

January 17, 2017

A regular meeting of the Scandia City Council was held on the above date. Mayor Maefsky 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 Bob Hegland, Chris Ness, Steve Kronmiller, Jim Schneider and Mayor Christine Maefsky. Staff present: City Administrator Neil Soltis, Bolton & Menk Engineer Katie Warner, Eckberg Lammers Attorney Patrick Sweeney, Police Deputy Brandon Yetter, Fire Chief Mike Hinz, Public Works Director Adam Hawkinson and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Becky Glesne, 14589 Oakhill Road, questioned why the City does not clear the sidewalk from Oakhill Court west to the school entrance road since other sidewalks are being cleared after snow events. Administrator Soltis explained that this segment has not been designated for clearing in the snowplowing policy adopted in 2008, nor added in subsequent updates. Council asked that the policy be revisited at a future work session.

APPROVAL OF AGENDA

Mayor Maefsky added Agenda Item 9.g) Discussion on MnDOT community landscape partnership opportunity. **Schneider, seconded by Hegland, moved to approve the agenda as amended. The motion carried 5-0.**

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) December 20, 2016 Regular Meeting
 - 2) January 4, 2017 Work Session
- b) Treasurer's Report

Beginning Balance 12/01/2016	\$2,402,228.72
Receipts	\$1,088,221.71
Expenditures \$159,955.90	
Payroll <u>\$25,708.07</u>	\$(185,663.97)
Adjustments: void check 34098	<u>\$ (58.91)</u>
Ending Balance 12/31/2016	\$3,304,727.55
- c) Payment of Vouchers
- d) Designate Depositories of City Funds – Resolution No. 01-19-17-01
- e) Ratify Surety and Blanket Bonds – Resolution No. 01-19-17-02
- f) Amending the 2017 budget for Fire Donation and equipment purchase – Resolution No. 01-19-17-03
- g) Establish FEMA grant special revenue fund and amend 2016 budget for Washington County Housing and Redevelopment Authority storm shelter grant and expenditure - Resolution No. 01-19-17-04
- h) Temporary On-Sale Liquor License, Scandia Fire & Rescue Relief Association (February 25, 2017)
- i) Letter of Support for Big Marine Lake Association grant application
- j) Step increase – Treasurer
- k) Fire Retirement – Ron Boesel

Schneider, seconded by Hegland, moved to approve the Consent Agenda as presented. The motion carried 5-0.

PARKS AND RECREATION COMMITTEE

Parks and Rec Committee Chair Ryan Jinks reported that plans for Vinterfest (January 27-28) are proceeding, with a contingency plan for extending the hockey tournament into Sunday if necessary due to ice conditions. The Kubb tournament is close to filling all the team slots. News releases, signage and button sales are promoting the event.

Jinks reported that the Committee has recommended the popular Camp Lakamaga summer recreation programs continue this year, but the tennis program be discontinued due to low interest. **Ness, seconded by Hegland, moved to accept the recommendation of the PRC to offer summer recreation programming with Camp Lakamaga. The motion carried 5-0.**

The Committee also recommended the sign posting “no hockey before 6pm” be removed from the oval rink as it conflicts with the adopted hours for the rink, and the pleasure rink is designated for no hockey at all times. **Hegland, seconded by Schneider, moved to approve the recommendation of the PRC to remove the “no hockey before 6pm” sign from the oval rink. The motion carried 5-0.**

Additional business conducted at the January 5th meeting was appointment of Dustin Hegland to the Comprehensive Plan Steering Committee and Terry Gorham to the Capital Improvement Plan Committee.

PLANNING COMMISSION

Ordinance No. 180 – Rural Event Facility Amendment

Planner Buss presented Ordinance No. 180 to amend Chapter 2, Section 4.32 of the Development Code as recommended for approval by the Planning Commission. Buss explained that the amendments clarify some of the language in the Rural Event Facility ordinance including defining the event activity area, require security staff be present when alcohol is served, adopting ordinance language for noise and signs, and allowing for the City to regulate the maximum number of events that are permitted on a weekly or annual basis. No public comments were made at the hearing held on January 3rd.

Council member Hegland questioned why sound amplification must be held indoors rather than having all sounds be regulated according to the noise ordinance. Buss explained that sounds associated with a ceremony are allowed outdoors, but the parties and celebrations must be indoors to minimize effects to neighboring properties, and less enforcement to regulate outdoor noise would be needed. Buss noted that Stillwater Township adopted this language after negative impacts from a similar venue. Mayor Maefsky added that this is a way to accommodate this type of facility in a residential area.

Council member Kronmiller asked how this differs from allowing outdoor bands during Taco Daze. Staff explained that a special event permit limits outdoor sound events to permit holders to no more than three per year.

Schneider, seconded by Ness, moved to adopt Ordinance No. 180, Amending the Rural Event Facility Ordinance, as presented. The motion carried 5-0.

Ordinance No. 181 – Land Spreading of Septage as an Allowed Use

Planner Buss presented Ordinance No. 181 to amend Chapter 2, Sections 2.4, 2.5, 2.6 and 2.7 of the Development Code as recommended for approval by the Planning Commission. The amendment would add land spreading as an allowed use in the Agriculture Core and Agriculture Preserves zoning districts, but specifically excluding land spreading in the General Rural or Village Neighborhood districts where agriculture is an allowed use. No public comments were made at the hearing held on January 3rd.

Kronmiller, seconded by Ness, moved to adopt Ordinance No. 181, Amending the Development Code to Allow Land Spreading in the AG C and AP Districts, as presented. The motion carried 5-0.

Ordinance No.182 – Amending the Development Code Regarding Accessory Structures, Environmental Regulations, Exterior Storage and Parking

Planner Buss presented Ordinance No. 182 to amend parts of the Development Code to address exterior storage and parking as recommended for approval by the Planning Commission. Buss explained that the Planning Commission had been working for several months to clarify language and provide clearer and more enforceable ordinance standards over the current code. Buss reviewed the changes and additions to the development code and noted the changes in definitions for front, side, and rear yards along with specific standards that will apply for exterior storage on lakeshore parcels. The public hearing was held on January 3rd, with two comments that clarified parking and type of vehicles.

Mayor Maefsky stated that significant input from residents and assistance from Deputy Yetter and staff helped to formulate the many proposed amendments to the development code. Council member Ness suggested that storage of boats, boat docks and lifts be changed from November 1 to September 15 through May 30, as some owners begin to remove these from the water earlier in the fall. The Council was in consensus to this change in Section 3.4(3)(A). Council member Schneider asked for clarification of setbacks for storing vehicles.

Ness, seconded by Kronmiller, moved to adopt Ordinance No. 182, Amending the Development Code Regarding Accessory Structures, Environmental Regulations, Exterior Storage and Parking, with the noted change to Section 3.4(3)(A). The motion carried 5-0.

Variance Extension for 19107 Layton Avenue

Planner Buss presented the recommendation from the Planning Commission to approve a one-year extension of the variance for 19107 Layton Avenue as requested by David and Tia Schlundt to allow them time to finalize their building plans before the variance would expire. Buss explained that they plan to use the same dimensional standards to build a home on the property included in the variance that was approved for the previous owners (Crane) in 2013 and this would alleviate the time and expense of another variance process.

Hegland, seconded by Ness, moved to approve a one-year extension to the Variance at 19107 Layton Avenue, to expire in March 2018. The motion carried 5-0.

BUILDING OFFICIAL

Council reviewed Building Official Chuck Preisler's building activity report. In December, 20 permits were issued at a valuation of \$743,863. Administrator Soltis provided a chart of permit history which showed an upward trend in total valuation over the prior years. Council noted that net income was missing from Preisler's report. Soltis will provide that information on the next report.

POLICE DEPARTMENT

Deputy Yetter reported on police activity in the past month, and a written quarterly report was included in the agenda packet. Narcotics were found on a warrant arrest last month. Yetter cautioned that it is illegal for property owners to block snowmobiles from riding in the right-of-way and they could be held liable for any injuries to the riders. Dogs running off leash have been a big complaint this winter. Yetter stated that he has begun the DARE program with the 6th grade class at Scandia Elementary.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 8 calls in December; 2 fire related and 6 rescue calls. The year-end report was distributed to the Council – a total of 200 calls were responded to in 2016 of which 133 were medical related. The four new recruits recently began firefighter training.

CITY ENGINEER

Bolton & Menk Engineer Katie Warner presented City Engineer Ryan Goodman's report. Roads for the 2017 Crack Filling and Sealcoat Project will be identified and brought to a future Council meeting for authorization to proceed with plans and specifications. A pop-up meeting is planned on January 28th at the Lions Vinterfest breakfast to gather community input for development of the Comprehensive Plan. The first Comprehensive Plan Steering Committee meeting is planned for late February/early March. Bolton Menk has submitted comments to the Comfort Lake-Forest Lake Watershed District Rules on proposed amendments to their rules.

DIRECTOR OF PUBLIC WORKS

Director of Public Works Adam Hawkinson reviewed the department activities in the past month. Tree clearing in the right-of-way is being done on roadways in preparation for the 2017 sealcoat project, the street signs that were replaced in 2016 are being offered for sale, sewer reporting is running well, and the ice rink and grounds are being prepared for Vinterfest. Hawkinson stated that he is researching equipment being replaced this year – the mower and single axle dump truck.

CITY ADMINISTRATOR

City Administrator Neil Soltis reported that the City has been awarded a Living Healthy grant for funding enhanced community engagement on the Comprehensive Plan and to make recommendations related to healthy food access and active living in the Comp Plan and policies. Soltis noted that no Washington County communities received broadband access grants in the

latest round of state funding, and explained that support from communities is a key component in selection. Soltis suggested a discussion on utilizing a special assessment district as a means to fund the local share of a grant submittal take place in preparation for the next grant cycle later this year. Council member Kronmiller agreed that more focused plans could be beneficial. Next month, City Attorney Andy Pratt will be making a data practices and open meeting law presentation to the Council. Soltis noted that legislation has been introduced at the State that would make social media postings subject to the public record retention requirements.

DESIGNATE OFFICIAL NEWSPAPER FOR 2017

Council reviewed proposals from the Country Messenger and the Forest Lake Times for designation as the official newspaper for 2017. Mayor Maefsky stated that she considers the Messenger the hometown paper, noted the lower publication price for legal notices, and recommended a return to the Messenger as the official newspaper. Council member Ness noted that the Times does not serve the residents with a Marine zip code and asked Tom Stangl, publisher of the Country Messenger, if he would go back to providing free copies at the Community Center. Stangl agreed to 20 copies a week.

Council member Schneider stated that the Times has a higher distribution through free delivery to the 55073 route. Council member Kronmiller said that the Messenger has more local news and is more widely read in Scandia than the Times.

Kronmiller, seconded by Ness, moved to designate the Country Messenger as the official newspaper for 2017. The motion carried 5-0.

APPOINT ACTING MAYOR FOR 2017

Maefsky, seconded by Hegland, moved to appoint Council member Jim Schneider as the Acting Mayor for 2017. The motion carried 5-0.

APPOINTMENT TO BOARDS, COMMISSIONS AND COMMITTEES

Planning Commission

Two applications for a term on the Planning Commission were received, Jan Hogle and Craig Pittman. Pittman's application indicated he would be interested in the Wastewater Advisory Committee as well. Mayor Maefsky stated that Hogle has been a respected member of the Commission in the past and was well prepared for the role. Ness agreed that Hogle did an excellent job as a past member of the Commission. Kronmiller suggested that Pittman could fill the vacancy on the Wastewater Committee as he is a 201 user in the Bliss. Schneider said that he would prefer Pittman on the Planning Commission as he could bring a new perspective.

Kronmiller, seconded by Ness, moved to appoint Jan Hogle to the Planning Commission with a term expiring on February 1, 2022. The motion carried 4-1 with Schneider opposed.

Wastewater Advisory Committee

Ness, seconded by Schneider, moved to offer the vacancy on the Wastewater Advisory Committee to Craig Pittman with a term expiring on February 1, 2022. The motion carried 5-0.

Comprehensive Plan Steering Committee

Administrator Soltis explained that twelve applications were received for the four citizen appointments to the Comprehensive Plan Steering Committee, and he distributed the results of the preference survey by the Council. Dan Lee and John Herman were supported by the majority. Council discussed the remaining candidates and concluded that Dominic Mitchell and Julie Ruddy would fill the remaining citizen positions on the Committee. Mayor Maefsky stated that they were fortunate to have so many talented candidates to choose from that offered a strong variety of experiences and strengths.

ORDINANCE NO. 183 GRANTING A CABLE FRANCHISE TO CITIZENS TELECOMMUNICATIONS COMPANY (FRONTIER)

Administrator Soltis explained Ordinance No. 183, prepared with legal counsel, which would grant Citizens Telecommunications Company (Frontier Communications) authorization to operate a cable franchise within the city. The operations would use existing infrastructure to offer a cable television service to customers. A public hearing was held on October 18, 2016 with findings that the franchise complies with state and federal laws and regulations, and the ordinance sets forth conditions and regulations for use of the cable system.

Council member Kronmiller stated that approval is a wonderful idea, and the city should take advantage of two sections of the ordinance. Complaint records should be asked for so that the city can work with the provider to resolve them, and the operator should provide the system diagram and maps showing the location of the cable system on an annual basis.

Ness, seconded by Kronmiller, moved to adopt Ordinance No. 182, Granting a Cable Franchise to Citizens Telecommunications Company to Construct, Operate and Maintain a Cable System in the City of Scandia. The motion carried 5-0.

PROFESSIONAL SERVICES AGREEMENT WITH TKDA

Council reviewed the updated services agreement proposed by TKDA for planning services which reflected a 2% increase in hourly rates for 2017. Meeting rates would remain at \$105 per meeting. Administrator Soltis stated that the increase would have little effect on the budget as costs for planning reviews are charged against escrow funds paid by the applicant.

Hegland, seconded by Ness, moved to approve the professional services agreement with TKDA for 2017. The motion carried 5-0.

ENGAGEMENT LETTER FOR THE AUDIT OF THE CITY' 2016-2018 FINANCIAL STATEMENTS

Council reviewed the proposal from Schlenner Wenner & Co. for the 2016-2018 audit of the City's financial statements, with proposed fees of \$17,970 for 2016, \$18,510 for 2017, and \$19,060 for 2018, a 3% increase for each of the 3 years. The firm had been the City's auditor for the years 2013-2015. Administrator Soltis recommended the City continue with the firm due to the efficiency and professionalism of their process. The bid remained less than the cost proposed by the other firm which submitted a bid in the 2013-2015 request for proposals.

Hegland, seconded by Schneider, moved to approve the agreement with Schlenner Wenner & Co. for the 2016-2018 financial audit. The motion carried 5-0.

DISCUSSION ON MNDOT COMMUNITY LANDSCAPE PARTNERSHIP

OPPORTUNITY

Administrator Soltis noted that MnDOT and the MPCA are offering a program that would provide design assistance for community landscape projects along state highway right-of-way. This would be an opportunity to work cooperatively with MnDOT on a project to enhance the gateways to the City. Design assistance could be provided for this year, and potential budgeting for the installation next year. A resolution is needed by March 1st to partner with the state agencies. Council was in consensus to proceed with the opportunity and directed staff to prepare the resolution for a future meeting.

CLOSED SESSION FOR DISCUSSION ON STRATEGY FOR LABOR

NEGOTIATIONS

Ness, seconded by Hegland, moved to go into closed session under MN Statute 13.D.03 for the purpose of discussing labor negotiations. The motion carried 5-0.

ADJOURNMENT

Hegland, seconded by Maefsky, moved to adjourn the meeting. The motion carried 5-0.

The meeting adjourned at 8:58 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk