

January 21, 2020

A regular meeting of the Scandia City Council was held on the above date. Mayor Christine Maefsky called the meeting to order at 7:00 p.m. Following the Pledge of Allegiance, roll call was taken. The following members were present: Council members Jerry Cusick, Steve Kronmiller, Chris Ness, Patti Ray, and Mayor Christine Maefsky. Staff present: City Administrator Ken Cammilleri, City Engineer Ryan Goodman, City Attorney Eric Sherburne, Fire Chief Mike Hinz, Public Works Director Adam Hawkinson, and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Scandia Good Neighbor Proclamation

Mayor Maefsky presented a Scandia Good Neighbor Proclamation to the Scandia Internet Focus Group for their extensive efforts on researching improved internet solutions for the community, as nominated by Steve Kronmiller.

There were no other comments from the public.

APPROVAL OF AGENDA

Item 7.d1) Subordinated Service District legislation was removed from the agenda. **Ray, seconded by Ness, moved to approve the agenda as amended. Motion carried 5-0.**

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) December 17, 2019 Regular Meeting
- b) Treasurer's Report

Beginning Balance 12/1/2019	\$3,832,542.22
Receipts	\$1,058,488.80
Expenditures \$211,675.95	
Payroll \$ 28,653.39	\$(240,329.34)
Adjustments: Transfer EDA receipts to	
EDA Cash Account	\$ (9,979.00)
Ending Balance 12/31/2019	\$4,640,722.68
- c) Payment of Vouchers
- d) Temporary On-Sale Liquor License, Scandia Fire & Rescue Relief Association (February 29, 2020)
- e) Resolution No. 2020-01 Designating Depositories of City Funds for 2020
- f) Resolution No. 2020-02 Ratifying Surety and Blanket Bonds
- g) Step increase – Treasurer
- h) Resolution No. 2020-03 Appoint Election Judges for the March 3, 2020 Presidential Nomination Primary
- i) Temporary On-Sale Liquor License, Washington County Historical Society (June 20, 2020)

Cusick, seconded by Ray, moved to approve the Consent Agenda as presented. Motion carried 5-0.

PARK AND RECREATION COMMITTEE

Parks and Recreation Committee Chair Terry Gorham reported that progress is being made on the School Forest program at Lilleskogen Park. A Joint Powers Agreement between the City and school district will be reviewed at the next Council work session.

Planning for Vinterfest activities (January 25, 2020) is going very well, with PRC member Greg Zauner leading the efforts on event preparation.

PLANNING COMMISSION

Variances for a Single-Family Dwelling at 18630 Norell Avenue. Chad and Amy Nelson, Applicants. Resolution No. 2020-04

Administrator Cammilleri presented the recommendation from the Planning Commission to approve structure setbacks of 79.1' from the Ordinary High-Water Level of Big Marine Lake (100' required), 7.5' from the side lot line (20' required), and 20' from the front property line (40' required) to replace an existing structure with a new single-family dwelling at 18630 Norell Avenue. Lot coverage, calculated at 22%, is below the 25% requirement. The septic system will continue with its connection to the 201-wastewater system. Cammilleri explained that the applicants worked with the Planning Commission to reduce the intensity of the variance request from a plan first reviewed in November. A resolution was presented with findings and four conditions of approval.

Council member Ray asked why a 100' setback is needed from the lake. Cammilleri explained the zoning requirement to protect water quality from runoff and erosion. Ray said she is concerned about variances from lake setbacks. Council member Kronmiller said that the new structure will be set back further from the existing cabin's close proximity to the road.

Council member Ness said the request makes sense for this property – the applicants shrunk the footprint of the house from their initial submission, the existing cabin is significantly in the road right-of-way, and the lake's shoreline is another 50' beyond the OHWL measurement placing the home over 100' from the water's edge.

Ness, seconded by Cusick, moved to adopt Resolution No. 2020-04, Approving a Variance for 18630 Norell Avenue. Motion carried 5-0.

Variances for a Single-Family Dwelling at 12635 182nd Street North. Applicant Mike Mann on behalf of property owners Dennis and Jana Palkert. Resolution No. 2020-05

Administrator Cammilleri presented the recommendation from the Planning Commission to approve structure setbacks of 71.6' from the Ordinary High-Water Level of Big Marine Lake (100' required), and 15.1' from the south side lot line (20' required) to replace an existing structure with a new single-family dwelling at 12632 182nd Street. Lot coverage, calculated at 22.7%, is below the 25% requirement. The applicants' first submission was tabled by the Commission with a request to reduce the intensity of the request, which was reviewed at their

January 7th meeting with approval. Cammilleri reported that the existing structure measures 32' from the OHWL. A resolution was presented with findings and eight conditions of approval.

Council member Ness noted that the applicants reduced the footprint of the house as requested by the Planning Commission and moved the structure further from the lake.

Mayor Maefsky questioned the tree removal as written in the staff report. Mark Lecy, builder, and Dennis Palkert addressed the engineer's comments that a grading plan will be prepared with erosion control measures in place; a landscape plan will provide for trees to be planted between the house and the lake. The only tree removal and grading will be that necessary to construct the house. Palkert explained that the house is being located into existing trees in order to be further away from the lake. Council member Kronmiller said that the plan shows impervious area to be under 25% which is good for the lake.

Cusick, seconded by Ray, moved to adopt Resolution No. 2020-05, Approving a Variance for 12632 182nd Street.

Ness, seconded by Ray, moved to amend the resolution by adding Condition #9: Trees over 6" in diameter that are removed must be replaced with an equal number of trees. Motion carried.

The amended resolution was adopted 5-0.

ECONOMIC DEVELOPMENT AUTHORITY REPORT

EDA Executive Director Cammilleri reported on the EDA's January 13th meeting. The engineer's water feasibility study was reviewed, an EDA member will be appointed to the Tourism Committee, and quarterly business breakfasts will be scheduled this year.

INTERNET ACTION COMMITTEE REPORT

Marschall Smith reported that Midco was just awarded a state DEED grant for the broadband expansion project in Scandia, the key first step in the project. The total project grant is \$1,020,717 and the local match \$510,359, of which the City of Scandia will be providing \$160,085. The remainder of the matching requirement will be provided by Midco. The Committee will be reviewing a contract with the provider with details of the project, and also looking at other grant sources for continued expansion. The Committee will next meet on January 23, 2020.

BUILDING OFFICIAL

Building Official Chuck Preisler's report on building activity was received. In December, 11 permits were issued at a valuation of \$61,500. In 2019, 282 permits were issued at a valuation of \$7,329,968. Net income for the year, excluding state surcharges, was \$111,077.

POLICE DEPARTMENT

Police Deputy Peters was not in attendance. The incident summary report for December was received.

FIRE DEPARTMENT

Fire Chief Hinz reported that the department responded to 5 fire calls, 5 medical calls, and 1 dive call last month. Total calls in 2019 numbered 229, with 124 medical, 73 fire related, 4 dive calls, and 28 false alarm/cancelled. The six fire recruits have begun EMT training twice a week at the fire station.

CITY ENGINEER

Engineer Goodman reported on the response received from Washington County staff on their Capital Improvement Plan; a joint meeting with MnDOT was suggested to discuss intersection improvements at TH 97 and Manning Trail. Goodman encouraged attendance at the Highway 8 Open House to advocate for trail improvements that could potentially connect the Gateway Trail, the Swedish Immigrant Trail, and the Sunrise Trail.

PUBLIC WORKS DIRECTOR

Public Works Director Hawkinson reported that tree trimming will be scheduled with the contractor to occur in the next month on roads scheduled in the 2020 street project. Mayor Maefsky requested the minimum necessary along Mayberry Trail because the low hanging trees provide character to the rural roadway.

Request to hire Part-Time Seasonal Snow Plow Operator

Two candidates were interviewed for the open position of Part-Time On-Call Snowplow Operator, with a recommendation to hire Steven Greenhow who has a Class A license and currently serves as a volunteer on the Fire Department.

Ness, seconded by Kronmiller, moved to approve hiring Steven Greenhow for the position of On-Call, Part-Time Snowplow Operator at a rate of \$16.00/hour conditioned on pre-employment testing. Motion carried 5-0.

CITY ADMINISTRATOR

Administrator Cammilleri reported that American Legal Publishing has completed the codification of the city's ordinances, and Council will adopt the new version at their February 18th meeting. Cammilleri is investigating a consortium to join in order to meet federal DOT testing requirements. It's anticipated that credit card payments will begin in March, and a draft RFP for the zoning code rewrite will be reviewed at a future work session.

WETLAND REPLACEMENT APPLICATION FOR BHE RENEWABLES (ARGO NAVIS COMMUNITY SOLAR GARDEN SITE)

BHE Renewables has applied for wetland mitigation credits related to the 2018 stormwater discharge at the Argo Navis Community Solar Garden (former Zavoral Mine site). Jay Riggs, Wetland Conservation District and TEP panel member, recommended approval. Restoration and stormwater improvements at the site have been ongoing since the event that washed out a ravine and discharged material into the river.

Wendy Greene, BHE Renewables, was present to explain the application and improvements at the site. An enhanced stormwater system will prevent future runoff at the point of overflow (over a 100-year flood level), as well as culvert and roadway repairs completed on and off the

site. Purchasing wetland credits off-site is the TEP's recommendation. Greene explained that there are no wetland credits available in the general area, and the DNR recommended not restoring the creek as doing so could potentially cause more harm. Council member Kronmiller noted that BHE has been very responsive, and recommended support for the application.

Kronmiller, seconded by Cusick, moved to approve the Wetland Replacement Application by BHE Renewables for the Argo Navis Community Solar Garden site. Motion carried 5-0.

2020 STREET IMPROVEMENT PROJECT -- APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BID

Engineer Goodman described the project schedule for the 2020 Street Improvement Project:

- Approve Plans & Specifications/Authorize Ad for Bids: January 21, 2020
- Open Bids: February 19, 2020
- Consider Contract Award at City Council Meeting: March 17, 2020
- Construction: May - September 2020

It was suggested that future road projects plan for anticipated broadband expansion infrastructure, because change orders after the plans are bid out are costly.

Ness, seconded by Kronmiller, moved to approve the plans, specifications and authorize advertisements for bid for the 2020 Street Improvement Project. Motion carried 5-0.

DISCUSSION ON DESIGNATING THE OFFICIAL NEWSPAPER

Council reviewed bids from the Country Messenger and Forest Lake Times for the official newspaper for 2020.

Ray, seconded by Cusick, moved to designate the Country Messenger as the official newspaper for 2020. Motion carried 5-0.

DISCUSSION ON THE APPOINTMENT OF ACTING MAYOR FOR 2020

Ray, seconded by Cusick, moved to appoint Council member Ness as Acting Mayor for 2020. Motion carried 5-0.

RESOLUTION NO. 2020-06 FOR AUTHORIZED SIGNATORIES

Cusick, seconded by Ray, moved to adopt Resolution No. 2020-06, Designating Authorized Signatories for the City of Scandia bank accounts and related checks, with the addition of Chris Ness as Deputy Mayor. Motion carried 5-0.

DISCUSSION ON CITY COUNCIL COMMITTEE ASSIGNMENTS

Kronmiller, seconded by Ness, moved to approve Committee assignments for 2020:

- **Economic Development Authority:** Steve Kronmiller (term expires January 2021) and Patti Ray (term expires January 2023)
- **Parks and Recreation Committee:** Patti Ray
- **Planning Commission:** Jerry Cusick
- **Wastewater Advisory Committee:** Chris Ness

- **Tourism Committee: Christine Maefsky**
Motion carried 5-0.

DISCUSSION ON APPOINTMENTS TO THE PLANNING COMMISSION AND THE WASTEWATER ADVISORY COMMITTEE

One application for an expiring term on the Planning Commission was received by the January 17 deadline:

- Greg Amundson -- reapplied for his term that began in November 2017 when he was appointed to fill an open term.

Peter Nora verbally replied that he would serve another term if no other applications were received for the Wastewater Advisory Committee, Uptown Representative. None were received by the January 17 deadline.

Ness, seconded by Kronmiller, moved to appoint Greg Amundson to a 5-year term on the Planning Commission and Peter Nora to a 5-year term on the Wastewater Advisory Committee, each expiring February 1, 2025. Motion carried 5-0.

CLOSED SESSION

Mayor Maefsky announced that the Scandia City Council will go into closed session under Minn. Stat. § 13D.05, subd. 3 (b) for the purpose of discussing existing litigation regarding the matter of Big Marine Lake Development LLC Vs. City of Scandia, with legal counsel.

Kronmiller, seconded by Ray, moved to go into Closed Session. Unanimous roll call vote was taken.

Ness, seconded by Kronmiller, moved to adjourn the Closed Session. Motion carried 5-0.

ADJOURNMENT

Ness, seconded by Ray, moved to adjourn the regular meeting. Motion carried 5-0.

The meeting adjourned at 8:33 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk