

January 19, 2010

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. Following the Pledge of Allegiance, roll call was taken. The following council members were present: Council members Connie Amos, Pete Crum, John Lindell, Dolores Peterson and Mayor Dennis Seefeldt. Staff present: City Administrator Anne Hurlburt, City Attorney Dave Hebert, City Planner Sherri Buss, Building/Code Enforcement Official Steve Thorp, Treasurer Colleen Firkus, Deputy Clerk Brenda Eklund, Fire Chief Jim Finnegan and Police Deputy Chris Majeski.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

Council member Lindell added agenda item 9.g) Discussion of the Uptown Sewer System. **Peterson, seconded by Crum, moved to approve the agenda as amended. The motion passed unanimously.**

APPROVAL OF CONSENT AGENDA

The following consent agenda was presented:

- a) Minutes
 - 1) December 15, 2009 Regular Meeting
 - 2) January 5, 2010 Meeting with Planning Commission
 - 3) January 12, 2010 Special Meeting with Planning Commission

- b) Treasurer's Report

Beginning Balance 12/01/09		\$ 939,153.91
Receipts		+ <u>871,341.35</u>
Expenditures	76,466.84	
Payroll	<u>33,266.62</u>	- 109,733.46
Adjustments: Returned check		- <u>2,705.00</u>
Ending Balance 12/31/09		\$1,698,056.80

- c) Payment of Vouchers
- d) Approve Official Depositories (*Resolution 01-19-10-01*)
- e) Ratify Surety and Blanket Bonds (*Resolution 01-19-10-02*)

Lindell, seconded by Amos, moved to approve the Consent Agenda as presented. The motion passed unanimously.

PARK AND RECREATION COMMITTEE REPORT

City Administrator Anne Hurlburt reported on the Committee's plans for the annual Vinterfest event being held on the grounds of the Community Center on February 6, 2010.

POLICE DEPARTMENT

Deputy Chris Majeski reported on the theft of a snowmobile and of a daytime burglary which occurred within the city this past month.

FIRE DEPARTMENT

Fire Chief Jim Finnegan reported on the past month's activities. There were fourteen total calls in December, of which eleven were medical related. The department began using the State Fire Marshal's online incident reporting system effective the first of the year. A 2009 summary report was presented. There were 195 total calls, of which 126 were medical related. This was a 3% increase in calls over 2008.

Council Approval of Fire Chief's Travel to Fire School

Peterson, seconded by Seefeldt, moved to approve Fire Chief Finnegan's travel to Mankato on March 6 and 7, 2010 to attend fire school class. The motion passed unanimously.

Work Session with Fire Truck Committee

Council will meet with the Fire Department on February 17, 2010 at 7:00 pm to review the rescue truck build-out specifications. Once specifications are approved, the project will be advertised for bids.

CITY ENGINEER

Engineering Rates for 2010

City Engineer Paul Hornby informed the city that hourly engineering rates will not increase in 2010. Bonestroo, the firm with which the city contracts engineering services, has maintained a level rate for services since 2007.

BUILDING/CODE ENFORCEMENT OFFICIAL

Building/Code Enforcement Official Steve Thorp reported that 186 building permits were issued in 2009. There were seven new home construction permits issued. Evaluation of the uptown wastewater system is continuing.

CITY ADMINISTRATOR

Carnelian-Marine-St. Croix Watershed District Rules

City Administrator Hurlburt Anne Hurlburt presented a draft comment letter in response to the third draft of the proposed Carnelian-Marine-St. Croix Watershed District updated rules. The comment period is open until January 25, 2010. Hurlburt pointed out that there are still concerns carrying through from previous versions, such as the expansion of wetland regulations, the low threshold for requiring a watershed permit, and the challenge of enforcing the permit regulations.

Council member Lindell disagreed with the city's response to the proposed rules. Lindell felt it is the watershed's mission to protect water resources and the city should not interfere or relax the rules. The city should allow the CMSCWD to operate as it sees fit.

Mayor Seefeldt voiced his agreement with the statements in the letter. A more common sense approach should be taken when determining the need for watershed permits, which could require engineered plans for small projects. Council member Peterson agreed, stating the proposed rules are too restrictive to property owners.

Administrator Hurlburt explained that there should be a balance of rules and reasonableness when looking at land use projects. A significant burden would be put on property owners, and enforcement of the rules could be difficult.

Council member Crum felt that the proposed rules are onerous and overreaching. The city can't stay out of the process as the rules affect the city's business role. Elected officials represent the voters, whereas the watershed board members are appointed. The city needs to look out for the best interest of the residents.

Peterson, seconded by Crum, moved to authorize staff to submit the letter outlining concerns of the CMSCWD third draft of proposed rules and regulations. Voting in favor: Amos, Crum, Peterson, Seefeldt. Voting opposed: Lindell. The motion passed.

2010 Elections Schedule

City Administrator Hurlburt reported on proposed changes to the 2010 elections schedule. The state legislature is expected to conform to federal law which requires that absentee voting be allowed for 45 days prior to an election (currently 30 days are allowed). This will move the primary election from September 14 to August 10, with absentee voting beginning on June 25. Candidate filings for council will be moved up to August 10 through August 24. These changes will affect election judge training and many other election-related tasks. Staff will continue to monitor the proposed changes and provide updates to the council and public as needed.

ACCEPT DONATION FROM SCANDIA MARINE LIONS (RESOLUTION 01-19-10-03)

The Scandia Marine Lions Club has made a cash donation of \$400.00 towards the Park and Recreation Committee's Open Gym Program. **Crum, seconded by Peterson, moved to adopt Resolution 01-19-10-03 Accepting Donation from the Scandia Marine Lions. The motion passed unanimously.**

APPOINT ACTING MAYOR FOR 2010

Peterson, seconded by Amos, moved to appoint Council member Crum as Acting Mayor for 2010. The motion passed unanimously.

ADVISORY COMMITTEE APPOINTMENTS (RESOLUTION 01-19-10-04)

Three applications were received for the expiring Planning Commission term. Council held a special meeting at 6:00 p.m. to interview the applicants. **Peterson, seconded by Amos, moved to reappoint Chris Ness to a five year term on the Planning Commission. The motion passed unanimously.**

No applications were received for the other committees. Current citizen members of the Capital Improvements and Park and Recreation Committees were willing to be reappointed. Mayor Seefeldt and Council member Peterson will continue to be council representatives to the Capital Improvements Committee. Council member Crum will continue in his role as council liaison to the Park and Recreation Committee for 2010.

Lindell, seconded by Amos, moved to adopt Resolution 01-19-10-04 Making Appointments to Advisory Committees. The motion passed unanimously.

DESIGNATE OFFICIAL NEWSPAPER

Proposals were received from the Forest Lake Times and the Country Messenger to serve as the legal newspaper for the City of Scandia in 2010. State law was recently changed to reduce the circulation requirement within the city from 500 to 400. The Country Messenger meets this requirement with a circulation of 442. The Forest Lake Times is distributed to 1,100 households within the 55073 zip code. The Attorney General's office issued an opinion finding that a legal newspaper may satisfy the requirements of the law where its business office is in an out-of state county adjacent to a Minnesota County. The Country Messenger's office is in Osceola, Wisconsin. The Country Messenger submitted the low bid to publish legal notices based on the price per column inch.

Peterson, seconded by Amos, moved to designate the Country Messenger as the official newspaper for 2010. The motion passed unanimously.

REVISED SCOPING AND ALTERNATIVES FOR ZAVORAL MINING AND RECLAMATION PROJECT EIS (RESOLUTION 01-19-10-05)

City Planner Sherri Buss presented a report outlining the proposed changes to the Zavoral Mine project. Tiller Corporation has recently modified their proposal by eliminating all processing activities from this site. The aggregate material mined at the Zavoral site will be primarily transported to the Scandia Mine site, located on Manning Avenue near 225th Street. This requires that the scope of the Environmental Impact Statement be amended.

Planner Buss discussed the revised Scoping Document. Staff of the Environmental Quality Board advised that the EIS scope address the potential for impacts involving the transportation of add-rock from the Zavoral site to the Scandia Mine site, and account for all potential impacts at the Scandia Mine site.

Council member Lindell questioned if the EIS will reflect the activities at the Scandia Mine site such as processing and stockpiling. City Attorney Hebert stated this is outside of the EIS scope and mining activities are evaluated through the CUP and AOP process.

Council member Lindell questioned if public input is allowed during review of the scope's revision. Administrator Hurlburt explained that the process to revise the scope does not include a requirement for a public hearing, although all documents and notices are posted on the city's website.

Mayor Seefeldt indicated that he would take comments from the floor.

Judy Herbert asked the council if they had read the revised scoping document in its entirety. Mayor Seefeldt and Council member Amos indicated that they had. Council members Crum and Lindell read the highlighted changes. Council member Peterson was absent from this discussion.

Lisa Phillipi asked if a decision on the EIS could possibly occur after the November elections. Planner Buss stated that timing of a decision would be weather dependent and also based on comments received during public input.

Jan Hogle questioned how mining activities will be monitored. Administrator Hurlburt explained that if a decision is made to allow mining at the Zavoral site, the CUP and AOP processes will address these issues.

Pam Arnold asked if consideration of this site as a source of add-rock can be dropped, as add-rock is already coming from a location just a few miles north of the Zavoral site. Planner Buss explained that this is not a consideration when dealing with a private development where the owner has a right to propose a project. In cases of public projects, a no-build option can be considered to verify the necessity.

Crum, seconded by Amos, moved to adopt Resolution 01-19-10-05 Adopting Revised Final Scoping Decision for the Zavoral Mining and Reclamation Project. The motion passed unanimously.

SET DATES FOR THE 2010 BOARD OF APPEAL AND EQUALIZATION MEETINGS

Lindell, seconded by Crum, moved to hold the Board of Appeal and Equalization Meeting on April 12, 2010 from 5:00 p.m. to 6:00 p.m., with the continuation meeting on April 20, 2010 at 6:30, if necessary. The motion passed unanimously.

UPTOWN SEWER SYSTEM DISCUSSION

Council member Lindell offered comments on the study of the Uptown Sewer system. Lindell felt it was important to design the system for maximum capacity by the major users and to thoroughly analyze the input into the system. Mayor Seefeldt stated that these issues will all be considered during the study on the future of the Uptown wastewater system.

Crum, seconded by Amos, moved to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk