheriff Hutton on behalf of the council noting the deputies' outstanding service.

Request for Resolution of Support for East Metro Regional Firefighter Training Facility (Resolution 12-15-09-03)

A coalition of fire departments from Ramsey and Washington counties are planning to build a regional facility to provide fire safety and management training in Maplewood. The Scandia Fire Department requested that the Council adopt a resolution in favor of this proposal. **Peterson, seconded by Amos, moved to adopt Resolution 12-15-09-03, Authorizing Support for State Bonding Funds for the Design and Construction of an East Metro Regional Firefighter Training Facility. The motion passed unanimously.**

Metropolitan Emergency Service Grant

The Fire Department has been awarded a grant in the amount of \$8,012.73 from the Metropolitan Emergency Service Board to fund the purchase of two digital portable radios. The radios will allow for communications with neighboring public safety agencies (such as Franconia and Osceola) that are not part of the new 800 MHz system. The radios will be purchased through the state cooperative purchasing contract. Motorola has submitted a quote of \$10,802.70. **Crum, seconded by Lindell, moved to accept the \$8,012.73 grant for the Metropolitan Emergency Service Board and authorize the Mayor to sign the grant agreement on behalf of the city. The motion passed unanimously.**

Peterson, seconded by Crum, moved to authorize the purchase of two portable radios from Motorola in the amount of \$10,802.70. The motion passed unanimously.

Crum, seconded by Seefeldt, moved to amend the 2009 budget as follows: 1) increase revenue to the fire department's capital account by \$8,012.73; 2) increase expense to the fire department's capital improvement account by \$10,802.70. The motion passed unanimously.

BUILDING/CODE ENFORCEMENT OFFICIAL

Building Official Steve Thorp presented the past month's activity report. A maintenance program for the uptown well and septic system is being worked on.

CITY ADMINISTRATOR

Update on Zavoral Mining and Reclamation Project EIS (Environmental Impact Statement)

City Administrator Anne Hurlburt reported on the EIS Project for the proposed Zavoral mining site. On December 1, Tiller Corporation sent a letter to the city outlining changes to the Zavoral Mine project as described in the Scoping Decision Document. Tiller is proposing to eliminate the processing activities that were originally part of the project. The aggregate material mined at the

Zavoral site will be transported to the Scandia Mine, located near 22303 Manning Avenue, also operated by Tiller. All processing of gravel would occur at this site. Tiller indicated that aggregate from the Zavoral site will replace the material that is currently transported to the site from deposits in Franconia and Osceola.

The elimination of processing activities will affect several elements of the EIS. Discussions between the proposer and consultants concerning potential impacts and a revised scope of the EIS analysis are on-going.

The first meeting of the Project Advisory Committee (PAC) was held on December 8. Meeting notes are being compiled by the consultant team and will be posted on the city's website as soon as they are available.

A question from Kristen Tuenge was directed to Mike Caron, Tiller Corporation, on what precipitated the change in processing activities. Mr. Caron stated that Tiller made this decision to address concerns raised by residents about the processing activities. The DNR did not deny use of the existing well as a permit had not yet been applied for. Mr. Caron explained the reasons for transporting add rock to the Scandia mining site.

Council member Lindell questioned the issue of reviewing the Conditional Use Permit application based on the former land use map. Administrator Hurlburt explained that state law requires the application be reviewed under the comprehensive plan that was in affect when the application was submitted. Under the former land use plan, mining was an allowed use in agricultural areas. The new plan classifies mining as a separate land use, which is not designated at the Zavoral site. Tiller's CUP application was found to be complete in November 2008, prior to adoption of the new Comprehensive Plan in March 2009. Council agreed that the city's review is following the correct procedure as designated by law.

REQUEST FOR REFUND OF DUST CONTROL PAYMENT, BRACHT BROS.

Natalie Fitzpatrick, representing the Bracht Bros. gravel pit on 185th Street, is requesting a portion of the 2009 dust control payment be refunded due to excessive application. Ms. Fitzpatrick is disputing the length of 185th which requires dust control. This year's application extended from Olinda Trail to the entrance of the pit, at a cost of \$2,146. This is doubled from previous years. Ms. Fitzpatrick stated that dust control should not be necessary on the entire length of the road as few houses front this road segment.

Council suggested that the dust control issue be revisited at the time of the Annual Operator Permit review in February. This year's application was done in accordance with the Mining Ordinance, but a more clearly stated requirement should be included in their AOP that does not burden the operator to this degree.

SCOPE OF SERVICES FOR DEVELOPMENT CODE UPDATE, TKDA

TKDA has submitted a proposal for Scope of Services to update the Development Code in accordance with the new comprehensive plan. This will cover the first phase of the code update and is within the limitations of the budget, which has designated \$30,000 for professional

services for code updates in 2010. **Peterson, seconded by Crum, moved to approve the scope of services and authorize work by TKDA on the Development Code update. The motion passed unanimously.**

ACCEPT DONATIONS FROM LOCAL ORGANIZATIONS (RESOLUTION 12-15-09-04)

The Scandia Marine Lions Club has donated new coffee servers for the Community Center kitchen. The Forest Lake Athletic Association and the Scandia Elementary PTO have both made cash donations (\$200.00 and \$300.00 respectively) to the Park and Recreation Committee's Family Open Gym program. **Crum, seconded by Seefeldt, moved to adopt Resolution 12-15-09-04, Accepting Donations from the Scandia Marine Lions Club, the Forest Lake Athletic Association and the Scandia Elementary PTO. The motion passed unanimously.**

APPOINTMENTS TO FOREST LAKE CABLE TELEVISION COMMISSION BOARD (RESOLUTION 12-15-09-05)

Terms for serving on the Forest Lake Cable Commission will expire at year's end for citizen Mike White and Council member Dolores Peterson. Applications to the Commission were received from the following residents: John LaNasa, 13859 Scandia Trail, and Mike White, 13310 188th Street. Compensation for citizen members of advisory committees has been budgeted at \$20.00 per monthly meeting.

Council member Peterson recommended Mr. LaNasa for his experience in the sound and video industry. Mayor Seefeldt expressed his appreciation for Mr. White's dedication to the Committee, but would encourage a new applicant to become involved. Council member Peterson offered to continue as Council representative.

Lindell, seconded by Amos, moved to adopt Resolution 12-15-09-05, Appointing Directors to the Forest Lake Cable Commission, with appointments of Council member Dolores Peterson and citizen John LaNasa for terms expiring December 31, 2011. The motion passed unanimously.

Peterson, seconded by Amos, moved to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk