

August 20, 2013

A regular meeting of the Scandia City Council was held on the above date. Mayor Simonson 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 Dan Lee, Chris Ness, Jim Schneider, Sally Swanson and Mayor Randall Simonson. Staff present: City Administrator Kristina Handt, City Attorney Nick Vivian, City Planner Sherri Buss, City Engineer Ryan Goodman, Police Deputy Chris Majeski, Fire Chief Mike Hinz, and Deputy Clerk Brenda Eklund.

### **PUBLIC FORUM**

No public comments were received.

### **APPROVAL OF AGENDA**

Mayor Simonson noted that Consent Agenda Item 5.f) Closed POD Program Designations, will have the Fire Chief added as the administrator of the list.

**Lee, seconded by Ness, moved to approve the agenda as presented, with amended language to Item 5.f). The motion carried 5-0.**

### **CONSENT AGENDA**

The following Consent Agenda was presented:

- a) Minutes
  - 1) July 16, 2013 Regular Meeting
  - 2) August 13, 2013 Work Session
- b) Treasurer's Report

Beginning Balance 07/01/2013	\$2,033,836.45
Receipts	+ <u>1,798,970.66</u>
Expenditures \$167,567.12	
Payroll <u>7,188.54</u>	- <u>204,755.66</u>
Adjustments: Safe Box	35.00
Ending Balance 07/31/2013	\$3,628,086.45
- c) Payment of Vouchers
- d) Goose Lake Native Shoreline Buffer Contract
- e) Special Event Permit, Meister's Bar and Grill (September 6 & 7, 2013)
- f) Closed POD Program Designations
- g) Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds

**Ness, seconded by Lee, moved to approve the Consent Agenda as presented. The motion carried 5-0.**

### **PARK AND RECREATION COMMITTEE**

Committee Chair Greg Zauner reported that the Committee is working on a strategic action plan for Lilleskogen Park which would complete the gravel parking lot, the walking trails, and

installation of the butterfly gardens. Community volunteers have offered to work with the Committee and donation sources are being identified.

***Thomas Lillquist Eagle Scout Project***

Boy Scout Thomas Lillquist has been working with the Scandia Marine Lions on his Eagle Scout project to construct a trail connecting the Hay Lake Shelter area and the Swedish Monument site. Lillquist's plan was presented to the Park and Rec Committee at their August meeting at which time a site visit was conducted. The Committee and staff recommended the use of native plantings for landscaping and that signage requirement guidelines are met. The Committee recommended approval of his project with these changes.

Scout Lillquist provided cost estimates for the project which totaled \$941.30. Lions President Tom Triplett was present to explain that the Lions Club will donate up to \$1,000 and could possibly cover expenses that go beyond that. City Administrator Handt questioned the quantity of trap rock in his calculations, which was half the amount recommended by staff. Lillquist explained that he had met at the site with Council member Lee and this was calculated using 3" of Class 5 as a base and 2" of trap rock. Lillquist was asked to verify the commitment from Roger Rydeen to provide excavation work for the project.

Mayor Simonson stated that this was a good project but expressed his disappointment to Chair Zauner that the Committee did not follow procedures by recommending approval without firm details in place. Council members agreed that better cost estimates and plans should have been offered, but the project has merits to move ahead without further delays. Attorney Vivian suggested that a condition of approval be worded as "Trail must be built to staff ~~recommended~~ *approved* site plan". Lillquist will work with staff on determining the quantity of fill and trap rock needed for the trail.

**Ness, seconded by Lee, moved to approve the Lillquist Eagle Scout Project with the conditions as described in Option 2 of the Staff Report, with the noted amendment to condition b). The motion carried 5-0.**

**PLANNING COMMISSION**

***Variance to Install Septic System at 12610 182<sup>nd</sup> Street. Dan Bever, Applicant (Resolution No. 08-20-13-01)***

The Planning Commission held a public hearing on August 6<sup>th</sup> regarding the variance request from Dan Bever to install septic tanks within the 75-foot Shoreland setback of Big Marine Lake at his residence, 12610 182<sup>nd</sup> Street. The closest tank would be 51 feet from the OHWL. The Bevers need to relocate existing tanks which were mistakenly installed, since they are partially on a neighboring property. City Planner Buss summarized the request which was recommended for approval with conditions as written into a resolution.

Council member Ness asked for verification that new tanks would be installed rather than moving the current tanks. Mr. Bever stated that is correct.

City Engineer Goodman recommended conditions to minimize the risk of sewage overflow reaching the lake, such as installing alarms on all tanks. Council member Schneider suggested the condition should be meant for the lift tanks only. Buss noted this by revising condition #4 as “high water alarms on all of the ~~septic~~ lift tanks”.

Council member Ness asked how far the drainfield is from the lake. Mr. Bever answered that he and the Lepinski neighbors will share the drainfield located on an easement 600 feet from their properties.

**Simonson, seconded by Lee, moved to approve Resolution No. 08-20-13-01, Approving a Variance for 12610 182<sup>nd</sup> Street North with amended Condition #4. The motion carried 5-0.**

***Minor Subdivision at 11489 239<sup>th</sup> Street. Scott and Cheryl Bakken, Applicants (Resolution No. 08-20-13-02)***

The Planning Commission held a public hearing on August 6<sup>th</sup> regarding Scott Bakken’s request for a minor subdivision of his property at 11489 239<sup>th</sup> Street. City Planner Buss explained that two lots would be created from the 35 acre piece; one 10.1 acre lot, and the parcel with the existing home would be reduced to approximately 25 acres. A cul de sac will be constructed to provide the required access and frontage for the new parcel. The Planning Commission recommended approval of the request with conditions written into a resolution. A Development Agreement with the City will be recorded which specifies the schedule for the completion of the cul de sac and the collection of the park fee. Before a building permit is issued for the new lot, the access must be completed and the park fee paid. City Administrator Handt explained that relaxing the code requirements to allow this at the time of development is consistent with previous projects and reduces upfront costs for the developer. Since there is no demand on park services until the new lot is built upon, the collection of park fees can be justified. Mr. Bakken stated that he intends to build on the new lot following the sale of his existing home, which he anticipates to be next year.

Council members Ness and Schneider questioned if delaying code requirements until the time of development is appropriate. Buss noted that she sees a mix of standards in the communities she works with. Ness suggested this be a topic of discussion at a future work session.

**Simonson, seconded by Ness, moved to approve Resolution 08-20-13-02, Approving Minor Subdivision for 11489 239<sup>th</sup> Street. The motion carried 5-0.**

***Bakken Development Agreement***

City Attorney Nick Vivian described the language in the Development Agreement between the City and Bakkens, which indicate that performance requirements will take effect when the applicant decides to build. In response to questions about the collection of the park fee, Handt suggested that language be added to reflect that the lot cannot be sold until developer has paid the park fee. Vivian noted that paragraph 10 of the agreement covers binding effects, but this language is a reasonable condition to add. The document will be recorded with the property and

a title search prior to a sale would uncover all obligations. Council member Schneider noted that past developers were required to pay park fees before recording the new properties.

**Simonson, seconded by Ness, moved to approve the Bakken Development Agreement with amended language in paragraph 5 to state that the park dedication fee must be paid upon the sale of Lot 1, Block 1. The motion carried 5-0.**

***Ordinance No. 142, Amending Section 4.30 of the Development Code, Wireless Communication Antennas and Towers***

City Planner Buss summarized the amended language to the cell tower ordinance under consideration. Due to concerns following the addition of equipment to an existing tower last year, the City has proposed to require photo simulations for all cell tower applications, new and existing. The Planning Commission held a public hearing on the amended ordinance at their August 6<sup>th</sup> meeting and recommended approval to require visual simulations done to scale for changes to and addition of equipment to existing towers.

**Simonson, seconded by Ness, moved to adopt Ordinance No. 142, An Ordinance Amending No. 122, the City of Scandia Development Code. The motion carried 5-0.**

**FOREST LAKE CABLE COMMISSION**

Mayor Simonson, one of the City's representatives on the Forest Lake Cable Commission, reported on the July meeting. LATV 10 has provided coverage of recent Gammelgarden events and the Community Market. New equipment for the station has been ordered. The franchise agreement has been extended until December 2013, with a final contract in negotiations. An increase to 206 local cable subscribers was noted.

**BUILDING OFFICIAL**

Building Official Keith Wille's monthly report was received. Fifteen permits were issued in July.

**POLICE DEPARTMENT**

Deputy Chris Majeski reported that July was a busy month with five burglary cases being investigated. Four of the cases have been solved. He has been taking numerous parking complaints at the Log House Landing.

**FIRE DEPARTMENT**

Fire Chief Mike Hinz reported that there were 14 calls in July; five fire and nine EMS related. The new engine is being worked on at Custom Fire and delivery is estimated for early October. The department is hosting an EMT class at the firehall this fall through Hennepin Technical College.

**CITY ENGINEER**

City Engineer Ryan Goodman stated that the sealcoat project will begin soon. Goodman recently met with Washington County to discuss stop sign options at Lofton and 97 and will report this at a future meeting.

**PUBLIC WORKS DIRECTOR**

Public Works Director Tim Keiffer's report was received. Repairs were made to the 1997 Ford dump truck to meet OSHA requirements. Ditch work in the Bliss area was completed to improve drainage issues.

**CITY ADMINISTRATOR**

City Administrator Kristina Handt reported that she has been reviewing building permits for zoning, processing code enforcement complaints, and working with MnDOT on a speed study in the Bliss area. The EDA elected officers at their first meeting on August 19<sup>th</sup> and will have their next meeting on September 16<sup>th</sup>.

**ACCEPTANCE OF KOREY OLSON'S EAGLE SCOUT PROJECT AT WIND IN THE PINES PRESERVE (RESOLUTION NO. 08-20-13-03)**

Boy Scout Korey Olson provided a summary of his Eagle Scout project which he completed earlier this summer. Olson replaced the aging informational sign at Wind in the Pines Preserve. Council members thanked Mr. Olson for his work on completing this project.

**Lee, seconded by Schneider, moved to approve Resolution No. 08-20-13-03, Accepting Donation of Wind in the Pines Preserve Sign from Eagle Scout Korey Olson. The motion carried 5-0.**

**DISPOSAL OF SURPLUS PROPERTY**

The Fire Department has asked to sell a tow-able rescue trailer that has been replaced with use of a transport basket on the new UTV Ranger. They estimated the selling price to be \$1,500 to \$2,000 and would list it on fire site classifieds. Funds from the sale would be deposited into the Equipment Replacement Fund.

**Ness, seconded by Schneider, moved to approve the disposal of the tow-able rescue trailer. The motion carried 5-0.**

**ADJOURNMENT**

**Ness, seconded by Swanson, moved to adjourn the meeting. The motion carried 5-0.**

The meeting adjourned at 8:36 p.m.

Respectfully submitted,

Brenda Eklund  
*Deputy Clerk*