

May 19, 2020

A regular meeting of the Scandia City Council was held on the above date with modifications. Due to the health advisory issued by the State regarding the COVID-19 outbreak, to avoid public gatherings and limit social contact, the meeting was conducted over a virtual meeting platform. All council members and staff who joined the meeting remotely could hear each other and contribute to discussions. City Administrator Cammilleri and City Clerk Eklund were present in the Council Chambers. Cammilleri was the presenter and displayed the meeting materials for participants to view on their remote screens.

Mayor Christine Maefsky called the meeting to order at 7:00 p.m. Roll call was taken. The following were participants to the meeting: Council members Steve Kronmiller, Chris Ness, Patti Ray and Mayor Christine Maefsky. Absent: Council member Jerry Cusick. Staff participating: City Administrator Ken Cammilleri, Fire Chief Mike Hinz, City Engineer Ryan Goodman, City Attorney Eric Sherburne, Public Works Director Adam Hawkinson, and City Clerk Brenda Eklund.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

Discussion on consultant proposals for the development code update was moved up in the agenda to follow the Consent Agenda. **Ness, seconded by Ray, moved to approve the agenda as amended. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.**

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) April 21, 2020 Regular Meeting
 - 2) May 6, 2020 Work Session
- b) Treasurer's Report
- c) Payment of Vouchers
- d) Approve 2020 Recycling Grant Agreement with Washington County
- e) Approve 2020 Contract for Technical Services with Washington Conservation District

Ness, seconded by Ray, moved to approve the Consent Agenda as presented. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

DISCUSSION ON CONSULTANT PROPOSALS FOR THE DEVELOPMENT & ZONING CODE UPDATE

At the May 6th Work Session, proposals from MSA and Swanson Haskamp Consulting, LLC (SHC) were considered for their services to rewrite the City's development and zoning code for conformance with the recent comprehensive plan update. Council members further discussed the proposals and asked questions of the team members participating in the meeting.

Mayor Maefsky stated that in researching examples of work for other communities, SHC appeared much clearer, logical and easier to understand, and that MSA was offering more than needed for this project.

Ray, seconded by Kronmiller, moved to award the development and zoning code update project to SHC at a cost of \$27,750. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

PARK AND RECREATION COMMITTEE

Council member Ray summarized the May 4th PRC meeting: new stories have been added to the Lilleskogen Storyboard walk, volunteers are mapping walking trails in Bone Lake Park, an informational bulletin board for bicyclists was approved for the Warming House, and the Scandia Heritage Alliance will meet with the PRC on May 21st to review the concept for the arts and cultural center.

PLANNING COMMISSION

At their May 5th meeting, the Planning Commission tabled a variance request at 12140 196th Street and reviewed the Draft Lower St. Croix Water Management Plan, which was found to have no conflicts with existing ordinances.

SCANDIA INTERNET ACTION COMMITTEE

Bob Wilmers reported on the May 7th meeting of the Internet Action Committee. Midco is on track for the 2020 broadband expansion project to be completed by this fall. There is optimism that Midco will support the next 2021 DEED grant application for continued broadband expansion in Scandia. Wireless access points are being researched. The next meeting is scheduled for June 11th.

TOURISM COMMITTEE

At their meeting on May 13th, the Tourism Committee adopted a mission and vision statement with values to guide their work. The Committee also recommended that the City Council support the selection of a virtual intern from the College of St. Benedict and Saint John's University. The intern would provide assistance to the development of tourism content for the City's website. The program is funded by the college with no costs to the City.

Maefsky, seconded by Ray, moved to proceed with the intern request through the College of St. Benedict and Saint John's University. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

BUILDING OFFICIAL

The April building activity report was received. Last month 16 permits were issued at a valuation of \$253,364.00. Council member Ray asked that future reports provide 2019 year-to-date statistics for comparison.

POLICE DEPARTMENT

The April incident and citation reports were received. The process for citations was discussed – criminal actions receive an immediate citation; non-criminal actions are given 28 days to achieve compliance, at which time a citation may be written as necessary.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 18 calls in April; 6 fire related and 12 EMS related. Volunteer Firefighter Greenhow recently received EMT certification, for a total of 18 EMT's in the department. Two new members of the department are starting on June 1st.

CITY ENGINEER

City Engineer Goodman reported that the 2020 Street Improvement Project is essentially complete with road striping and restoration remaining. The Firehall/Public Works Parking Lot Project is on schedule for the month of June.

2020 Street Improvements – Contractor's Request for Payment No. 1

Ness, seconded by Ray, moved to approve Valley Paving's Request for Payment No. 1 for the 2020 Street Improvement Project in the amount of \$250,525.64. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

DIRECTOR OF PUBLIC WORKS

Public Works Director Adam Hawkinson described the corrected drainage project being completed at the corner of Olinda Trail and 240th Street by Chisago County. Roadside mowing will begin at the end of May. Hanging flower baskets will be installed this week in the Village Center.

CITY ADMINISTRATOR

City Administrator Ken Cammilleri reported that the computer upgrades at City Hall are over half complete, with a strong public Wi-fi signal. City Hall remains closed to the public during the Covid-19 emergency declaration, with discussion at the next Work Session on procedures for re-opening. Council member Ray asked for discussion on the dog ordinance to be a work session topic.

An employee will be on workers compensation leave over the next few weeks, during which the employee will receive two-thirds of their pay from the City's insurance with the League of MN Cities. Cammilleri recommended an amendment to the personnel policy that allows employees to use their accumulated PTO bank of hours to cover the difference in wages in order to maintain full compensation.

Ness, seconded by Ray, moved to approve an amendment to the City's Personnel Policy to state "Employees on Workers Compensation leave may use available paid leave to offset the difference in their wages, conditioned on compliance with all employee state and federal law." Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

PRESENTATION BY SCHLENNER WENNER & COMPANY ON THE 2019 AUDITED FINANCIAL STATEMENTS

Jon Archer, consultant with Schlenner Wenner & Company Public Accountants, presented the findings of the 2019 audit. An unmodified (clean) opinion on the City's financial statements was given. Findings included:

- Revenues have consistently exceeded expenditures, excluding transfers out to other funds.
- Revenues exceeded budget, primarily due to increased property and gravel taxes and investment earnings.
- Expenditures were below budget, most notably in the areas of public works and parks and recreation expenditures.

Council member Kronmiller noted that the 201 Sewer Enterprise Fund is not setting up sufficiently for equipment replacement needs, however it is a positive operating fund. City Administrator Cammilleri recommended a cash flow analysis be performed to account for operating and capital expenses, followed by rate adjustments for users.

DISCUSSION ON PRORATED FEE REIMBURSEMENT FOR EXISTING ON-SALE LIQUOR LICENSES THAT WERE NOT IN OPERATIONS UNDER RESTRICTIONS PLACED BY THE GOVERNOR WALZ'S SAFER AT HOME EXECUTIVE ORDERS

Mayor Maefsky recommended that on-sale liquor license holders that were affected by the Governor's Safer at Home orders be reimbursed a portion of their annual license fees for the weeks that they were not operating as a show of support for local businesses. Council member Ray stated her approval. City Attorney Sherburne said he did not see any legal problems with a pro-rated reimbursement of liquor licenses fees.

Council member Kronmiller questioned if other businesses would claim losses for being closed. It was determined that the City collects few other fees from businesses, with the annual liquor fees being the most significant.

Staff calculated an 11-week closure from March 10 to June 1, at a refund of \$465 to three local businesses.

Ray, seconded by Ness, moved to approve liquor license refunds of \$465 to three businesses that were not operating during the Governor's orders. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

DISCUSSION ON JUNE 26-28TH FASTPITCH SOFTBALL TOURNAMENT AT THE WAYNE ERICKSON BALLFIELD

Dan Lindgren was issued a Park User Permit for a Fastpitch Softball Tournament at the City's ballfield scheduled for June 26-28, and asked the Council if they had any concerns due to the Covid-19 situation. Lindgren provided a scenario of precautions that could be put in place, such as no spectators and roped off areas. Mayor Maefsky stated that the Governor's orders may be changing in June, but she does have concerns about how the organizers can safely manage the tournament.

Council member Ray asked what the liability to the City could be if public spaces were opened up too aggressively. Attorney Sherburne explained that generally cities have strong immunity and can presume no liability risks concerning Covid exposure. Once restrictions are lifted, the City can control use of its property and facilities.

Lindgren will return to the June 16th City Council meeting with more specific proposals, at which point it's anticipated there will be directives on outdoor gatherings being given from the Governor.

SCHEDULE A JOINT MEETING WITH THE COMFORT LAKE FOREST LAKE WATERSHED DISTRICT TO DISCUSS THE 10-YEAR COMPREHENSIVE WATERSHED MANAGEMENT PLAN

A special meeting date was set for June 22nd at 6:30pm to meet over a Zoom call with the Comfort Lake Forest Lake Watershed District to review their 10-year comprehensive watershed management plan.

CLOSED SESSION

The City Council went into closed session pursuant to Minnesota Statutes § 13D.05 Subd.3 (b) to discuss pending litigation subject to attorney-client privilege regarding the matter of Curtis J. Peterson and Patricia L. Peterson vs. City of Scandia.

Motion by Ness, seconded by Ray, to end the closed session and return to the open meeting. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

ADJOURNMENT

Ness, seconded by Kronmiller, moved to adjourn the meeting. Roll call vote: Ray – yes; Kronmiller – yes; Ness – yes; Maefsky – yes. Motion carried 4-0.

The meeting adjourned at 9:37 p.m.

Respectfully submitted,

Brenda Eklund
City Clerk