

April 19, 2016

A regular meeting of the Scandia City Council was held on the above date. Mayor Simonson 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, Dan Lee, Chris Ness, Jim Schneider and Mayor Randall Simonson. Staff present: City Administrator Neil Soltis, City Planner Sherri Buss, City Engineer Ryan Goodman, City Attorney Andy Pratt, Police Deputy Brandon Yetter, Fire Chief Mike Hinz, Public Works Director Dave Williams, Treasurer Colleen Firkus and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

Council member Schneider added Agenda Item 9.h) City upkeep and maintenance. **Ness, seconded by Lee, moved to approve the agenda as amended. The motion carried 5-0.**

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) March 15, 2016 Regular Meeting
 - 2) March 21, 2016 Special Meeting
 - 3) April 6, 2016 Work Session
- b) Treasurer's Report

Beginning Balance 03/01/2016	\$3,027,307.27
Receipts	+ \$51,376.11
Expenditures \$104,016.89	
Payroll <u>\$23,410.39</u>	<u>(\$127,427.28)</u>
Ending Balance 03/31/2016	\$2,951,256.10
- c) Payment of Vouchers
- d) Appointment of Economic Development Authority Chair and Vice Chair for 2016
- e) Washington County Historical Society Temporary On-Sale Liquor License (June 18, 2016)
- f) Approve Hiring Tennis Instructor

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

PARKS AND RECREATION COMMITTEE

Lilleskogen Park Donations (Resolution No. 04-19-16-01)

Parks and Recreation Committee Chair Ryan Jinks reported that \$592.60 was donated in association with Vinterfest events, to be used towards improvements at Lilleskogen Park.

Simonson, seconded by Hegland, moved to approve Resolution No. 04-19-16-01, Accepting Donations for Lilleskogen Park. The motion carried 5-0.

Wojtowicz Skating Park Donations (Resolution No. 04-19-16-02)

Parks and Recreation Committee Chair Ryan Jinks reported that \$991.00 was raised from the Scanley Cup Tournament, to be used towards improvements at the skating rink. **Simonson, seconded by Hegland, moved to approve Resolution No. 04-19-16-02, Accepting Donations for the Leonard Wojtowicz Skating Park. The motion carried 5-0.**

PLANNING COMMISSION

Conditional Use Permit for a Community Solar Garden on Property Located between Manning Trail and Lofton Avenue, Parcels 19.032.20.11.0002 and 20.032.20.22.0001. Sunrise Energy Ventures, Applicant. (Resolution No. 04-19-16-03)

Planner Sherri Buss provided an overview of the Conditional Use Permit application from Sunrise Energy Ventures to develop and operate a five megawatt community solar garden on two parcels (19.032.20.11.0002 and 20.032.20.22.0001) owned by Kevin and Susan Nickelson and Dan and Judith Booren. The site includes approximately 70 acres, and most of the project would be set back 400 feet from the centerline of TH 97.

Buss reported that the Planning Commission recommended approval of the CUP with 21 conditions as listed in a resolution. Buss explained that screening was a big topic of discussion, and a condition was added to require a mix of coniferous and deciduous trees and shrubs that would provide at least 95% screening of the fence and site from views from TH 97.

Buss explained that the applicant recently informed her that they are working with MnDOT on location of an access driveway from TH 97, and it may be preferable to keep the parcels separate rather than combine them as required in Condition #3. Attorney Pratt provided language that would amend Condition #3 to provide an option to either combine or keep the parcels separate depending on the negotiations with MnDOT. Language included that if not combined, the project must meet the 20-foot sideyard setbacks of each parcel.

Simonson, seconded by Ness, moved to approve Resolution No. 04-19-16-03, Approving a Conditional Use Permit for a Solar Farm on Parcels 19.032.20.11.0002 and 20.032.20.22.0001, with amended language to Condition #3. The motion carried 5-0.

Interim Ordinance No. 170 to establish a study period and moratorium for up to 3 months prohibiting the acceptance of any applications for a solar farm or solar garden

Planner Buss stated that at their April 5th meeting, the Planning Commission had recommended that an ordinance be adopted which would place a moratorium on applications for solar gardens and solar farms to allow time for a study on issues that have been raised with recent applications. These issues include visual and other impacts to adjacent properties, screening requirements, regulation of related equipment such as communication poles, and districts where this use should be permitted. A draft ordinance was presented to the Council. Although the moratorium could be in place for up to one year, Buss stated that the Commissioners recommended three months. This could allow time for applications to be reviewed under an amended ordinance before tax credits for solar installations expire at the end of the year.

Buss explained that the statute does not require a public hearing for the initial adoption of the ordinance. If a hearing were scheduled, the moratorium would take effect after the publication date following the May Council meeting (May 26th). The Planning Commission recommended not having a hearing so that the moratorium could take effect by April 28th. Buss explained that applications received prior to the ordinance taking effect would continue to be reviewed under the current ordinance.

Council member Ness stated that time is critical and the interim ordinance should be adopted without a public hearing. Council member Hegland stated his agreement.

Mayor Simonson questioned Planning Commission Chair Christine Maefsky about what she would like to see achieved by a study of the ordinance. Maefsky replied that screening, proper siting decisions, land contours and elevations, parcel size, the number allowed within the city, and appropriate districts for solar installations are all issues that would be the subject of review to make sure that conditions are appropriate to serve all involved in the best way possible. Attorney Pratt noted that the screening requirements should be expanded and clarified from the current language of “to the extent possible” as there have been differing opinions on what this means.

Ness, seconded by Lee, moved to adopt Ordinance No. 170, Placing a 3-Month Moratorium on Solar Garden and Solar Farm Applications, pursuant to MN Statute 462.533, Subd. 4. The motion carried 5-0.

The ordinance will take effect on the publication date of April 28, 2016.

Ness, seconded by Hegland, moved to approve Resolution No. 04-19-16-04, Providing for the Summary Publication of Ordinance No. 170. The motion carried 5-0.

BUILDING OFFICIAL

Building Official Chuck Preisler provided his monthly report on building activity. Twelve permits were issued in March at a valuation of \$176,700.

POLICE DEPARTMENT

Deputy Brandon Yetter reported that pursuit of a homicide suspect occurred through Scandia last month traveling south on TH 95, but there were no citizen safety issues. Vandalism to vehicles at the Log House Landing is being investigated. Yetter presided over the DARE graduation on April 7th for the 6th-grade class at Scandia Elementary. Mayor Simonson noted that the DARE program was very well received and Yetter has made a positive impact on the students.

FIRE DEPARTMENT

Fire Chief Hinz reported that the department responded to 13 calls in March – 6 fire related and 7 EMS related. Several members of the department recently volunteered their time to demonstrate fire and rescue equipment to the Girl Scouts at Camp Lakamaga.

CITY ENGINEER

Engineer Ryan Goodman reported that the 236th -237th-Oldfield Road reconstruction project is scheduled to begin the week of May 9th and completed by the end of June.

CITY ATTORNEY

Attorney Andy Pratt explained that he is working on a policy to clarify the Planning Commission's site visit guidelines with language which addresses ex parte communication. Pratt noted that there have been no indications of wrongdoing at site visits, but this would be beneficial to have on the books, to clarify that the meetings are for informational gathering only. He said this policy will be covered at a future Council meeting.

PUBLIC WORKS DIRECTOR

Public Works Director Dave Williams stated that tree trimming, patching and various street maintenance tasks were completed in March.

CITY ADMINISTRATOR

Administrator Soltis reported that the solar panel installation at the Fire Hall/Public Works building is completed and the system will be operational and online later this week. There will be a joint meeting with the Carnelian-Marine Watershed at the Council Work Session on May 4th to discuss the Log House Landing boat ramp project.

REVIEW AND AWARD BID FOR THE OAKHILL COTTAGES STORM SHELTER PROJECT

Bill Lightner, Project Manager for the Washington County Housing and Redevelopment Authority, was present to provide details of the Oakhill Cottages Storm Shelter Project. The City had entered into a funding agreement with the County HRA in 2014 for construction of a storm shelter at the Cottages (property owned by the HRA) through a FEMA grant. There would be no outlay of City funds, as the grant money would pass through the City as FEMA rules direct, with the remaining project costs funded by the HRA. Lightner explained that the initial bids came in too high, and a Request for Proposals resulted in a solid bid from Crest Precast for two prefabricated storm shelters that are 11' by 17' in size. The City is the grantee in the project and must take action to award the bid.

Simonson, seconded by Schneider, moved to award the bid for the Oakhill Cottages Storm Shelter Project to Crest Precast in the amount of \$122,000. The motion carried 5-0.

2015 AUDIT REPORT – SCHLENNER WENNER & CO.

Jon Archer, Senior Manager with the City's audit firm Schlenner Wenner & Co., presented the 2015 audit report and financial statements. The City received a clean opinion as defined by Government Auditing Standards. Archer explained the new accounting standard known as GASB 68 and 71 that deals with pension liability. Mr. Archer stated that no significant issues or transactions occurred and the City is in good financial standing.

AWARD BID FOR 2016 CRACK FILLING AND SEAL COAT PROJECT

Engineer Goodman presented the results of the April 13th bid opening for the 2016 Crack Filling and Seal Coat Project.

Contractor	Total Base Bid
Allied Blacktop Company	\$123,457.00
Fahrner Asphalt Sealers, LLC	\$145,730.00

Goodman explained that the project cost could be increased to \$140,000 to incorporate streets that were deleted from the original project, or award the base bid and designate that additional funds go towards extra patching. Goodman advised that it may be in the best interest to extend patching projects especially due to poor road conditions coming out of this past winter season.

Council member Schneider asked if the eliminated streets in the original project could be extended another year. Goodman stated that they could be incorporated into next year's sealcoat project.

Schneider, seconded by Lee, moved to award the 2016 Crack Filling and Seal Coat Project to Allied Blacktop Company in the amount of \$123,457.00 with the balance of funds up to \$140,000 to go towards additional patching. The motion carried 5-0.

AWARD BIDS FOR 2016 STREET PATCHING

Public Works Director Williams reported the bid results for large repairs in the 2016 seal coat areas on Meadowbrook Avenue, 199th Street and Oakhill Road. Williams noted that Old Marine Trail was not included in the bid request.

Contractor	Bid Amount
Prefer Paving	\$34,943.00
FPI Contractors	\$44,565.00
Astech Corp.	\$51,241.50
North Valley Inc.	\$58,970.18
Allied Blacktop Co.	\$60,696.75
Valley Pavers	\$62,098.00
Hardrives, Inc.	\$70,872.00
Midwest Corp.	\$80,210.00

With a markedly low bid from Prefer Paving, Engineer Goodman recommended that the bid result be clarified that it includes two lifts of asphalt with appropriate Class 5 base and mix. Goodman said he would not be concerned with the quality of their work as they do have a track record in the area.

Ness moved to award the 2016 Street Patching Project to Prefer Paving contingent on the contractor meeting the specifications, or award the project to the second bid up, also contingent on meeting specs.

Administrator Soltis recommended they take action to include Old Marine Trail in the bid package.

Ness, seconded by Lee, moved to amend the motion to include patching Old Marine Trail at the contractor's unit costs. The motion to award the bid to Prefer Paving with the amendment carried 5-0.

ORDINANCE NO. 171 ESTABLISHING SEASONAL WEIGHT LIMITS AND PROVIDING FOR SUMMARY PUBLICATION (RESOLUTION NO. 04-19-16-05)

The Council was presented with Ordinance No. 171 as was discussed at the April 6th Work Session. Adoption of seasonal weight limits will officially place a 5-ton weight limit on streets unless otherwise posted. It was clarified that the limits will go into effect by coinciding with MnDOT scheduling, or when deemed necessary by City staff.

Simonson, seconded by Hegland, moved to adopt Ordinance No. 171, Establishing Season Weight Limit Restrictions on Scandia Public Streets as presented. The motion carried 5-0.

Ness, seconded by Hegland, moved to approve Resolution No. 04-19-16-05, Providing for the Summary Publication of Ordinance No. 171. The motion carried 5-0.

HIRING SEASONAL PARKS GROUNDS MAINTENANCE WORKER

Public Works Director Williams recommended that Christina Mazzucco be re-hired for her second season as a grounds maintenance worker, at a rate of \$11.00 per hour. A start date of June 1st was designated so as not to exceed 66 working days, the cutoff for Union membership.

Simonson, seconded by Hegland, moved to approve the rehiring of Christina Mazzucco as Seasonal Parks Grounds Maintenance Worker beginning June 1, 2016 at a pay rate of \$11.00/hour, with an upper cap of 66 working days. The motion carried 5-0.

CITY UPKEEP AND MAINTENANCE

Council member Schneider reported that residents had contacted him about streetlight outages in the Uptown area. Public Works Director reported that a wiring short was recently repaired that had contributed to the tripping circuit breaker.

Schneider inquired about who is responsible for adding limerock to the infield at the Wayne Erickson ballfield. Williams stated that the City mows and drags the field, but he was unaware of how the cost for that material would be budgeted. Schneider thought the men's fastpitch team had furnished this in the past, but the team has disbanded. Administrator Soltis stated that the City collects advertising revenue for physical improvements to the field, and this would be the dedicated source of funding for upkeep to the infield.

ADJOURNMENT

Ness, seconded by Schneider, moved to adjourn the meeting. The motion carried 5-0.
The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Brenda Eklund, Deputy Clerk