

June 18, 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, Assistant City Attorney Andrew Pratt, City Planner Sherri Buss, City Engineer Ryan Goodman, Police Deputy Chris Majeski, Fire Chief Jim Finnegan, Maintenance Superintendent Tim Kieffer, Treasurer Colleen Firkus and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

No public comments were received.

APPROVAL OF AGENDA

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

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) May 21, 2013 Regular Meeting
 - 2) June 11, 2013 Special Meeting
 - 3) June 11, 2013 Work Session
- b) Treasurer's Report

Beginning Balance 05/01/2013	\$2,243,317.43
Receipts	+ <u>17,458.62</u>
Expenditures \$82,902.48	
Payroll <u>22,015.71</u>	<u>- 104,918.19</u>
Ending Balance 05/31/2013	\$2,155,857.85
- c) Payment of Vouchers
- d) Designate Uptown Sewer Fund 612 as an Enterprise Fund
- e) Special Event Permit for Marine on St. Croix 4th of July Race, July 4, 2013
- f) Resolution Authorizing Execution of Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies and Master Subscriber Agreement Amendment for "Fast Access" (*Resolution No. 06-18-13-01*)
- g) Resolution Granting Midcontinent Communications a Franchise Extension to December 31, 2013 (*Resolution No. 06-18-13-07*)

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

PARK AND RECREATION COMMITTEE

Bike Route Map Signage at Lions' Shelter

City Administrator Handt reported that the Park Committee has recommended approval of a bike route map prepared by the Friends of Scandia Parks and Trails, to be installed at the Hay Lake Picnic Shelter. Mayor Simonson asked if the City's logo should be removed from the map, since some of the routes go through other communities. Council member Swanson stated that it should

remain because the map is posted on city property and the City was involved in the development of the bike trail system.

Handt explained that a condition of accepting the donation should be that the City retains the right to replace or remove the sign in the future if deemed appropriate, and not be required to replace the sign as the Park Committee recommended. Swanson and Lee agreed with the City having the authority to remove it in the future if deemed fit, but the City should provide maintenance to the sign as needed, just as all city signs are currently maintained.

Swanson, seconded by Lee, moved to approve the map as presented and retain the City responsibilities as noted on the donation form. The motion carried 5-0.

Amended Lighted Ball Field Agreement

City Administrator Handt presented an amended Lighted Ball Field agreement between the City, the Scandia Softball Association and the Lions Club, which was originally signed in 1996. The Park Committee began a discussion of the agreement with Rick Smith in April, and recommended that an updated agreement was needed. Handt explained that the City would be responsible for upkeep, maintenance and related expenses, but that some activities may be delegated to the Association, such as applying lime to the infield and other minor repairs. The Lions Club would transition out of their responsibilities and transfer the funds they currently have in the ball park account to the City, to be kept in a dedicated, restricted account exclusive to the Ball Field expenses. At least half of the funds collected from advertising revenue and donations would be applied to capital improvements, and half to maintenance costs. Handt stated that the Softball Association would continue to send annual letters to sign advertisers, with an understanding that the City could take this over in the future.

Council member Schneider asked what the City's costs are now. Handt approximated \$1,800 per year, not including the seasonal worker's time to mow and maintain the field.

Simonson, seconded by Lee, moved to approve the Amended Lighted Ball Field Agreement as presented. The motion carried 5-0.

Tennis Court Resurfacing

Maintenance Superintendent Tim Kieffer presented two quotes for repair and resurfacing of the tennis court on the Community Center grounds, as included in the 2013 budget. The Park Committee has recommended that the project be awarded to Surface Pro. Kieffer explained that cracks may reappear within a few years due to a faulty sub-base, and the Committee has included reconstruction of the courts in 2018 as part of the Capital Improvement Plan. Mayor Simonson stated that the courts have deteriorated and improvements need to be done.

Lee, seconded by Swanson, moved to award the tennis court resurfacing project to Surface Pro in the amount of \$9,912. Council member Schneider said that an acrylic overlay is a 5-year bandaid and that he had talked with a local contractor who offered an estimate of \$9,000 to \$10,000 to add a 2" layer of blacktop to the courts, which would be a better solution to avoid

future cracking. He also added that drain tile is installed underneath the courts and the base should be in good condition. Schneider asked that a decision not be made until other options are researched. Kieffer noted that the contractor's quote may not cover acrylic sealing and removal and replacement of the fence and posts. Council member Ness said that Schneider may have a valid point but it's too late in the game to postpone it further. **The motion carried 4-1, with Schneider opposed.**

PLANNING COMMISSION

Variance for Construction of a Garage at 22920 Meadowbrook Avenue. Daniel Robinson, Applicant (Resolution No. 06-18-13-02)

City Planner Sherri Buss presented an overview of the application from Daniel Robinson to replace an existing nonconforming garage with a larger garage at 22920 Meadowbrook Avenue. The proposed garage would be closer to the road right-of-way than the primary structure. The applicant is also requesting that an existing shed be allowed to remain which would then exceed the permitted number and square footage for accessory structures on properties less than three acres. The Planning Commission recommended approval of the request at their June 4th meeting, with conditions which were included in a draft resolution.

Council members Lee and Ness commented that staff had presented a thorough review of the request for approval and no objections were heard at the public hearing.

Simonson, seconded by Lee, moved to adopt Resolution No. 06-18-13-02, Approving a Variance for 22920 Meadowbrook Avenue. The motion carried 5-0.

Variance for Construction of a Garage and a Conditional Use Permit for a Second Story at 18941 Layton Avenue. Kevin and Renee Johnson, Applicants. (Resolution No. 06-18-13-03)

City Planner Buss presented an overview of the application from Kevin and Renee Johnson to build an attached garage 18941 Layton Avenue. A variance from the setback from the road right-of-way is needed. A Conditional Use Permit is also requested to allow a second story to be used for storage space. The Planning Commission recommended approval of the request at their June 4th meeting, with conditions which were included in a draft resolution. Buss explained that one of the conditions requires that the two separate tax parcels be combined into one parcel before a building permit is issued. Council member Schneider stated that it's important that this condition be followed through.

Simonson, seconded by Lee, moved to adopt Resolution No. 06-18-13-03, Approving a Variance and Conditional Use Permit for 18941 Layton Avenue North. The motion carried 5-0.

Variance for Construction of a Septic System and Well at 16963 197th Street. Thomas and Angeline Conley, Applicants. (Resolution No. 06-18-13-04)

City Planner Buss described the application of Thomas and Angeline Conley to locate a new septic system and well on seasonal property at 16963 197th Street. A variance from wetland and St. Croix Riverway setbacks are needed. Buss explained that many agencies have examined this request and all agree that the system could be safely installed in the requested location. The

Planning Commission held a public hearing on June 4th and recommended approval of the variance with conditions.

One of the conditions required that new soil borings and percolation tests be completed, since the readings submitted with the application were ten years old. Buss reported that Pete Ganzel, Washington County Department of Public Health, said that this would be a waste of time since soil conditions are very slow to change. Ganzel was confident that the area could support a mound system as the design more than exceeds the minimum standards for depths for underlying soil and sand. Ganzel will include biannual monitoring for the system when issuing the septic permit, as a means to ensure the hydrology of the site is working.

The Washington Conservation District also reported that the wetland determinations from 2003 are still valid, and that the area for the proposed septic system is not a wetland area.

Jim Shaver, Carnelian-Marine-St. Croix Watershed District, indicated that an erosion control permit will be needed for the construction of the system. In addition, Mr. Shaver asked that the Conley's participate in a voluntary system design to add iron filings to the sand layer as a means to remove phosphorus from the stormwater discharge. The Watershed would monitor the effectiveness of the iron filter over time.

Buss explained that conditions of approval were amended with these noted changes, and a draft resolution was presented to the Council. Buss noted that all agencies were in concurrence that the septic system could be safely permitted.

Mayor Simonson asked if the Watershed's experimental sand filter would be costly for the applicants to install. Buss explained that it would not be a significant expense and the Watershed would be monitoring the results at the agency's cost. Ms. Conley answered that they are more than willing to follow the recommended conditions to operate a safe system at their cabin.

Council member Lee asked what would be the consequences if the results showed phosphorus discharge. Buss replied that this testing is not part of the County's permit, but if the system was failing in other ways, it would be treated as any other septic system the County oversees. Lee questioned how long the County would continue biannual monitoring, and suggested a three year limit. Buss noted that problems would most likely be evident in the first few years and that sand filter systems actually work better over time due to carbon buildup. Buss offered to consult with Pete Ganzel to determine what is most reasonable for an inspection schedule.

Simonson, seconded by Lee, moved to adopt revised Resolution No. 06-18-13-04, Approving a Variance for 16963 197th Street. Council member Schneider asked if the curtain drain would be removed, as he was concerned that it could potentially leak sewer discharge to the river. Buss stated that it would be disconnected from the spring box but remain in place. Council member Ness agreed with this concern and stated that he would like to see the drain tile removed completely. Council member Lee stated that it is a complicated issue and the professional agencies should be relied on to make this determination. Buss said that she would relay the

concern to the County and DNR so that it is fully understood and agreed on. **The motion carried 5-0.**

BUILDING OFFICIAL

Building Official Keith Wille reported that building activity has picked up this past month, with 32 permits issued to date. Wille announced that he will be retiring in a few months, and introduced Building Inspector Tim Okan as his replacement.

POLICE DEPARTMENT

Police Deputy Chris Majeski reported that he is dealing with weekend driving complaints and speeding motorcycles.

FIRE DEPARTMENT

Fire Chief Jim Finnegan reported that the department responded to a large woodland fire in which the Polaris Ranger worked extremely well. Three new recruits started their service with the department on June 11. The new fire truck chassis will be delivered to Custom Fire in July and the City should take delivery this fall. An agreement is in the works with Lakeview Ambulance for their usage of the firehall. Council members offered their thanks and appreciation to Chief Finnegan as he attended his final meeting before resigning from the department effective July 1.

CITY ENGINEER

City Engineer Ryan Goodman reported that the sealcoat project is scheduled to begin in August. Work on the updated Pavement Management Plan is in progress. Goodman will be meeting with the contractors of the 2012 Uptown Sewer System Improvement Project to final out the project.

CITY ATTORNEY

Assistant City Attorney Andrew Pratt reported that an agreement for a 12-foot right-of-way easement was negotiated with the Continenzas. Staff will be processing the agreement soon. His firm has been overseeing the preparation of equipment certificates for the bond purchase.

MAINTENANCE SUPERINTENDENT

Maintenance Superintendent Tim Kieffer reported on the tasks his department has completed in the past month. A private dock on the City's property at Langley Avenue was removed. The Tii Gavo walkthrough resulted in various repair and cleanup jobs for the developer to follow up on, but overall the report was satisfactory.

CITY ADMINISTRATOR

City Administrator Kristina Handt reported that Jed Chestnut will attend the July 9 Council meeting to discuss Goose Lake buffer installation. Residents of Pilar Road and the side roads will be invited to attend the July 9 Council meeting to hear a report from Engineer Goodman on the gravel road conditions. Handt stated that site plan reviews are becoming more frequent with the increase in building permit applications.

**AWARDING THE SALE OF GENERAL OBLIGATION EQUIPMENT CERTIFICATES
(RESOLUTION NO. 06-18-13-05)**

At the April Council meeting, staff was directed to prepare the resolution and required documents necessary to move forward with bonding for the cost of the new fire engine (\$350,000) and a dump truck with plow (\$200,000). Monte Eastvold, Northland Securities, presented the final calculations of the \$570,000 bond proposal. The average interest rate of the ten year bond was calculated to be 2.458%, with an annual payment of \$67,000 per year. Revenue for payment of the bond will be levied through property taxes. Mr. Eastvold noted that the payment would be at an average yearly rate of \$24.26 on a home valued at \$225,000.

Administrator Handt explained that the City would have up to 18 months to proceed with the future purchase of a replacement dump truck, or decide on alternate equipment that has a useful life of at least ten years. The fund balance in the 2005 G.O. Bond are planned for the prepayment of the 2015 and partial 2014 payments, using these savings to offset the expense of the new bond.

Simonson, seconded by Swanson, moved to adopt Resolution No. 06-18-13-05, Awarding the Sale of General Obligation Equipment Certificates of Indebtedness, Series 2013A, to be Issued in the Aggregate Principal Amount of \$570,000; Fixing their Form and Specifications; Directing their Execution and Delivery; and Providing for their Payment.

Council member Schneider stated his opposition to borrowing money for a new dump truck and plow since he is against the purchase of a truck. He said that he does not see the need for a third snowplow route. Council member Lee stated his agreement, saying that the City should not borrow money at this time just because of the low interest rates. Lee said he would like to see the \$200,000 eliminated from the bond purchase.

Attorney Pratt explained that the resolution and certificates include a dump truck and plow as the equipment that will be purchased, of which the closing is set for July 9th. If the Council would choose to purchase alternate equipment, an amended resolution would need to be brought forth at a later time.

Handt noted that the City is not looking for equipment to buy, but that the replacement dump truck is in the Capital Improvement Plan for purchase in 2014, which the Council has adopted.

Mayor Simonson expressed his frustration that the Council has been agreeable to moving forward with bonding for a replacement truck up to this point, but is now appearing opposed to adding a third snowplow route. He stated that using the 1997 Ford truck this past season was an experiment which resulted in very favorable and efficient plow operations which residents were pleased with. Schneider reiterated that he has always been opposed to buying a new dump truck.

Mayor Simonson called for a voice vote on the above motion: Ness – yes; Swanson – yes; Schneider – no; Lee – no; Simonson – yes. The motion carried 3-2.

REPORT FROM SRC – HEAVY METAL DAY

Rick Prah, SRC representative which sponsored the Heavy Metal Collection Event on May 4th, reported that attendance and collection was down, thus adding to the City's cost for the event. Mr. Prah suggested an alternative collection next year, in which Scandia residents would deliver their materials to SRC's yard in Wyoming and receive a 10% discount during a week-long collection. Mr. Prah said that both Forest Lake and Columbus have made this change and are pleased with the results.

The Council was in consensus that this is an acceptable alternative to the one-day event, and directed staff to work out the details with SRC, possibly offering a 15-20% discount due to the distance Scandia residents are from the Wyoming site.

ACCEPTANCE OF LUKE EKLUND'S EAGLE SCOUT PROJECT AT THE SWEDISH MONUMENT (RESOLUTION NO. 06-18-13-06)

Boy Scout Luke Eklund presented a final report on the installation of landscaping and benches at the Swedish Monument site, first approved by the Council on November 20, 2012. Maintenance Superintendent Kieffer inspected and approved the final work. Council members stated that it was excellent work and thanked Mr. Eklund for the donation of his project.

Simonson, seconded by Lee, moved to adopt Resolution No. 06-18-13-06, Accepting Donation of Swedish Monument Improvements and Landscaping Project from Eagle Scout Luke Eklund. The motion carried 5-0.

FIRE CHIEF APPOINTMENT

Mayor Simonson reported that the Council interviewed Assistant Fire Chief Mike Hinz on June 11th for the position of Fire Chief. Hinz has been with the department since 1992 and has held leadership roles through the years, including the Assistant Chief since 2009.

Simonson, seconded by Lee, moved to appoint Mike Hinz as Volunteer Fire Chief effective July 1, 2013 for a term ending December 31, 2016. The motion carried 5-0.

DISPOSAL OF SURPLUS PROPERTY

Administrator described a list of items being stored in the old maintenance building that staff recommends be sold on Craigslist, to free up storage space. All items are valued greater than \$100. **Simonson, seconded by Lee, moved to approve the disposal of surplus items listed in the staff report through Craigslist. The motion carried 5-0.**

AWARD 2013 GRAVEL BID

At the May 21 Council meeting, the bid for the 2013 Graveling Project on Old Marine Trail and Parade Avenue from Raleigh Trucking in the amount of \$24,253 was declined and Maintenance Superintendent Kieffer was directed to get additional quotes, preferably from local contractors. Engineer Goodman reported that three new quotes were received from the nine contractors who were contacted. All bids were higher than previously submitted, with Raleigh declining to submit a second bid. Goodman explained that the low bid from Dresel Contracting could be accepted at \$26,893.20, or the amount of gravel being spread could be reduced 1/4" so as not to exceed the

budgeted amount of \$25,650 for gravel expenses. Council member Ness stated that he was in favor of spending the \$1,200 to properly cover the stretch of road.

Ness, seconded by Lee, moved to award the gravel bid to Dresel Contracting in the amount of \$26,893.20. The motion carried 5-0.

ADDITIONAL STREET PATCHING WORK

Maintenance Superintendent Kieffer reported that additional patching repairs have been identified since the sealcoat project was awarded. Kieffer explained that the sealcoat project was under budget and the additional money could go towards milling Maxwill Avenue and repair of pavement on Old Marine Trail and Orwell Avenue.

Ness, seconded by Lee, moved to award additional bituminous patching to TA Schifsky in the amount of \$32,046. The motion carried 5-0.

ECONOMIC DEVELOPMENT AUTHORITY (EDA) APPOINTMENTS

Mayor Simonson reported that three candidates were interviewed to serve on the EDA at a Special Council Meeting held before the start of the regular June Council meeting: Tom Triplett, Greg Isaacson and Bruce Swenson. He stated that each will bring a good balance of knowledge and talent to the Board and has no reservations about their appointments.

Simonson, seconded by Ness, moved to appoint Tom Triplett, Greg Isaacson and Bruce Swenson to serve on the EDA Board. The motion carried 5-0.

Council member Swanson recommended their length of terms be decided at the first meeting by drawing names from a hat.

Ness, seconded by Schneider, moved to appoint Council members Swanson and Lee to serve as Council representatives on the EDA Board. The motion carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 9:02 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk