

November 6, 2013

A Work Session meeting of the City Council was held on the above date. Mayor Simonson called the meeting to order at 6:30 p.m. The following were present: Mayor Randall Simonson, Council members Dan Lee, Jim Schneider and Chris Ness. Council member Swanson arrived at 6:32 p.m. Staff present: City Administrator Kristina Handt, Director of Public Works Tim Kieffer and Deputy Clerk Brenda Eklund.

APPROVAL OF THE AGENDA

Mayor Simonson noted the addition of Off-Street Parking as Agenda Item #10, as requested by Council member Schneider. **Lee, seconded by Ness, moved to approve the Agenda as amended. The motion was unanimously adopted by those present.**

STEVE AND IRENE KRONMILLER: STREET VACATIONS AND LAND CONVEYANCE

Steve and Irene Kronmiller, 13450 188th Street, presented their concerns regarding New Scandia Township's plan to vacate unplatted streets and convey land following the realignment of 188th Street in 2003.

Administrator Handt provided background information that explained why the plan was not executed. Due to the drainfield property being obtained by state and federal grant money, lien release, payback of the funds, along with other costs to survey, would have been expended. Along with other problematic reasons, the process ended. This information was not communicated to the Kronmillers. Handt presented several options to address this issue and asked the Council for direction.

The Council discussed taking the necessary action to correct the land descriptions and allowing for the Kronmiller's legal access to the street.

Lee, seconded by Ness, moved to direct staff to prepare notices for the street vacation portions only and have the City Attorney draft easements for driveway access over the City parcel, formerly the drainfield. The motion carried 5-0.

Handt explained that this is a decision to hold the public hearing on the street vacation, not a final determination to vacate.

JEFF SCHNEIDER: KITCHEN RENTAL RATES

Mr. Schneider presented his request for a lowered hourly rental rate for use of the Community Center kitchen were they prepare and package items for their business, Fine Time Products. Mr. Schneider explained that they have been renting the kitchen at the non-resident rate of \$18/hr for the past year as they get the business established, and propose to increase their use in the next year. He noted that the appliances are not in use during idle time while waiting for the candies to cool and package.

After discussion of rate structures, the Council was in consensus to lower the rental rate that they are being charged.

Simonson, seconded by Ness, moved to reduce the hourly kitchen rental rate charged to Fine Time Products to \$16 per hour. The motion carried 5-0.

Handt explained that an amendment to their contract for use of the Community Center kitchen will be placed on the November 19th Consent Agenda.

PAUL HEINS: BLISS CODE ENFORCEMENT

Paul Heins, 19083 Larkspur Avenue, presented his concerns about exterior storage code violations in the Bliss Development around Big Marine Lake. After Council discussion, it was decided that staff will send a proactive letter to all property owners in this area regarding the rules about exterior storage, with notice that the City will be investigating complaints within the next few months. Mr. Heins was directed to file a complaint form if properties were still out of compliance.

DISCUSS ORDINANCE NO. 147, GRANTING A FRANCHISE AGREEMENT TO MIDCONTINENT COMMUNICATIONS

Sarah Chatwin, Director of Lakes Area Community Television, presented a summary of the new cable franchise ordinance, to replace the city's 1997 agreement. The term will continue to be a fifteen year agreement. Chatwin highlighted the improvements and benefits this will have to the community's cable access.

Simonson, seconded by Ness, moved to approve the Cable Franchise Agreement with Midcontinent Communications. The motion carried 5-0.

A resolution will be prepared for the November 19th Council meeting to adopt the Ordinance and authorize publication of the summary.

DISCUSSION OF SNOW PLOW ROUTES

The Council discussed the policy for snow removal. Mayor Simonson and Council member Ness noted that using three routes for the first time last year benefitted the residents by getting the roads cleared more quickly and reduced the number of complaints. Public Works Director Kieffer used the retired Ford dump truck, but could not continue this due to the age and condition of the truck. Bond proceeds in 2013 have been earmarked to purchase a third truck in 2014.

Council member Schneider countered that two trucks should be able to make one pass down the center to clear the roads, and then return the next day to open the roads to the full width. He reasoned that the trucks would be out the next few days, even if there were three routes, to clear and take out drifts. He stated that the purchase of a third snow plow truck is not necessary. Council member Lee agreed with this position, and stated that the bond proceeds designated for the third truck could go for other needed equipment.

Kieffer stated that he has calculated lane miles and three routes are the most efficient in order to have the roads opened within 5 to 6 hours.

Simonson, seconded by Ness, moved to continue with three main snow plow routes. Mayor Simonson called for a roll call vote. Lee – no; Ness – yes; Swanson – yes; Schneider – no; Simonson – yes. The motion carried 3-2.

DRAFT STREET SPECIAL ASSESSMENT POLICY

Council continued to review a street assessment policy with the changes as discussed at the September Work Session. City Attorney Vivian provided a red-lined copy of the draft.

Administrator Handt presented state statute language that addressed the refund of prepayments in those instances where the final project costs are less than anticipated. Council member Ness recommended that “may refund” be changed to “will refund” and explained that it’s not the city’s money but the people’s money.

Lee, seconded by Ness, moved to direct staff to prepare the Street Special Assessment Policy for placement on a future Council agenda for adoption, with the amendment to prepayment language. The motion carried 5-0.

AGENDA ITEMS FOR FUTURE WORK SESSIONS

Council agreed to cancel the December 4th Work Session, as there is a Special Meeting scheduled for December 10th for the budget hearing.

OFF STREET PARKING

Council member Schneider relayed a question from Jeff Fusco about allowing trucks to park overnight on the old Trails End property during the week days. After discussing the code language that did not allow for this without a permanent structure related to a business on the property, Mr. Fusco will be advised to apply for an amendment to the Development Code if he wishes to pursue this.

ADJOURNMENT

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

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk