

May 4, 2010

A regular meeting of the Scandia City Council was held on the above date. Mayor Dennis Seefeldt 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: Connie Amos, Pete Crum, John Lindell, Dolores Peterson, Mayor Dennis Seefeldt. Staff present: Administrator Anne Hurlburt, City Attorney Dave Hebert, Building/Code Official Steve Thorp, Fire Chief Jim Finnegan, Deputy Clerk Brenda Eklund.

APPROVAL OF THE AGENDA

Peterson, second by Amos, moved to approve the agenda as presented. The motion passed unanimously.

REVIEW BIDS FOR FIRE RESCUE APPARATUS

Following Council approval of specifications for the fire rescue apparatus body at its March 16 meeting, advertisements for bids were placed. The bid opening was held on April 29. Custom Fire Apparatus from Osceola, WI submitted the only bid in the amount of \$179,980.00. No other manufacturers requested copies of the specifications. City Attorney Hebert and the Fire Department Truck Committee have reviewed the bid document and found it to be acceptable.

Council member Crum expressed his concerns about awarding the project to the single bidder, the same company that helped prepare the specifications. Crum felt that the bid specifications should be re-examined with input from various manufacturers and the project put out for bids a second time.

Fire Chief Finnegan discussed the long-range planning, cost factors and vendor reliability that went in to the department's recommendation that the bid from Custom Fire be accepted. The rescue truck's add-ons are being upgraded to meet the projected needs of the department for the next twenty years.

Fire Engineer Ron Boesel and Assistant Fire Chief Mike Hinz spoke on the research process and past experience of accepting a "cheap bid" on the tanker truck which was hampered with structural flaws. Their thoughts were that this bid is in line with trucks having similar capabilities. Mr. Boesel stated that this replacement rescue truck is designed to be the first response truck for every situation and needs to be right.

Council member Lindell spoke in agreement with Council member Crum's position and questioned if the specifications were too limited.

Wade Krivida, Custom Fire Apparatus, provided input into the specifications and pricing of the accessories such as the air bottle filling technology and the EKG defibrillator.

Council member Peterson stated that she felt this bid was provided by an outstanding company and "if you buy cheap you get cheap".

Peterson, second by Amos, moved to accept the bid from Custom Fire Apparatus, Inc. for the fire rescue apparatus body in the amount of \$179,980.00.

Crum, second by Lindell, moved to table the bid award for two weeks to allow staff additional time to research the pricing of comparable rescue trucks. Voting yes: Crum, Lindell. Voting no: Amos, Peterson, Seefeldt. The motion to table the bid award failed 2-3.

Mayor Seefeldt stated that he could see Crum's point of view, but there was no interest from other manufacturers to view the specifications or submit a bid. Mayor Seefeldt noted that the bid price from Custom Fire is within the range of the estimated cost of \$177,336 budgeted for 2010.

Mayor Seefeldt called for a roll call vote on the Peterson/Amos motion to award the bid to Custom Fire Apparatus, Inc. Lindell – yes; Peterson - yes, Seefeldt - yes; Crum – no; Amos - yes. The motion passed 4-1.

SALE OF FALLS V-90 PLOW

Administrator Hurlburt presented a recommendation for the sale of the V-plow attachment for the road grader. The attachment has not been used for many years and the Public Works staff sees little need for it. Disposing of the attachment will free up needed space in the maintenance garage. The manufacturer of the plow, Little Falls Machine Inc., has been contacted regarding their interest in purchasing the plow. An advertisement will also run on the city's website and in the League of MN cities publications and web site. Council member Lindell suggested that bids be accepted up to the June 15th regular Council meeting. **Peterson, second by Crum, moved to authorize staff to advertise and sell the Falls Model V-90 plow at the best price offer received by June 15, 2010. The motion passed 5-0.**

The Planning Commission meeting was called to order at 7:36 p.m. The following were present: Commission Chair Chris Ness, Commissioners Tom Krinke, Christine Maefsky and Peter Schwarz. Commissioner Susan Rodsjo joined the meeting at 7:40. Staff present: City Planner Sherri Buss, TKDA.

WORK SESSION OF DEVELOPMENT CODE UPDATE

The Planning Commission and City Council moved into a work session to continue discussion on zoning district regulations within the Development Code update.

Planner Buss reviewed the latest update of the new/revised definitions list to be included in Chapter One. All were in agreement with the presented list, including the separation of Essential Services into those that are unobtrusive (not requiring a permit) and those that are defined as Transmission Facilities (requiring a CUP, except in the Industrial Park District).

The discussion then moved into regulating Home Occupations. Currently they are allowed in all districts with a Certificate of Compliance, although many residents are not aware that they need any type of permit to work out of their home. Very few complaints are received regarding Home Occupations. Planner Buss questioned the group on their acceptance of allowing Home Occupations in all districts, except in the Industrial Park, without any permitting regulations. If a regulatory approach was required, permitting could become complicated. As long as

performance standards were being met, consensus was that there would be no objections to getting rid of the permitting requirement.

Commissioner Maefsky voiced her concern of limiting the definition of a Home Occupation, such as excluding antique shops, bed and breakfast operations and agritourism enterprises. Maefsky felt that more should be done to foster and promote the rural and historical culture of the community. Planner Buss noted that some communities take a two tier approach to Home Occupations, and this is something that could be examined. A business could be defined based on traffic patterns and other standards.

Council member Crum noted that previous discussions were aimed at keeping retail businesses in the Village Area and limiting Rural Commercial nodes. Council member Peterson added that it may be difficult to control the expansion of a business into retail sales if it starts as a small operation.

Planner Buss summarized the consensus to maintain the definition of a Home Occupation (one person working out of their home), being an allowed residential use not requiring a permit, and allowed in all districts, except the Industrial Park. Antique shops, art galleries and agritourism enterprises would not be classified as home occupations. A draft of the code language regarding the definition and performance standards of Home Occupations was reviewed. No changes were made.

The next topic of discussion centered on animal regulations. It was agreed that the current code language is confusing and at times difficult to enforce.

Horse training facilities are currently not a big issue, but it is necessary to differentiate between private and commercial, and also to place a threshold on the number of horses a facility may keep before a permit is required.

In summary, it was decided that no permits would be required for private facilities of any size (horses owned by the property owner for their own use) as long as all other performance standards are being met. For commercial facilities with ten horses or fewer (horses not owned by the property owner and kept for boarding, training, sale and showing), an Administrative Permit would be required. Commercial facilities of more than ten horses would require a CUP due to the potential for bothering adjacent property owners.

All horse facilities must be an accessory to residential or farm dwellings.

The question of allowing living quarters in the commercial training facility for full-time employees was discussed. It was decided to allow this in horse training facilities only, and not to expand this allowance to other types of livestock operations.

The definition of animal kennels was then discussed. The term kennel will refer to the keeping of dogs only. The current regulations were reviewed and will remain as defined: commercial kennel as four or more dogs over six months of age; 10-acre minimum for commercial kennels; allowed in the commercial zone as an accessory use to a veterinary clinic for indoor boarding only.

Discussion moved into livestock and livestock operations. The five-acre minimum to keep any livestock will remain, with a change regarding the keeping of poultry. Smaller acreages may keep poultry, excluding roosters. Staff will provide research and report on recommended standards and numbers.

The requirement for grazable acres will be removed and redefined. The ordinance will be written to include performance standards to protect wetlands and maintain sufficient groundcover. Feedlot standards will be coordinated with MPCA rules and allowed by CUP in the AG Core, AP and GR Districts only. Those small feedlots, less than ten animals, which are required to be registered with the MPCA, would also be required to obtain a CUP. In general, the language will be cleaned up and enforcement capabilities maintained.

The setbacks of farm animal accessory structures, feedlots and manure storage sites were reviewed. Changes were made to the current standards as follows:

<u>Natural/ Man-Made Features</u>	<u>Horizontal Setbacks</u>
Any property line	100 feet
Any existing well or residential structure on the same parcel	50 feet
Any existing well or residential structure on adjacent or nearby parcel	200 feet
Any body of seasonal or year-round surface water wetland, lake or stream	200 feet
Any area of seasonally high ground water level or mottled soil closer than 4 feet to the surface (Section 9.2 (3) (F) 2)	100 feet

The current code states that agricultural buildings require a Certificate of Compliance in place of a building permit. It was recommended that an Administrative Permit replace the CC requirement to verify that setbacks are maintained.

The current definition of the keeping of wild animals is somewhat confusing. Updates to the definitions of domestic pets and exotic animals are needed. It was agreed to classify bison as farm animals. The proposed definition of domestic pets will be more inclusive to include animals that are kept inside the principal structure throughout the entire year (ferrets, pot-bellied pigs, some snakes, etc).

The next meeting to continue the review of the Development Code updates is scheduled for May 25 at 7:00 p.m.

Peterson, second by Amos, moved to adjourn the meeting.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk