

August 28, 2007

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. The following councilmembers were present: Pete Crum, Michael Harnetty, Dolores Peterson, Mayor Dennis Seefeldt. Absent: Councilmember Donnette Yehle. Staff present: Administrator Anne Hurlburt, City Attorney Dave Hebert, City Engineer Tom Peterson, Treasurer Colleen Firkus, Deputy Clerk Brenda Eklund.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

Mayor Seefeldt noted an addition to the agenda concerning a letter of credit reduction for Big Marine Development, LLC. **Michael Harnetty, 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) July 17, 2007 Council Meeting
- 2) August 7, 2007 Meeting with Planning Commission
- 3) August 14, 2007 Special Meeting

b) Treasurer's Report

Beginning Balance 7/01/07		\$1,675,930.37
Receipts		<u>970,468.58</u>
Expenditures	\$740,343.34	
Payroll	<u>42,146.20</u>	<u>-782,489.54</u>
Ending Balance 7/31/07		\$1,863,909.41

c) Utility Permit, Frontier Communications (12080 Lakamaga Trail)

Mayor Seefeldt noted a correction to the July 17, 2007 council minutes. **Dolores Peterson, seconded by Pete Crum, moved to approve the consent agenda with a correction to the July 17, 2007 minutes. The motion passed unanimously.**

STAFF REPORTS

Police Department

Mayor Seefeldt welcomed Deputy Chris Majeski to his new position as the patrol officer for Scandia. Deputy Majeski reported on various police calls that have occurred since his start in early August. Councilmember Peterson noted that the speed limit signage on Olinda Trail (County Road 3) north of Highway 97 is confusing, as the 55 mph posting is followed by a reduced speed posting of 40 mph within a quarter mile, as one is traveling south on Olinda. Deputy Majeski will discuss the speed limit sign posting with Washington County Public Works.

Fire Department

Scandia Fire Department member Ron Boesel was present to discuss the Fire Department's plan to host a Waterball Competition Event during Taco Daze, September 8th. Participation from surrounding fire departments is expected to be low this year and citizen teams would be formed to operate the fire hoses. Mr. Boesel reported that although this has been an organized event the past six years with no problems, the department seeks council approval in regards to liability concerns. This event is held on city property between the old fire hall and Meister's Bar and Grill. Administrator Hurlburt relayed the insurance representative's concerns, such as untrained users operating city equipment, crowd control and the fact that this contest is located next to a liquor establishment. These factors classify this as a high risk event. The insurance representative recommended that all participants sign a liability release form and to put in place assurances that the contest is closely supervised by members of the Scandia Fire Department. **Pete Crum, seconded by Michael Harnetty, moved to allow the Scandia Fire Department to host a Waterball Tournament during Taco Daze with the following conditions: 1) All participants must sign a waiver release form, 2) Be closely supervised by the Scandia Fire Department, 3) A water pressure of 50 pounds be maintained; 4) Crowd control be monitored, 5) Participants undergo a training session prior to their operation of the equipment. The motion passed unanimously.**

City Engineer

City Engineer Tom Peterson presented a request from Big Marine Development, LLC for a reduction in the letter of credit for public improvements in the Tii Gavvo subdivision. Mr. Peterson recommended approval of the developer's request to reduce their financial guarantee by \$300,000 to a new amount of \$564,344. Mr. Peterson reported that Big Marine Development has completed most of the road grading. Infiltration ponds throughout much of the development have also been dug. **Dolores Peterson, seconded by Michael Harnetty, moved to approve a reduction in the letter of credit to a new total amount of \$564,344. The motion passed unanimously.**

As this request was submitted with only one day's notice, the council was in agreement that all future requests for letter of credit reductions have a deadline of one week prior to the council meeting date. This allows time for review of the request and a more informed recommendation.

City Administrator

Sale of the F-450 Truck

Administrator Anne Hurlburt reported on the sale of the 2006 F-450 truck with dump body and plow. Ads were placed with the MN League of Cities publications, the city's web site, and the Craigslist and Commercial Truck Trader websites, with a list price of \$32,000 or best offer. Two bids were received by the deadline (August 23rd):

- City of Otsego, MN \$32,500.00
- Turning Leaf Landscapes \$29,777.99

Dolores Peterson, seconded by Pete Crum, moved to accept the offer from the City of Otsego for the sale of the 2006 F-450 truck in the amount of \$32,500. The motion passed unanimously.

Council discussed using these proceeds to replace the 1995 GMC pickup and snowplow. This vehicle is scheduled to be replaced next year, but the funds could be used to purchase a new truck before winter. Public Works Supervisor John Morrison has received a quote for a new F-350 truck, including snow plow, from Elk River Ford priced at \$28,980 through the state contract. This price is good through the end of August. **Dolores Peterson, seconded by Pete Crum, moved to approve the purchase, by way of state contract, an F-350 truck at an amount of \$28,890.00, excluding sales tax. The motion passed unanimously.**

Sale of Seppi Mower Attachment

As authorized at the August 7th meeting, the old flail mower attachment was advertised for sale by best offer on the city web site, and in the League of MN Cities publications and website. One offer was received from Keith Hacker in the amount of \$411.00. **Dennis Seefeldt, seconded by Pete Crum, moved to accept the offer of \$411.00 for the sale of the Seppi mower attachment to Keith Hacker. The motion passed unanimously.**

2008 Truth in Taxation & Levy Adoption Hearings

The city is required to hold a Truth in Taxation public hearing prior to holding a hearing on adoption of the 2008 tax levy. Administrator Hurlburt presented possible dates that meet the requirements for the initial and continuation hearings. The dates must be certified to Washington County by September 15. **Dolores Peterson, seconded by Pete Crum, moved to schedule the initial Truth in Taxation hearing on December 3, 2007 at 7:00 p.m. and the continuation hearing on December 10, 2007. The motion passed unanimously.** The continuation hearing may be cancelled if the council decides it is not needed. This allows for the levy and budget to be adopted at the December 18 regular meeting.

MINING ORDINANCE NO. 103

The Planning Commission recommended that the council adopt the new mining regulations following the close of the public hearing on August 7th. All of the changes recommended by the Commission were incorporated into the final form and presented for council approval. It was noted that this mining ordinance has undergone extensive study by the planner, attorney, mine operators and public. **Dennis Seefeldt, seconded by Dolores Peterson, moved to adopt Ordinance No. 103, Mining and Related Activities Regulations. The motion passed unanimously.**

City Attorney Hebert has prepared a summary, which may be published instead of the full text in order to reduce costs. Council is required to adopt by resolution their approval of the summary. **Dolores Peterson, seconded by Pete Crum, moved to adopt Resolution 08-28-07-01**

Approving Title and Summary of the City of Scandia Mining and Related Activities Ordinance. The motion passed unanimously.

RESOLUTION 08-28-07-02 : ALLEN AND PENNY LEPINSKI VARIANCE

At the close of the public hearing on August 7th, the Planning Commission recommended that the council approve variances to allow construction of a new single family home for Allen and Penny Lepinski on property located at 12614 182nd Street North. The Council preliminarily accepted their recommendation and directed staff to prepare a resolution incorporating findings and conditions of approval.

Dale Hebeisen, of Hult Surveying, was present to report that a full topographical survey of the property has been completed, as has a tree inventory and soil borings which indicate that the soil is conducive to installation of a pervious paver system for the driveway. In regards to Condition #4 of the draft resolution, Mr. Hebeisen noted that the two oak trees which were identified to have no disturbance of grade within five feet, have a slim chance of survival once the driveway is in place. It was suggested to strike the “saving of the two oak trees” and replace it with a statement requiring a landscape plan be submitted showing any tree removal and a tree replacement plan as regulated by Section 9.11 of the Zoning Ordinance.

Dolores Peterson, seconded by Pete Crum, moved to adopt draft Resolution 08-28-07-02 Approving Variance Request for 12614 182nd Street, with a change to Condition #4 which strikes the saving of the two oak trees and requires that a tree inventory and tree replacement plan be submitted. The motion passed unanimously.

EARL POYERD – REQUEST TO PERMIT A DOCK ON BIG MARING LAKE

Earl Poyerd, 19166 Larkspur, was present to discuss with council a proposal to permit the installation of a dock on Big Marine Lake at 192nd Street. The proposed location for the dock is on city road right-of-way, approximately 102 feet wide by 110 feet. Mr. Poyerd would like to form a neighborhood association to fund the project and assume the installation and maintenance of the dock for use by neighborhood residents. Council felt that this was an idea worth exploring, but additional information needs to be gathered, such as DNR and Watershed requirements and neighborhood input. Mr. Poyerd was advised to research this proposal further and return with additional information.

Dolores Peterson, seconded by Pete Crum, moved to adjourn the meeting. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Brenda Eklund
City of Scandia Deputy Clerk