

September 16, 2008

A regular meeting of the Scandia City Council was held on the above date. Mayor Seefeldt called the meeting to order at 7:02 p.m. The following councilmembers were present: Council members Pete Crum, Michael Harnetty, Dolores Peterson, Mayor Dennis Seefeldt. Absent: Councilmember Donnette Yehle. Staff present: Administrator Anne Hurlburt, City Attorney Dave Hebert, Building Official Steve Thorp, Treasurer Colleen Firkus, Deputy Clerk Brenda Eklund.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

The agenda was amended to include discussion of the following: Administrator Hurlburt's annual performance review, Taco Daze issues, letter from resident regarding the sign ordinance, change in state law regarding the Green Acres property tax policy. **Councilmember Peterson, seconded by Councilmember Harnetty, moved to approve the agenda as amended. The motion passed unanimously.**

APPROVAL OF CONSENT AGENDA

The following consent agenda was presented:

- a) Minutes
 - 1) August 19, 2008 Regular Meeting
 - 2) August 26, 2008 Special Meeting
 - 3) September 2, 2008 Meeting with Planning Commission
 - 4) September 10, 2008 Special Meeting
- b) Treasurer's Report

Beginning Balance 08/01/08		\$1,649,822.34
Receipts		+ <u>86,211.59</u>
Expenditures	168,415.28	
Payroll	<u>19,604.06</u>	- <u>188,019.34</u>
Ending Balance 08/31/08		\$1,548,014.59

- c) Payment of Vouchers
- d) Utility Permit for Xcel Energy, Install Gas Main on Morgan Avenue North
- e) Grading Permit for Roger Lindell for Property owned by Big Marine Ventures LLC at 19423 Oxboro Trail, *Resolution 09-16-08-01*
- f) Nature Properties LLC, Release Letter of Credit for Landscaping, Natures Walk Subdivision

Administrator Hurlburt answered questions raised by the council regarding the release of the landscaping letter of credit for Natures Walk. All public improvements have been completed and the landscaping meets the standards of the ordinance.

Councilmember Harnetty, seconded by Councilmember Crum, moved to approve the consent agenda as presented. The motion passed unanimously.

COMPREHENSIVE PLAN COMMITTEE

Administrator Hurlburt reported on the committee's finalizing of the Comprehensive Plan and preparing the plan for a public hearing. The first session of the public hearing is scheduled for September 18th, at which time it will be continued to the October 7th joint meeting of the City Council and Planning Commission.

POLICE DEPARTMENT

Deputy Majeski reported on theft incidences, vandalism and dumping complaints within the city over the past month. Deputy Majeski addressed concerns that Councilmember Peterson had regarding the Taco Daze event on September 6th. Meisters hired two off-duty deputies, in addition to Deputy Majeski and the County's north patrol. There were a small number of disorderly conduct arrests made throughout the day.

FIRE DEPARTMENT

Council did not receive an activity report from the fire department.

CITY ENGINEER

City Engineer Paul Hornby, Bonestroo, updated the council on engineering issues. Construction of the wastewater treatment facility within the Tii Gavo development is ongoing. A feasibility report has been prepared for the remaining project work within The Sanctuary.

BUILDING/CODE ENFORCEMENT

Building/Code Enforcement Official Steve Thorp reported that over 100 re-roof permits have been issued within the past few months. Mr. Thorp provided an update on enforcement actions.

CITY ADMINISTRATOR

Public Works Department Staffing

The Human Resources Committee (Councilmembers Crum, Peterson, and Administrator Hurlburt) has recommended the hiring of a part-time seasonal maintenance worker to perform snow removal and general maintenance functions during the winter months. With the retirement of Bill Poidinger effective at the end of October, this position would begin early November through the snow season, approximately 24 hours per week, not to exceed 67 work days. Pay range would fall within \$15 to \$17 per hour. **Councilmember Harnetty, seconded by Councilmember Peterson, moved to accept the recommendation of the Human Resources Committee to approve a position for a part-time seasonal street maintenance worker and to authorize advertisement of the position. The motion passed unanimously.**

Former Rasmussen Property, 20780 Olinda Trail

Upon direction from the council, an inspection of the Rasmussen property was carried out by Building Official Thorp and Administrator Hurlburt. Council received the report which indicated that the home is in great need of improvements to bring it up to a habitable condition. Staff has concluded that due to the high costs to upgrade the home, it is not feasible to lease the home as rental property. As the city's intent in purchasing the property was to acquire the land for future expansion of the uptown sewer system, the most cost effective solution would be to tear down the home. **Councilmember Crum, seconded by Mayor Seefeldt, moved to authorize staff solicit quotes for the removal of the home at 20780 Olinda Trail. The motion passed unanimously.**

October 2008 City Newsletter

Administrator Hurlburt reviewed topics which will be included in the city's fall newsletter. A draft will be available for council review by September 19th, with an anticipated mailing to all Scandia residents by October 3rd.

**CHRIST'S HOUSEHOLD OF FAITH INTERIM USE PERMIT AND VARIANCE,
RESOLUTION 09-16-08-02**

At their September 6th meeting, the Planning Commission recommended approval of the application of Christ's Household of Faith Church for an Interim Use Permit and Variance for an animal feedlot setback from White Rock Lake on property located at 19060 Manning Avenue. Council postponed action in order to revise a number of conditions and was presented with a draft resolution incorporating these changes.

Applicant and church representative David Bluhm was present to clarify comments made at the past meeting which indicated the hoop building was illegally constructed. The church believed the contractor had obtained all necessary permits and had intended the structure to be temporary. It is currently being used for storage. Mr. Bluhm also addressed the improvements to the animal feedlot which were completed with the intent to allow eight horses, and they were under the belief that there was no further need reduce the herd to five horses after this work was complete. In addressing condition #7 of the draft resolution, Mr. Bluhm requested that the wording addressing the number of camping "nights" be changed to "events", as families gather for at least two nights over holiday weekends in the summertime. City Attorney Hebert suggested that a change could be made incorporating this change to state "eight camping events, for a maximum of ten total nights".

Councilmember Peterson stated her opposition to the allowing of overnight camping on the property. She felt that this would lead to further requests from groups wishing to camp within the city and has the potential to cause problems down the road. Councilmember Harnetty countered this by stating that the organization submitted their plans, received no complaints from neighbors, and the city is putting detailed conditions on their events. Councilmember Harnetty defined this as a clearly regulated use.

Councilmember Harnetty, seconded by Mayor Seefeldt, moved to approve Resolution 09-16-08-02 with an amendment to Condition #7. Voting in favor: Crum, Seefeldt, Harnetty. Opposed: Peterson. Motion adopted.

ON-SALE AND SUNDAY LIQUOR LICENSE FOR CHIKOS, INC.

Applicants Efrain Limon, Adrian Quintana and Cynthia Negrete have submitted an application for an On-Sale Intoxicating Liquor License and a Sunday On-Sale Liquor License under the business name Chikos, Inc. They currently operate the food operations in the former Prospects Bar and Restaurant at 21050 Ozark Avenue. **Councilmember Peterson, seconded by Councilmember Harnetty, moved to approve the application of Chikos, Inc. for an On-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License at 21050 Ozark Avenue. The motion passed unanimously.**

WHITE ROCK RANCH, LLC REQUEST FOR EXTENSION OF FINAL PLAT APPROVAL

White Rock Ranch developer Mark Youngdahl has requested an extension of recording the final plat to October 8, 2009. The final plat was approved by the city on June 5, 2007. The requested extension coincides with the extension given by the City of Forest Lake, as White Rock Ranch lies within these two municipalities. **Councilmember Peterson, seconded by Councilmember Crum, moved to approve the extension of final plat approval of White Rock Ranch to October 8, 2009. The motion passed unanimously.**

PREPARATION OF PLANS AND OBTAINING BIDS FOR OXBORO COURT, RESOLUTION 09-16-08-03

City Engineer Paul Hornby has submitted a feasibility report on the completion of Oxboro Circle in "The Sanctuary" development. The projected cost of completion amounts to \$42,163.00. The developer has agreed to have the cost assessed against his remaining three lots. Mr. Hornby felt that the work could be completed this fall. **Councilmember Peterson, seconded by Councilmember Crum, moved to adopt Resolution 09-16-08-03 Ordering Preparation of Plans and Obtaining Bids. The motion passed unanimously.**

ANNUAL OPERATORS PERMITS: BRACHT BROS., DRESEL CONTRACTING, TILLER CORPORATION

All three mining operations have submitted their Annual Operators Permit applications. City Planner Sherri Buss has reviewed the applications and has recommended that the Council table all three applications. There are a number of items that are not yet in compliance within the conditions of their CUPs, which were approved in May, 2008.

Natalie Fitzpatrick, Bracht Bros., asked for clarification of a dust control policy which is a necessary condition of their permit.

Councilmember Peterson, seconded by Councilmember Crum, moved to table the Annual Operator Permits for all three applicants until sufficient information is provided to complete the application. The motion passed unanimously.

ADMINISTRATOR HURLBURT'S PERFORMANCE EVALUATION

Administrator Hurlburt's performance evaluation will be conducted on October 27, 2008. The council will meet in a closed session at 7:00 p.m.

SIGN ORDINANCE – LETTER OF COMPLAINT

Councilmember Peterson addressed a letter of complaint which the council received from a resident regarding his view that there is negligent enforcement of the sign ordinance. Administrator Hurlburt explained that a sweep is done on a weekly basis by the maintenance department, which is currently short-staffed. Complaints are acted on when received by the office.

DISCUSSION OF CHANGE IN STATE LAW REGARDING GREEN ACRES PROPERTY CLASSIFICATION

Councilmember Harnetty questioned how the state's change in collection of back taxes on property classified as Green Acres will affect the City. Approximately one-third of acreage within the City falls under Green Acres classification. Property owners will be notified of this change by the County within the next few months.

Councilmember Peterson, seconded by Mayor Seefeldt, moved to adjourn.

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk