

March 20, 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: Councilmembers Peter Crum, Michael Harnetty, Dolores Peterson, Donnette Yehle, Mayor Dennis Seefeldt. Staff present: Administrator Anne Hurlburt, City Attorney Dave Hebert, Treasurer Colleen Firkus, Deputy Clerk Brenda Eklund.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

There were no additions to the agenda. **Dolores Peterson made a motion to approve the agenda as presented. Michael Harnetty seconded the motion and motion adopted unanimously.**

CONSENT AGENDA

The following consent agenda was presented:

a) Minutes of City Council 02-20-07 Special Meeting, 02-20-07 Council Regular Meeting, 03-06-07 Regular Meeting.

b) Treasurer's Report:

Beginning Balance 2/01/07	\$1,365,468.15
Receipts	<u>50,154.09</u>
Expenditures - 394,399.58	
Payroll <u>16,382.35</u>	<u>410,781.93</u>
Adjustments <i>Bank Charges</i> - 8.00	<u>8.00</u>
Ending Balance 2/28/07	\$1,04,832.31

c) Payment of Vouchers.

d) Approval of liquor licenses for the license period April 1, 2007 through December 31, 2007 for the following:

- Big Marine Lake Liquor Store, Off-Sale Intoxicating Liquor License
- Adrian J. Franssen DBA Scandia Olde Towne Liquor, Off-Sale Intoxicating Liquor License
- The Scandia Creamery LLC, On-Sale Intoxicating Liquor License and Sunday Liquor
- Meisters Bar and Grill, Combination On-Sale/Off-Sale Intoxicating Liquor and Sunday Liquor
- Prospects, On-Sale Intoxicating Liquor License and Sunday Liquor

e) Approve Reduction of Financial Guarantee for Grading Permit for Access Road, Big Marine Lake Development (Tii Gavo). Reduction in the letter of credit from \$250,000 to \$10,000.

Michael Harnetty made a motion to approve the Consent Agenda. Dolores Peterson seconded the motion and motion adopted unanimously.

PUBLIC HEARING – CERTIFYING ACREAGE INTO AG PRESERVES (DANIEL FROILAND)

Daniel Froiland has requested that three parcels with a total acreage of 93.37 acres be certified as eligible for the Metropolitan Agricultural Preserves Program. This property, located on the north side of Oakhill Road at 199th Street, was the site of the proposed Diamond Homes' "Serenity" plat.

This development received final plat approval in 2006 but was not recorded with the county. Mr. Froiland purchased the property in January 2007. The owner indicated that the land would be returned to agricultural production in 2007. Mayor Seefeldt opened the public hearing. There were no comments; hearing then closed. **Dolores Peterson made a motion to approve Resolution 03-20-07-01 Certifying Land Eligible for Metropolitan Agricultural Preserves Program. Peter Crum seconded the motion and motion adopted unanimously.**

COMMITTEE REPORTS

Parks and Recreation

The Parks and Recreation Committee reviewed the by-laws of the Park and Recreation Committee at their March 5, 2007 meeting. Chair Dave Smith felt it presented a very clear statement and reported that the committee unanimously approved of the by-laws. Chair Smith asked for council approval. **Donnette Yehle made a motion to approve the by-laws of the Parks and Recreation Committee. Dolores Peterson seconded the motion and motion adopted unanimously.**

Planning Commission

The Planning Commission held a special meeting on March 13, 2007 and appointed Chris Ness as Chair and James Malmquist as Vice Chair for 2007. **Dolores Peterson made a motion to approve the Planning Commission's recommendation to appoint Chris Ness as Chair and James Malmquist as Vice Chair for 2007. Dennis Seefeldt seconded the motion and motion adopted unanimously.**

Commercial/Retail Development Committee

The Commercial/Retail Development Committee has chosen Bruce Swenson as the committee chair. **Peter Crum made a motion to approve the Commercial/Retail Development Committee's recommendation to appoint Bruce Swenson as Chair. Donnette Yehle seconded the motion and motion adopted unanimously.**

STAFF REPORTS

Police Department

Deputy Chris Howard was not available to report on police activity.

Fire Department

Fire Chief Steve Spence presented the Scandia Fire and Rescue 2006 Annual Report. The department responded to 185 emergency calls -- 124 calls for medical or rescue assistance and 61 calls that were fire or emergency service related. The department began a two year plan to replace the Self Contained Breathing Apparatuses and participated in obtaining a one million dollar county wide grant for the 800 MHz radio upgrade. In other business, Fire Chief Spence reported that the Capital City Regional and Mutual Aid contract has been revised. Rather than renewing every two years, the revised agreement would be on going. Membership may be cancelled upon a thirty-day notice. This is an association of twenty-seven metro fire departments from which grant assistance is available. City Attorney Hebert will review the contract and discussion will continue at the April

meeting. In old business, Chief Spence presented a quote from Federal Siren in the amount of \$2,764.00 to install equipment that could cycle the fire and rescue siren off during selected hours. This would not affect the siren sounding for civil defense or severe weather warnings. **Michael Harnetty made a motion to approve the quote from Federal Siren in the amount of \$2,764.00 to install equipment that will modify the fire department siren to be turned off between the hours of 9:00 p.m. and 7 a.m. for fire and medical rescue calls. Dolores Peterson seconded the motion and motion adopted unanimously.**

City Engineer

City Engineer Tom Peterson was not present. Administrator Hurlburt reported that the bid opening for the 2007 Street Improvements Project will be Friday, March 23, 2007 at City Hall.

City Administrator

Summer Recreation Program

Recreation Program Coordinator Marty McKelvey presented the 2007 summer recreation program schedule. A number of programs will be held at Camp Lakamaga, the Girl Scout camp on Big Marine Lake. As the camp will provide most of the staffing for the programs offered there, only one part-time seasonal employee will be needed to assist with the youth programs. Ms. McKelvey requested permission to advertise and hire for this position. Details of the agreement with the camp are in the process of being finalized. The schedule also includes program offerings for adults, with trips to theaters and a Twins game arranged through Valley Tours. An after-school pizza party event is proposed for May 1 at the Community Center, at which parents will be able to meet instructors and register their child for the summer programs. The council expressed their satisfaction and were impressed with the design of the summer program. **Dolores Peterson made a motion to approve the program as presented, with the understanding that final contract details and insurance issues will be worked out. Donnette Yehle seconded the motion and motion adopted unanimously.**

Scandia Community Center Rental Policies

Administrator Hurlburt has recommended a new rental policy for the Scandia Community Center, as the contract currently in place does not clearly state the rate policy or responsibilities of the renter. The rental policy includes all organizations that qualify for a waiver of rental fees and clearly states the special rates granted to non-profit groups. The new contract does not propose a rate change, rather a rate structure based on use of the hall. The cleaning/damage deposit language in the draft policy states that deposits will be withheld for any cleaning exceeding one hour, at the rate of \$50 per hour. This had not been clear in the past. A liquor addendum is also included for those renters serving alcohol at their function. The city's insurance agent advised to insert a liability clause in the addendum regarding "host coverage". Mayor Seefeldt asked that this liability portion of the agreement be highlighted on the contract document (page 5). Councilmember Peterson commented that the city attendant needs to be aware of the language that states his authority to ask an intoxicated guest to leave the premises. This should mean that he work with the host to provide transportation for the individual. Councilmember Peterson discussed the "Mop the bathroom and

kitchen floors” statement under general clean-up (page 3). As this is done by the janitorial service following a large function, it will be removed from the contract, although “Mop all spills” remains. **Donnette Yehle made a motion to approve the Scandia Community Center Rental Policy and the Rental Agreement with changes to pages 3 and 5. Dolores Peterson seconded the motion and motion adopted unanimously.**

Life Insurance Coverage for City Council Members

Administrator Hurlburt presented her report on the status of life insurance for councilmembers, as staff was directed to research the matter following the February 20, 2007 meeting. The Township had carried a policy through Township Officers Group Life at \$10,000 coverage per member. The City is no longer eligible for this policy. One possible source of coverage could be provided by NCPERS at a cost of \$16 per month for a decreasing term policy (annual cost of \$960 for five individuals). Councilmember Harnetty asked how common is this benefit provided by cities? Administrator Hurlburt’s research found that it is less common for cities to provide for life insurance coverage. Councilmember Harnetty felt that he did not see this as a benefit to serving the city. The consensus of the council was that there was no particular reason to look into this issue any further.

City Newsletter

Administrator Hurlburt presented a list of topics and a mock-up format of the newsletter to be sent to all city residents by early April. It was agreed to highlight the transition from township to city, to include a reminder to clean-up roads and properties, and to include dates of community events. Councilmember Harnetty suggested including information on the newly established committees. The council agreed that the format looked good and directed staff to go ahead with the production of the newsletter.

Personnel Matters

Staffing issues were initially addressed at a workshop meeting of the incoming council in December. Administrator Hurlburt presented position descriptions to be officially adopted for the following city jobs: Maintenance Supervisor, Maintenance Worker (full-time), Maintenance Worker (part-time), Deputy Clerk, Treasurer/Planning Commission Secretary, Building/Code Enforcement Official, and Office Assistant. The maintenance positions will be structured such that John Morrison will become the Supervisor and a new hire will be added to the open full-time position. Pay ranges for the Maintenance Worker (full-time), Maintenance Supervisor, and Building/Code Enforcement Official were based on a survey from the League of MN Cities. Councilmember Crum commented on a need for pay rates to be established based on an incremental grade. Administrator Hurlburt replied that the pay ranges will be reviewed annually and a pay equity system will be looked into within the year. Councilmember Peterson asked if the Building Official will be provided a car. The city will initially reimburse mileage the first six months and then review the need to provide a vehicle. Councilmember Yehle asked for an estimate of start-up costs for the Building Official. Administrator Hurlburt estimated that the costs of office set-up (computer software, code books, training costs, etc) may run \$10,000 to \$12,000. It is expected that the salary and start-up costs will be more than offset by a reduction in the cost of

contractual services. An office currently shared by the part-time Building Official and the Deputy will provide adequate space for the full-time official. Administrator Hurlburt is looking into relocating the Deputy's office to space in the Firehall/Public Works building. Councilmember Crum would like to see volunteer service to the Fire and Rescue Department be encouraged to those applying for the maintenance and building official positions. Councilmember Yehle asked if the Public Works Supervisor would be accountable for performance reviews to those in the department. No, but would participate and provide feedback in the reviews. The following actions were taken:

Peter Crum made a motion to approve the seven new job description titles (Maintenance Supervisor, Maintenance Worker (full-time), Maintenance Worker (part-time), Deputy Clerk, Treasurer/Planning Commission Secretary, Building/Code Enforcement Official, and Office Assistant). **Dennis Seefeldt seconded the motion and motion adopted unanimously.**

Michael Harnetty made a motion to approve the pay ranges as follows: Maintenance Worker full-time (\$15.30 to \$20.30 per hour), Maintenance Supervisor (\$19.25 to \$25.50/hr), Building/Code Enforcement Official (\$50,200 to \$64,300/yr, exempt position). Dolores Peterson seconded the motion and motion adopted unanimously.

Dolores Peterson made a motion to designate John Morrison as the Maintenance Supervisor, at a new pay rate of \$24.36 per hour. Michael Harnetty seconded the motion and motion adopted unanimously.

Michael Harnetty made a motion to authorize advertisements for the vacant positions (Office Assistant, Maintenance Worker, and Building/Code Enforcement Official). Dolores Peterson seconded the motion and motion adopted unanimously.

Deadlines for applications will be staggered so that evaluations and interviews do not occur all at once. The schedule and procedure for interviewing candidates will be set at a later date.

City Administrator Performance Evaluation

A six-month performance review of Administrator Hurlburt needs to be scheduled per the employment agreement between the city and the Administrator. A closed meeting of the council will be conducted for this purpose on April 17, 2007 at 6:00 p.m. Staff and Planning Commission members will be directed to provide any comments related to Administrator Hurlburt's performance to Mayor Seefeldt.

ROBERT AND BETTY STERBENTZ

Robert and Betty Sterbentz, 10860 191st Street, have addressed a concern regarding installation of a fence between their property and the Big Marine Lake Store. Correspondence between the two parties has been on-going since last year. The Sterbentz' now request the City take action that requires the business to meet zoning requirements. Installation of a fence was not required in the

Conditional Use Permit, but the owner did plant trees for screening, as the landscape plan shows. The owners have removed a fence that was installed onto the Sterbentz' property, but the in-ground posts remain. The Sterbentz' have a problem with debris from the business accumulating onto their property. Councilmember Yehle asked if these problems can be addressed through a letter to the business owners and by giving them a deadline to meet the conditions. Sterbentz' felt this was an agreeable option. Administrator Hurlburt was directed to address a letter to Patrick Reicherts and Dave and Vicki Heber, owners of Big Marine Lake Liquor Store, requesting that they take the following actions by June 1, 2007: 1) Pick up debris from the business property on a regular basis and provide adequate trash receptacles for customer use; 2) Remove the concrete footings and relocate any sprinkler heads that remain on the Sterbentz' property; 3) Remove or repair the chain-link fence on the eastern and southern boundary of the property, including removal of wood and other building materials that are piled along the fence.

WHITE ROCK RANCH, LLC

Mark Youngdahl presented changes to the White Rock Ranch preliminary plat that was recommended for approval by the Planning Commission on March 6, 2007, but tabled by the council. In a letter from the developers dated March 15, 2007 the following changes were addressed: 1) Building sites on lots 5 and 6 would be moved to the west, away from the lake. This would eliminate driveways through the wetland areas and reduce impacts to wetlands and treed areas of the site. These changes will be shown on the final plat; 2) Covenants would prohibit livestock grazing and amount of manicured lawn within the Scandia boundary to protect water quality; 3) Developer to work with the watershed district to consider changes to the ditches and wetlands, providing that it would not alter the site engineering; 4) Developer to give the City of Scandia \$10,000 to be used for future water quality improvements. These conditions were written into draft Resolution 03-20-07-02 which was read by Mayor Seefeldt. Mr. Youngdahl noted that a "per lot" designation needed to be added to condition no. 4. **Peter Crum made a motion to approve Resolution 03-20-07-02 granting White Rock Ranch Preliminary Plat approval as amended. Dolores Peterson seconded the motion and motion adopted unanimously.** Mayor Seefeldt thanked the developers for their attention to the environmental concerns regarding White Rock Lake.

CAPITAL IMPROVEMENTS COMMITTEE APPOINTMENT

Councilmember Yehle has recommended appointment of Tom Boesel, 21060 St. Croix Trail, to the Capital Improvements Committee. Mr. Boesel has previously served on the Township's Road Committee. **Donnette Yehle made a motion to appoint Tom Boesel to the Capital Improvements Committee. Michael Harnetty seconded the motion and motion adopted unanimously.**

Dolores Peterson made a motion to adjourn the meeting at 9:03 p.m. Peter Crum seconded the motion and motion adopted unanimously.

Respectfully submitted,
Brenda Eklund, City of Scandia Deputy Clerk