

June 3, 2008

A regular meeting of the Scandia City Council was held on the above date. Mayor Seefeldt called the meeting to order at 7:00 p.m. The following council members were present: Council members Pete Crum, Michael Harnetty, Dolores Peterson, Mayor Dennis Seefeldt, Donnette Yehle. Staff present: Administrator Anne Hurlburt, City Attorney Dave Hebert, Building Official Steve Thorp, Deputy Clerk Brenda Eklund.

APPROVAL OF THE AGENDA

Councilmember Yehle added a discussion of the Carnelian-Marine-St. Croix Watershed District to the agenda. Mayor Seefeldt suggested a change in order to items 5a) and 5b).

Councilmember Yehle, seconded by Councilmember Peterson, moved to approve the agenda as amended. The motion passed unanimously.

NOVAK AVENUE DRAINAGE ISSUE

Heavy rains on May 25th resulted in flooding across the north end of Novak Avenue and impacting the property of Ronald and Diane Pottratz, 21450 Novak Avenue. A drainage improvement project was undertaken at the north end of Novak in 2007 to correct runoff flow across the road and flooding onto the Pottratz property. Photos of recent flooding were viewed. Bonestroo Engineer Paul Hornby submitted a report that identified the source of the runoff was from the farm field north and east of Novak Avenue. It was suggested to work with farm owners along with the Car-Mar Watershed District and the Soil and Water Conservation District to reduce the erosion and runoff from the farm field, which is tilled right up to the property line. Council was in consensus to regard Jim Shaver, CMSCWD Administrator, as the point person for these discussions and will hear a report at a future meeting.

SALT/SAND STORAGE STRUCTURE

Discussion of construction of a salt/sand storage structure at the Public Works building site was continued from the May 6th meeting. Building Official Steve Thorp provided additional cost/benefit information and answers to questions raised at the recent Capital Improvement Committee meeting. The maintenance department uses approximately 300 tons of salt per season and anticipates having up to 50 tons on hand for use per snow event. This on-site storage eliminates the need to travel to the County garage for salt as it is needed. Costs for steel or wood structures range in price from \$38,000 to \$50,000. The slab that has been in place since 2001 would not support a steel or wood structure, as the existing four foot concrete walls would need to be raised to a height of eight to ten feet to avoid contact with the corrosive salt. A fabric structure as proposed falls within the budgeted amount of \$20,000 and could be constructed over the existing slab. Councilmember Peterson again voiced her opposition to the proposed fabric structure due to the aesthetics and stated that the intent for storage of sand/salt on this slab was not to cover the material with a building, but to use a tarp system. Councilmember Yehle was also opposed to a fabric covered structure due to aesthetics and the unknown durability of this type of building. City Attorney advised that language in the current ordinance excludes this type of building and allowing it could set a precedence for construction of fabric covered buildings. Administrator Hurlburt explained that exceptions can be made for specialized uses such as storage of bulk materials. Councilmember Harnetty stated that he understands the advantages for on-site storage, but when working with limited funds, economics states that the lower cost

alternative should be the one considered. Councilmember Crum sees the benefits, but doesn't regard this as an urgent issue and suggested a change to the ordinance and investigation of a tarp system. Mayor Seefeldt would like to see the fabric-covered structure remain an option, but the building type and material ordinance (Section 9.14) needs to change. Consensus of the council was to refer this back to the Capital Improvements Committee and to hear recommendations at the budget workshops this summer.

The Planning Commission meeting was called to order at 7:46 p.m. The following were present: Commission Chair Chris Ness, Commissioners Tom Krinke, Christine Maefsky, Susan Rodsjo, Peter Schwarz and TKDA Planner Berry Farrington.

DAN AND RENEE LEE—CONDITIONAL USE PERMIT FOR WIND ENERGY CONVERSION SYSTEM AT 19703 OLINDA TRAIL (RESOLUTION 06-03-08-01)

Dan and Renee Lee, 19703 Olinda Trail, have submitted a Conditional Use Permit application to allow construction of a wind energy conversion system. TKDA Planner Berry Farrington presented the planner's report in which approval is recommended in that the applicant meets the standards outlined in Section 10.35.5 of the Scandia Zoning Regulations. The parcel size, setbacks, structure height and system features have all been met. Ms. Farrington suggested an addition to condition #3 of draft resolution 06-03-08-01 that the fence not exceed twelve feet in height.

Chair Chris Ness opened the public hearing.

- William O'Hara, adjacent property at 19565 Old Marine Trail, expressed his opposition, primarily due to the view he will have of the wind generator. *Mr. O'Hara:* Has the DNR been notified? *Planner Farrington:* Yes, but no written comments were submitted. *Mr. O'Hara:* Has placement to the north of Lee's home been considered? *Mr. Dan Lee:* Yes, but the proposed site is at the highest point on the property, making it the most efficient site for the wind generator. Placing the structure out of the neighbor's scenic view of the lake was a consideration in the placement.
- Randy Simonson, 14925 Oakhill Road, stated that the city should support alternative energy systems such as this.

As there were no other comments, Chairman Ness closed the public hearing.

Chairman Ness confirmed that the total height of the system will be 98 feet, just under the 100 feet limit allowed in the ordinance. Commissioner Schwarz questioned if a certified engineer should be involved in the construction, as the applicant intends to do the installation himself. Mr. Lee stated that the footing diagrams have been provided by an engineer and used in a similar tower. Commissioner Krinke inquired about noise. Mr. Lee replied that it will not produce any more noise than the rustling of trees. Commissioner Maefsky asked if previously approved wind generators in the city were certified by an engineer. Chairman Ness answered that all have been.

Commissioner Rodsjo addressed safety issues. Building Official Thorp stated the applicant must construct a fence and has indicated that he will place a “High Voltage” sign on the tower as a deterrent. Chairman Ness felt that a condition should be written into the resolution requiring a locked anti-climb device, as stated in the ordinance. Councilmember Harnetty asked if this wind tower fits into rural character. Commissioner Rodsjo stated that the structure may not look appealing, but a balance of environmental issues should be sought and it is an allowed use on the property. Commissioner Maefsky felt that concern for the environment and stewardship for the land are rural characters and doesn’t have an objection with this application. Commissioner Schwarz asked if the tower can be placed to the north, among the outbuildings. Mr. Lee informed the Commission that as the land sits twenty feet lower at that point, the amount of power generated due to the loss of wind would not make this generator feasible. Planner Farrington advised that if a variance were needed for additional height, it would be questioned if an alternative site could be used, which there is. Mayor Seefeldt inquired if the necessary braking devices will be in place. Mr. Lee stated that both a manual and automatic system will be installed.

The Planning Commission recommended approval of draft Resolution 06-03-08-01 with amendments.

Councilmember Harnetty, seconded by Mayor Seefeldt, moved to accept the recommendation of the Planning Commission to approve draft Resolution 06-03-08-01.

Council discussed the requirements of a final inspection. It was determined that a representative of the manufacturer or an inspector as determined by the Building Official would qualify. This condition will be modified in the final resolution.

Councilmember Peterson, seconded by Councilmember Yehle, moved to adopt draft Resolution 06-03-08-01 as amended. The motion passed unanimously.

The Planning Commission meeting adjourned at 8:28 p.m. The City Council meeting continued.

UTILITY PERMITS FOR CONNEXUS ENERGY

Connexus Energy has submitted two utility permits for the following work:

- 1) cable replacement to serve customer at 13500 205th Street N.
- 2) underground electrical line to serve Old Marine Estates development (Lakamaga Trail).

Bonestroo Engineer Paul Hornby has recommended approval of both permits with a condition for permit #1 requiring at least three feet of cover over the utility line in public rights of way, and permit #2 requires restoration to occur within seven days of disturbance.

Councilmember Peterson, seconded by Councilmember Crum, moved to approve two Utility Permits for Connexus Energy for work at 13500 205th Street and for service at Old Marine Estates development with the condition that Connexus complies with the engineer’s recommendations. The motion passed unanimously.

UTILITY PERMITS FOR FRONTIER COMMUNICATIONS

Frontier Communications has submitted two utility permits for the following work:

- 1) place buried telephone service wire at 19877 Maxwill Ave.
- 2) place buried telephone service wire at 21450 to 21525 Pomroy Ave.

Bonestroo Engineer Paul Hornby has recommended approval of both permits with the conditions that Frontier must provide three feet of cover over the utility line within public rights of way and restoration is to occur within seven days of disturbance.

Councilmember Yehle, seconded by Councilmember Peterson, moved to approve two Utility Permits for Frontier Communications for work at 19877 Maxwill Avenue and at 21450 to 21525 Pomroy Avenue with the condition that Frontier complies with the engineer's recommendations. The motion passed unanimously.

DISCUSSION OF CARNELIAN-MARINE-ST. CROIX WATERSHED

Councilmember Yehle stated the necessity to address residents' questions and concerns regarding the accountability and budget processes of the Carnelian-Marine-St. Croix Watershed. Mayor Seefeldt suggested presenting an information/discussion agenda item at the June 17th council meeting. CMSCWD Administrator Jim Shaver will be invited to participate in the discussion and to answer any questions.

Councilmember Peterson, seconded by Councilmember Yehle, moved to adjourn the meeting.

The meeting adjourned at 8:36 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk