

December 15, 2015

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 Bob Hegland, Dan Lee, Chris Ness, Jim Schneider and Mayor Randall Simonson. Staff present: City Administrator Neil Soltis, City Engineer Ryan Goodman, City Attorney Andy Pratt, Police Deputy Brandon Yetter, Fire Chief Mike Hinz, Public Works Director Dave Williams and Deputy Clerk Brenda Eklund.

**PUBLIC FORUM**

Dan Willius, Quentin Avenue, spoke on his concerns about the amended sign ordinance which allows backlit signs in all districts, and what effect this would have on Scandia’s rural character. He was especially concerned about the Highway 95/97 intersection, although he said his concerns were allayed after an explanation on the process from Administrator Soltis.

Karen Schik, 236<sup>th</sup> Street, said she was dismayed about the reasons behind changes to the sign ordinance and the strip mall look that could happen along the roadways that take away from a historic appearance. She said a lit sign at Manning/97 intersection would be very concerning, as this is the gateway to Scandia and openness and dark skies should be retained. She said there are references in the Comprehensive Plan which reinforce the dark skies goal for Scandia.

Christine Maefsky, 12521 Mayberry Trail, asked the Council to strongly reconsider their decision to allow backlit signs. She said the Planning Commission was opposed to backlit signs, but the Council passed this for the business community, but there are varied businesses in Scandia that should be recognized. Maefsky went on to say her family has owned a dairy goat farm business in Scandia for 43 years and this is against her interests. She stated that night skies should be bright with stars rather than artificial light, and the Council should hold strong to the Comp Plan vision and the citizens’ regard for Scandia’s unique rural character.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA**

The following Consent Agenda was presented:

- a) Minutes
  - 1) November 17, 2015 Regular Meeting
  - 2) December 2, 2015 Budget Hearing/Work Session
- b) Treasurer’s Report

|                              |  |                    |
|------------------------------|--|--------------------|
| Beginning Balance 11/01/2015 |  | \$2,990,816.16     |
| Receipts                     |  | + <u>38,389.96</u> |
| Expenditure \$720,708.22     |  |                    |
| Payroll <u>23,487.52</u>     |  | - 744,195.74       |
| Adjustments: Safe box fee    |  | <u>35.00</u>       |
| Ending Balance 11/30/2015    |  | \$2,285,045.38     |

- c) Payment of Vouchers
- d) Approve 2016 Tobacco License Renewals:
  - 1) Big Marine Lake Liquor
  - 2) Big Marine Lake Store
- e) Approve 2016 Liquor License Renewals:
  - 1) Big Marine Lake Liquor Store, Off-Sale
  - 2) The Scandia Creamery, On-Sale/Sunday On-Sale Intoxicating
  - 3) Meister's Bar & Grill, Combination On/Off-Sale and Sunday Intoxicating
  - 4) Chiko's Enterprises dba Chiko's Bar and Grill, On-Sale/Sunday On-Sale Intoxicating
- f) 2016 Washington County Conservation District Contract for Wetland Conservation Act and Zavoral Mine and Reclamation monitoring tasks
- g) Special Event Permit, Cub Scouts Ice Fishing Contest, January 30, 2016
- h) Temporary Liquor License, Meister's, Scanley Cup, January 29-30, 2016
- i) Appointment of Responsible Authority for Data Practices (*Resolution No. 12-15-15-01*)
- j) Scanley Cup Fireworks Application
- k) Contractor's Request for Payment No. 2 & Final— Lilleskogen Park Improvements
- l) 2016 City Council Meeting Schedule

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

#### **PARKS AND RECREATION COMMITTEE**

##### ***Vinterfest Logo, 2016 Button Design and Additional Promotional Events***

Parks Committee Chair Ryan Jinks presented two additional events approved for Vinterfest promotions at their December 7<sup>th</sup> meeting – Youth Ice Fishing and Meisters Youth Hockey. In addition, the official permanent Vinterfest logo and the winner of the button design contest were selected. Mayor Simonson asked if there were any liability issues with the events being held on the lakes, related to possible thin ice conditions. Attorney Pratt said that having Certificates of Insurance from the sponsors which name the City as an additional insured protects the City, along with its general liability insurance, but the Committee shouldn't hesitate to scale back activities if weather conditions are warm.

Mayor Simonson asked if the Committee has any contingency plan in the event of warm weather. Chair Jinks stated that the Committee will discuss this at their January 4<sup>th</sup> meeting and will select a drop dead date to announce a cancellation of Vinterfest if warm weather conditions persist.

**Lee, seconded by Hegland, moved to approve the Vinterfest logo, the button design, and the proposed events as recommended by the Parks Committee. The motion carried 5-0.**

#### **BUILDING OFFICIAL**

Building Official Chuck Preisler's building activity report was received. Fourteen permits were issued in November, at a valuation of \$1,062,112.00.

### **POLICE DEPARTMENT**

Deputy Yetter reported on the past months' police activity. DUI arrests, an underage drinking party and a felony level narcotics charge occurred. Yetter informed the Council that property theft and vandalism reports have been down over the past few months.

### **FIRE DEPARTMENT**

Fire Chief Hinz provided the fire department's activity report. There were 22 calls in November; 7 fire related and 15 rescue calls. Hinz stated that he will push hard for new recruits this coming year due to upcoming retirements in the department. The new fire tanker should be delivered soon.

### **CITY ENGINEER**

City Engineer Goodman reported that the final costs to complete the Lilleskogen Parking Lot project were \$7,000 under the initial bid figure. Construction plans for the 2016 Street Improvement Project are close to completion. Goodman provided a diagram showing that improvements to Oldfield Avenue can be extended 3,000 feet south of 240<sup>th</sup> Street. This could be further extended if bids come in favorably – it would take an additional \$300,000 to extend the project south to Oren Road.

### **CITY ATTORNEY**

City Attorney Pratt is researching the Swenson's Goose Lake Farm Estates development agreement which would allow a pollinator garden to be installed on Outlot A, which was proposed at the November 17<sup>th</sup> Council meeting. Since the developer no longer has an ownership interest in Outlot A, Pratt proposed that a termination agreement could be presented at the January Council meeting, along with a letter of agreement for installation and maintenance of the pollinator garden.

### **DIRECTOR OF PUBLIC WORKS**

Public Works Director Williams reported that the department had one snowplowing event on November 30<sup>th</sup>, and that he recently attended sewer school in Alexandria. Repairs to the hockey rink are being completed in preparation for the winter season.

### **CITY ADMINISTRATOR**

City Administrator Soltis reported that LMCIT recently issued an \$11,348 dividend to the City as a result of excellent claims experience across its insured customers. Soltis explained that he discovered a discrepancy from Xcel Energy regarding the streetlight billing rate, which will result in a 30-50% reduction in charges, at an annual savings of approximately \$1,000. Xcel will refund at least the past three years of this discrepancy, estimated to be a \$3,000 refund. Soltis is also converting the Cintas service to the National Association of Counties' contract pricing, and will be working with department heads to begin using this cooperative purchasing agreement for purchases such as safety equipment, traffic control and other supplies at reduced costs.

Soltis reported that solar panel installation should begin at the Firehall/Public Works building in the next few weeks. Soltis will be meeting with Midcontinent Communications and the Wyldewood Acres HOA in January to discuss broadband expansion.

**ADOPTION OF 2016 BUDGET AND FINAL PROPERTY TAX LEVY AND 2016-2020 CAPITAL IMPROVEMENTS PROGRAM (RESOLUTION NO. 12-15-15-02)**

**Simonson, seconded by Ness, moved to adopt Resolution No. 12-15-15-02, Adopting 2016 Budget and Certifying Property Tax Levy Payable in 2016 and Adopting 2016 – 2020 Capital Improvement Program.**

Administrator Soltis explained that the tax levy of \$2,257,871 is a 1.82% increase over last year. More funding will go towards road improvements in 2016, as recommended at the December 2 public hearing. The 2016-2020 CIP includes projects for the next 5 years, but Soltis advised that it's the 2016 projects that are the focus, and the long-term projects are used as placeholders for future financial planning. The 2016 Capital Project fund includes \$40,000 for improvements to Log House Landing, proposed to be a 50/50 cost share with the Car-Mar Watershed, as recommended by the Planning Commission.

**Simonson called for a vote on the above motion. The motion carried 5-0.**

**DISCUSSION ON AUTHORIZATION OF AGREEMENT WITH CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT FOR THE LOG HOUSE LANDING PROJECT**

At their December 9<sup>th</sup> meeting, the Car-Mar Watershed adopted a resolution to enter into a written agreement with the City to 50/50 cost share the Log House Landing Improvement Project, which has a preliminary cost estimate of \$33,587, not including engineering fees. The National Park Service has committed \$15,000, which will reduce the costs to be shared by the Watershed and City.

Administrator Soltis stated that if these terms are acceptable to the Council, the next step will be to propose a written agreement to the Watershed Board. Steve Kronmiller, former WD Board member, noted that the resolution addressed that any project changes or cost overruns would be a jointly agreed decision between the two parties.

**Simonson, seconded by Ness, moved to authorize a written agreement be prepared based on the terms of the Watershed Resolution. The motion carried 5-0.**

**DISCUSSION ON LANGUAGE IN ORDINANCE NO. 120 REGARDING THE CONFINEMENT OF UNCLAIMED DOGS**

Administrator Soltis explained that in reviewing the Hillcrest Animal Control agreement for minor language changes, a discrepancy between the City's dog ordinance and the agreement was found. Section 8 of the ordinance reads that an unclaimed dog shall be confined not less than 5 working days, whereas the animal control agreement provides for daily boarding up to 5 days. Since it is not the intent to have a mandatory 5-day holding period, Soltis recommended the ordinance be amended to read "confined for up to 5 days". Council was in consensus for staff to prepare Ordinance No. 120 for an amendment to clarify the language, to be presented at the January 19<sup>th</sup> Council meeting .

**DISCUSSION ON DNR PROPOSAL TO STOCK MUSKIE IN BIG MARINE LAKE**

Council member Ness asked that the City prepare official comments on the DNR's proposal to stock muskellunge in Big Marine Lake. The comment period ends December 31<sup>st</sup>, with a final decision to be made by the DNR in February 2016. Ness stated that the DNR held a public meeting in Scandia on December 7<sup>th</sup>, with many people in opposition. Ness recommended the City oppose, or at least ask that a decision be postponed, due to the many concerns that were brought up at the public meeting. These concerns addressed the increased risk of invasive aquatic species being introduced to the lake, questions on the actual need for additional muskie lakes in the metro since Forest Lake, Bald Eagle, White Bear and the St. Croix River are in close vicinity, lack of a primary food source for muskie (whitefish, sucker and redhorse) and the potential for sunfish and crappie populations to decline as they would be food source. Ness stated that the timing on a decision appears to be too accelerated to allow sufficient time to address the many concerns, and noted that North and South Center Lakes would be a better fit using the DNR's criteria for stocking muskie.

Mayor Simonson agreed that this is being rushed into and questioned the DNR's urgency to make a decision, and said that a letter should be sent to the DNR stating the City's opposition. He said the County Board and legislators should be asked to support the City's position. Council member Hegland agreed that there are too many risks to the health of the lake. Council member Lee said that it's important the City take a strong stand against introducing muskies to the lake due to the negative impacts.

Joe Reinhardt, 18804 Layton Avenue, stated that it is the consensus of his neighborhood to oppose this muskie stocking. He said this was also proposed for Gull Lake, and due to strong citizen opposition, the DNR has postponed a decision.

Virginia Johnson, 12988 182<sup>nd</sup> Street, noted that the Veterans Camp is against the DNR's proposal, especially due to the potential decrease in panfish, which is a popular family fishing activity from the Camp's docks. Ms. Johnson stated that it appears that Muskie Inc. made a large contribution to the DNR, and now the DNR is catering to the donor association. She said she has a lot of research on the negative effects muskies have on lake quality, and would hate to see Big Marine Lake ruined.

Steve Kronmiller, 188<sup>th</sup> Street, said that Big Marine Lake has been consistently receiving good water quality reports and introducing muskie is asking for trouble. He asked that the Council advocate for keeping the lake as a crown jewel.

The Council was in consensus that Ness and Schneider work with Administrator Soltis to draft a letter in opposition to the DNR's proposal and authorize Mayor Simonson to sign the letter.

**CONTRACT FOR LEGAL SERVICES WITH ECKBERG LAMMERS**

The City's civil legal services contract with Eckberg Lammers expires at the end of 2015. They have proposed a new 3-year agreement extending through 12/31/2018. Administrator Soltis

noted that hourly and meeting rates will be increased, but will be offset by lowered paralegal services and law-clerk research rates.

**Simonson, seconded by Hegland, moved to approve the 3-year contract for civil legal services with Eckberg Lammers as presented. The motion carried 5-0.**

**2016 LMCIT RENEWAL**

Administrator Soltis introduced the terms for renewal of the City's liability and property insurance coverage through the League of MN Cities Insurance Trust (LMCIT). The City has been consistent in not waiving the statutory monetary limit on tort liability since 2009.

**Lee, seconded by Hegland, moved to renew insurance coverage with LMCIT for 2016, and to not waive the tort liability limits. The motion carried 5-0.**

**ADJOURNMENT**

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

The meeting adjourned at 8:36 p.m.

Respectfully submitted,

Brenda Eklund  
Deputy Clerk