

May 3, 2017

The City Council conducted a Work Session on the above date. The following were present: Mayor Christine Maefsky, Council members Bob Hegland, Steve Kronmiller, Chris Ness and Jim Schneider. Staff present: City Administrator Neil Soltis, City Attorney Andy Pratt, and Deputy Clerk Brenda Eklund.

Mayor Maefsky called the meeting to order at 6:30 p.m.

APPROVAL OF THE AGENDA

Ness, seconded by Hegland, moved to approve the agenda as presented. The motion carried 5-0.

Mayor Maefsky read an appreciation note from Marlys Ostrand thanking the Council for the honor bestowed on her at the April 18th meeting.

DISCUSSION ON LOG HOUSE LANDING BOAT RAMP PROJECT

At their Special Meeting on April 25, 2017, the Council took public comments on four options proposed for the Log House Landing.

- Option 1: Leave ramp as is with no changes.
- Option 2: Continue to pursue ramp rebuilding plans for trailered and other boats.
- Option 3: Change the ramp to walk-in / carry-in only with no trailers permitted.
- Option 4: Close the ramp completely.

Since that meeting, Administrator Soltis explained that the adjacent property owner to the south contacted the City with a survey showing the boat ramp access area located partially on private property owned by Summersby River Property LLC. Summersby would like to resolve the encroachment issue, and wrote that the issue can be easily resolved subject to the condition that the ramp always be maintained with natural materials for walk-in and carry-in access only.

Soltis showed photos of the ramp area where the south edge of the access extends approximately 12' into private property. Landmark Surveying offered to mark points along the boundary line at no cost to determine the exact easement area owned by the City. Soltis explained that the remaining 22' of easement could still accommodate the 12' planks proposed for the boat ramp improvement. However, shifting the area to the north and removing the knob along the shoreline to accommodate an adequate access would require a new permitting process with the DNR and Army Corps of Engineers.

Soltis continued to address the operational aspects of each of the four options. Attorney Pratt explained the legalities of the ramp encroachment onto private property and summarized state statute that defines property rights. Written consent from property owners to grant easement rights in connection with recreational uses are required regardless of the length of time that the use has occurred. This differs from acquiring legal rights to property that occurs along unplatted roadways after 6 years of use; this public access is a platted street from years ago.

The Council entered into a discussion of their analysis of the proposed options.

Council member Kronmiller thanked the Council for holding the April 25th meeting which fulfilled a promise for public comments made in 2013. He said that no one favored closing the Log House Landing, there is significant cost for installation and maintenance for Option 2, and Option 1 does nothing to address the erosion problem. He summarized that Option 3, revegetating the site for carry-in only, is in the best interest for Scandia as it would preserve the Landing's rural and rustic character as a special gathering place for the community, protects public safety in separating pedestrian and vehicular traffic, protects the River by fixing the erosion problem caused by the construction of the ramp in the 1960's, and could be an asset to the City in promoting tourism by linking to regional trails. Kronmiller said he hoped they could work out an agreement for Option 3 that would turn the site into a park at little cost.

Council member Ness said the whole road was a problem 5 years ago until it was proposed to be paved, and then erosion didn't seem to be as big a problem. Public Works made improvements with grading but now erosion is a huge issue again and it's perceived that the boat launch is the polluter. He said he is not yet ready to make a decision and would like to see where the survey markers are placed to stake out the easement area. Ness stated that he is not in favor of closing the landing.

Council member Schneider said no one wants to close the site and the Council has already decided not to spend high amounts of money on improvements. He said the Landing is Scandia's property for everybody, not a select few, but all taxpayers. Fishermen and hunters pay license fees which contribute state funds toward protection of the River. He said the Council is elected to serve everyone, and to stop some users is wrong; the not in my backyard people are wrong. His points included that the size of the landing dictates that only smaller boats are able to use it, more impacts occur from boating the distance from other accesses to travel back to this segment and has the potential to introduce invasive species, and that ice-out and spring melt has more negative impacts to the shoreline than the 20' landing, since rivers naturally erode over time. He said closing the site should be taken off the table, and to leave the site as-is. Boaters and carry-in users can continue to share the ramp. Schneider said he was disturbed that a property owner would hold hostage the encroachment issue for personal selfish reasons and won't be a part of that.

Council member Hegland said to get rid of Option 4, closing the ramp. This is Scandia's property with no legal conditions attached. He disagreed that the carry-in only option makes the site beneficial to the community, and the erosion issue has been blown out of proportion. To leave the site alone is best for the community as a whole. It's not a major budget item for the City, and said the resource should be used by all people.

Mayor Maefsky said she favors Option 3 for four specific reasons. It justifies the environmental aspect by being the least intrusive or disruptive, and preserves the scenic view of the River. The need for a boat ramp, constructed here in the 1960's, is no longer justified with William O'Brien Park and the Osceola Landing nearby. Maefsky said non-boaters are the majority in Scandia who don't have a friendly place on the River to enjoy its beauty and smallness. The site has potential as a unique educational opportunity for people to escape from urban development; the

City should capitalize on its beauty and history related to the trail of immigrants. Cost to user ratio must be considered – for an average of 5 users a day, with this split by boats and carry-ins, improvements would lead to a need for more money for few users. Restoration costs are significantly less, and grant funds could be available. These cost savings could be put towards roads, equipment, and infrastructure. Maefsky concluded that she favors a small park for all to enjoy the natural scenic river in Scandia.

Schneider, seconded by Hegland, moved to leave the ramp as-is with no changes, for all taxpayers to use.

Council continued discussion. Council member Ness referenced Council member Kronmiller's comment that the sign at the landing says "no loitering, boat launch only" and asked if it can be removed. Administrator Soltis was unsure of the history of this sign, but explained that the road is not a park, and would be subject to parking regulations; the sign could most likely be removed.

Mayor Maefsky said that doing nothing is not going to satisfy erosion control measures asked for by the River Association and the Park Service. Council member Schneider said this is unfounded and erosion has been under control with improved grading. Council member Kronmiller said there are still costs with repairing and maintaining the landing. In answer to an inquiry on costs, Administrator Soltis estimated equipment work and material to be approximately \$800 a year. Soltis said he would welcome the NPS to find a non-hard surface material to stabilize the ramp.

Mayor Maefsky asked if there can be anything done about the trap rock on the access, as it makes walking to the River difficult and excludes users who would walk/slide their watercraft. Council member Schneider countered that the left side is Class 5 and accessible. Council member Kronmiller said that it is not usable for families and the general public, only those with boats. Schneider suggested a separate canoe entrance could be made on the left side; reaching a compromise to fix it up and have a park would think of everyone.

Mayor Maefsky said that this motion will solve nothing and the issue will return. The site has more potential for a park along the River in Scandia and would be one way to grow tourism which the City should capitalize on. Council member Hegland said this issue has been a time waster for years. He doubted the major erosion concerns being made and that tourism would be a major draw. A reverse from carry-in could never be made, Hegland added.

Council member Schneider said there are campsites along the River for those who want to be at the River, and right now there's nobody who cannot use this property.

Council member Ness said that he hasn't seen plans for a walk-in picnic area, and agreed that the issue will come back.

Mayor Maefsky called the question for a vote on the Schneider/Hegland motion. The motion carried 3-2, with Kronmiller and Maefsky opposed.

DISCUSSION ON VOLUNTEER POLICY

At the April Work Session, the Council reviewed a draft volunteer policy. Administrator Soltis explained that legal counsel has reviewed the policy and language was added to address identification and approval of projects, along with a parent/guardian release form for volunteers under the age of 18. A process for Eagle Scout projects was added with the organization's project proposal form.

Consensus of Council was that the policy looks good, and to schedule action for the May 16th Council meeting.

Council member Ness noted that he wants to see a streamlined process for Eagle Scout project approvals, and Soltis agreed that could be met.

DISCUSSION ON ECONOMIC DEVELOPMENT AUTHORITY VACANCY

One application for the EDA vacancy was received by the deadline.

Kronmiller, seconded by Ness, moved to appoint Mark Porubansky to serve the remainder of Feidt's term on the EDA until July 31, 2019. The motion carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk