

October 16, 2007

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 councilmembers were present: Councilmembers Michael Harnetty, Dolores Peterson, Donnette Yehle, Mayor Dennis Seefeldt. Staff present: Administrator Anne Hurlburt, City Attorney Dave Hebert, City Engineer Tom Peterson, Deputy Clerk Brenda Eklund. Councilmember Peter Crum joined the meeting at 7:15 p.m.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

Mayor Seefeldt noted the following additions to the agenda: 1) Utility Permit for Connexus Energy to install electric distribution lines in the rights-of-way in the Tii Gavo subdivision (Consent Agenda); 2) Adopt a resolution setting fees for tobacco sales licenses. **Donnette Yehle, seconded by Dolores Peterson, moved to approve the agenda as amended. The motion passed unanimously.**

CONSENT AGENDA

The following consent agenda was presented:

- a) Minutes
 - 1) September 18, 2007 Regular Meeting
 - 2) October 2, 2007 Meeting with Planning Commission
- b) Treasurer's Report

Beginning Balance 9/01/07		\$1,340,799.62
Receipts		<u>92,331.76</u>
Expenditures	\$115,394.11	
Payroll	<u>20,667.82</u>	-136,061.93
Adjustments: Void Checks		<u>44,736.00</u>
Ending Balance 9/30/07		\$1,341,805.45
- c) Payment of Vouchers
- d) Pay Request #4 and Final to Dresel Contracting for 2007 Street Improvements
- e) Pay Request #1 to Dresel Contracting for Novak & 182nd St. Drainage Improvements
- f) Reduction in Letter of Credit for North American Land and Title Group for Wild Bush Acres Subdivision
- g) Utility Permit to Connexus Energy to install electric distribution lines, Tii Gavo plat

In discussing the voucher payments, Councilmember Peterson felt the cost to place advertisements for the Heavy Metal Day collection is excessive, and suggested lowering the number of ads that are placed for future collections. **Dolores Peterson, seconded by Michael Harnetty, moved to approve the consent agenda. The motion passed unanimously.**

PUBLIC HEARING – 2007 ROAD ASSESSMENT

On September 21st, all property owners affected by the 2007 Road Improvement Project were sent notice of the public hearing to consider the adoption of the assessment to property owners. The assessment to property owners will be \$1,196 per unit for collector streets, and \$3,588 per unit for non-collector streets. Following a summary of the process of assessment by City Attorney Hebert and City Engineer Peterson, Mayor Seefeldt opened the public hearing. *Jason Helke, 16360 209th Street*, inquired about the full assessment to his lot, as 209th Street was already paved for a portion past his driveway, done by the state years ago when Highway 95 was improved. Attorney Hebert advised Mr. Helke to furnish a written objection to Administrator Hurlburt prior to the close of the hearing. *Glenn DelGiudice, 23950 Manning Trail*, stated an objection to his full assessment, as his driveway is on Manning Trail, not 240th Street. *Scott Muellner, 23500 Meadowbrook*, questioned whether or not his property had previously been assessed in the 2004 Road Project. The records will be checked. *Nancy Peterson, 11240 228th Street*, questioned the two assessment units that their property covers, and if there is a potential to divide the acreage. *Jim VanHoven, 15880 Quality Trail*, questioned why the interest rate is 6.5%. Attorney Hebert explained the policy is to assign a rate at a level of 2% over the city's bond rate. Councilmember Peterson stated that past road assessments have carried a 7% interest rate. *Donald Kruger, 13707 240th Street*, inquired on the two assessment units each of his two parcels carried, and what is the lot potential of his acreage. *Jim Schneider, 11760 228th Street*, asked for an explanation of the road assessment on 228th Street, and why the payments are not based on linear foot rather than number of lots. Mayor Seefeldt explained how everyone benefits equally and the entire assessment is based on the number of residential units. Administrator Hurlburt collected the written objections of the following property owners present at the hearing:

- 23950 Manning Trail N., PID No. 06-032-20-21-0003
Owner: Glenn and Sally DelGiudice
- 11240 228th St. N., PID No. 07-032-20-11-0002
Owner: Michael and Nancy Peterson
- 23500 Meadowbrook Ave. N., PID No. 05-032-20-14-0002
Owner: Scott and Rebecca Muellner
- 20969 Quadrant Ave. N., PID No. 24-032-20-11-0001
Owner: Peter and Susan Schwarz
- 16360 209th St. N. PID No. 19-032-19-22-0005
Owner: Jason and AmyJo Helke

Mayor Seefeldt closed the public hearing. A special meeting of the City Council was set for October 24th at 4:30 p.m. to conduct site visits with the property owners and view the parcels in which there are objections. Adoption of the final assessment roll is scheduled for the November 6th meeting.

PARK AND RECREATION COMMITTEE REPORT

Dave Smith, Chair of the Park and Recreation Committee, presented a Request for Proposals that the committee would like to issue regarding a restoration plan for Lilleskogen Park. The committee recommends that a consultant be hired to prepare the plan as the next step in

implementing the concept plan for the park. Karen Schik, park committee member, prepared the RFP. **Michael Harnetty, seconded by Dolores Peterson, moved to approve the issuance of an RFP for consulting services to prepare a restoration plan for Lilleskogen Park. The motion passed unanimously.**

Dave Smith also reported on the winter activities that the committee is planning for the winter season. Camp Lakamaga is being considered as the grounds for the Community Winter Skating Party. Councilmembers Peterson and Yehle questioned if this move away from the skating rink on the community center grounds is necessary, and suggested that it remain at the city rink. The event is planned for February 2, 2008. Beginner ice-skating and hockey lessons will once again be offered, as will the Open Gym at the Scandia Elementary school on Saturday mornings. Offering a “Scandia Day” at the Trollhaugen tubing hill is also being explored. As an alternative, an event at Eko Backen will be investigated. Mayor Seefeldt suggested a cross-country skiing activity for youth.

POLICE DEPARTMENT

Deputy Mark Caroon was present to discuss police activities, as Deputy Majeski is out of town attending the DARE program training. Mayor Seefeldt inquired on the nature of calls resulting from the Highway 97 overlay construction. Deputy Carron stated that there were numerous large truck complaints.

FIRE DEPARTMENT

Assistant Fire Chief Jim Finnegan was present to discuss the Scandia Fire and Rescue activity report with the city council. Finnegan stated that an updated report will be furnished to councilmembers on a monthly basis as a way to maintain an open line of communication with the department. Finnegan reported on the success of the Fire Department’s Open House on October 9th, with over 350 attendants. Repairs to the fire siren’s timer are being pursued, as the mechanism is not working properly.

CITY ENGINEER

City Engineer Tom Peterson reported on the drainage improvement repairs recently completed by Dresel Contracting. The work was satisfactorily done.

CITY ADMINISTRATOR

City Administrator Anne Hurlburt discussed the following reports:

2007 Summer Recreation Program

Councilmembers received the summary report of the past season’s summer programs, prepared by Marty McKelvey, Recreation Coordinator. This report had been discussed at the October Park and Rec Committee meeting, and will also be on their November agenda, in preparation for the 2008 season. Although the participation was down, an improvement in financial performance was achieved. The council was in consensus on the fine job that Marty did, and thanked her for

the thorough report. Mayor Seefeldt suggested promotion through the Marine school and also with May Township as a way to boost enrollment.

Renewal of Insurance Coverage

The renewal date for all insurance coverage provided by the League of MN Cities Insurance Trust is December 1, 2007. LMCIT has requested that the City adopt a resolution designating the insurance agent. Administrator Hurlburt recommended continuing with Security State Agency, as they have been providing fine service. **Dolores Peterson, seconded by Donnette Yehle, moved to adopt Resolution 10-16-07-01 Designating Security State Agency as Agent for Property, Casualty and Workers Compensation Insurance. The motion passed unanimously.**

The City must also decide each year whether to waive the statutory monetary limit on tort liability. In the past, the limit has been waived. **Dolores Peterson, seconded by Pete Crum, moved to waive the monetary limits on tort liability. The motion passed unanimously.**

Agent Joann Buse has asked to council to consider whether or not to add insurance coverage for “property in the open” (PIO), for items such as playground equipment, street lights, benches, etc. The coverage is available at a rate of \$0.86 per \$100 of value. Consensus of the council was to waive this coverage. Councilmember Harnetty stated “you can’t insure against everything”.

Sale of Surplus Property

An offer of \$909.00 was received by the October 18th deadline for bids on the surplus Onan standby generator. No offers were received for the two-way radios. **Donnette Yehle, seconded by Dolores Peterson, moved to authorize the sale of the Onan generator to Mr. Don Brown at a price of \$909.00. The motion passed unanimously.** Councilmember Harnetty suggested that the Stillwater Amateur Radio Association be contacted in regards to a donation of the radios to their group.

Tax-Forfeited Parcel 29-032-20-32-0005

The above vacant parcel, located on the west side of Big Marine Lake between 19472 and 19453 Manning Trail, was forfeited to Washington County for non-payment of property taxes. The parcel has no frontage on a public road, is undersized and not buildable without significant variances. A sale to an adjacent landowner for combination with their existing parcel was recommended. **Dolores Peterson, seconded by Dennis Seefeldt, moved to adopt Resolution 10-16-07-02 Approving the Classification and Sale of Tax Forfeited Parcel No. 29-032-20-32-0005. The motion passed unanimously.**

JOHN LINDELL – EAW’S FOR SAND AND GRAVEL MINING

John Lindell provided the council with documentation of a case in which the DNR assumed the responsibility of RGU (responsible government unit) for undertaking an Environmental Assessment Worksheet regarding a mining operation in Beltrami County. Mr. Lindell has asked

the City of Scandia to take similar action for future EAWs concerning mining operations. Under the provisions of the Mining Ordinance and the rest of the Development Code, the City is the responsible government unit. Council discussed the fact that professionals are hired to advise on environmental issues and sufficient oversight is in place. The DNR's expertise will be available to the city throughout the EAW review process. Administrator Hurlburt relayed comments from DNR staff that their agency would be hesitant to take on an EAW, and in the case in Beltrami County, the DNR was the landowner. Councilmember Harnetty commended Mr. Lindell for his diligence in pursuing gravel pit issues.

EXTENSION OF CERTIFICATE OF COMPLIANCE – JIM'S TREE FARM

Jim Simpson, 23393 Nolan Avenue, has requested that the city extend his Certificate of Compliance to build a 5,500 square foot agricultural building on his 116-acre tree farm. **Dolores Peterson, seconded by Pete Crum, moved to adopt Resolution 10-16-07-03 Extending the Certificate of Compliance for James and Peggy Simpson to November 1, 2009. The motion passed unanimously.**

APPOINTMENTS TO THE PARK AND RECREATION COMMITTEE

Two applications have been received following the advertisement of the open positions on the Park and Recreation Committee. Interviews will be arranged with these candidates, to include Councilmembers Yehle and Harnetty, Administrator Hurlburt, and Park and Recreation Committee members Smith and Schik.

ORDINANCE 105 – ADOPTION OF THE MN STATE BUILDING CODE

The State of Minnesota adopted a new building code on July 10, 2007. The 2007 MNSBC replaces the 2003 MNSBC, which Scandia adopted with Ordinance 78. **Pete Crum, seconded by Dolores Peterson, moved to adopt Ordinance 105, Approving the 2007 Minnesota State Building Codes. The motion passed unanimously.**

ORDINANCE 106 – SETTING FEES FOR BUILDING PERMITS

The MNSBC requires that a fee schedule be adopted with the new building code. Steve Thorp, Scandia Code Official, prepared a schedule that is in keeping with that used in the past and very consistent with almost all of the surrounding areas in Minnesota. **Dolores Peterson, seconded by Donnette Yehle, moved to adopt Ordinance 106 Establishing Fees for Building Permits Issued by the City of Scandia. The motion passed unanimously.**

FEE FOR REGISTRATION OF DANGEROUS DOGS

When New Scandia Township adopted Ordinance 75, providing for the identification of dangerous dogs, a specific fee had not been set. The ordinance is based on a Minnesota Statute, which allows for a fee of not more than \$500.00. Upon a recommendation by Steve Thorp, setting the fee at \$100 was discussed. Councilmember Yehle suggested setting the fee higher as a deterrent to owners whose dogs are classified as dangerous. Councilmember Peterson was in agreement with this. **Dolores Peterson, seconded by Donnette Yehle, moved to adopt**

Resolution 10-16-07-04 Setting Dangerous Dog Registration Fee at \$300.00. The motion passed unanimously.

TOBACCO LICENSE FEE

Tobacco licenses, which were applied for with Washington County prior to the incorporation of the City of Scandia, are to be renewed through Scandia by December 1, 2007. The fee amounts are based on the 2007 fees plus 4%, as the County is planning to increase their fees by this amount. **Dolores Peterson, seconded by Donnette Yehle, moved to adopt Resolution 10-16-07-05 Setting Tobacco License Fees. The motion passed unanimously.** The cost for a year-round license will be \$272.00, with a seasonal license set at \$196.00

Dolores Peterson, seconded by Donnette Yehle, moved to adjourn. The meeting adjourned at 9:12 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk