

July 19, 2011

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 Connie Amos, Chris Ness, Jim Schneider, Sally Swanson and Mayor Randall Simonson. Staff present: City Administrator Anne Hurlburt, City Attorney Dave Hebert, City Engineer Paul Hornby, City Planner Sherri Buss, Building Official/Maintenance Supervisor Steve Thorp, Police Deputy Chris Majeski, Fire Chief Jim Finnegan, Treasurer Colleen Firkus and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

There were no public comments.

APPROVAL OF THE AGENDA

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

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) June 21, 2011 Regular Meeting
- b) Treasurer's Report

Beginning Balance 06/01/2011	\$1,683,174.33
Receipts	+ <u>167,329.17</u>
Expenditures 70,939.22	
Payroll <u>23,766.04</u>	- <u>94,705.26</u>
Adjustments: Safe Box Rental	- 35.00
Void check reissued	<u>116.52</u>
Ending Balance 06/30/2011	\$1,755,879.76
- c) Payment of Vouchers
- d) Agreement with Loiselle's Building Maintenance for Community Center Janitorial Services
- e) Appointment of Office Assistant
- f) Release of Financial Guarantee, Old Marine Estates

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

PARK AND RECREATION COMMITTEE

Council member Swanson, Park and Recreation Committee liaison, reported that the Committee has made plans to sponsor a Farmers Market in Scandia. The market will be held on Wednesdays from 4:00 p.m. to 7:00 p.m. during the months of August and September, located in the Gammelgarden parking lot. Vendors will register with the City for booth space.

Accept Donation from Scandia Athletic Association (Resolution No. 07-19-11-01)

The Scandia Athletic Association has donated \$1,100 for improvements to the Lighted Ballfield. The donation is designated for barbeque grills and part of the costs of a sign for the ballpark. Council member Swanson stated that an unveiling of the new sign will occur in conjunction with the Taco Daze celebration in September.

Simonson, seconded by Swanson, moved to accept the donation of \$1,100 from the Scandia Athletic Association for improvements to the Scandia Lighted Ballfield. The motion carried 5-0.

POLICE DEPARTMENT

Police Deputy Chris Majeski provided the monthly report on police activity. Majeski reported that it was a busy month with an investigation of an animal welfare case, theft reports, criminal investigations and damage at the Goose Lake access. A quarterly report from the County patrol division was also reviewed. There were 500 Initial Complaint Reports within Scandia, and 137 citations issued.

National Night Out Announcement

National Night Out will be held on the Community Center grounds on August 2 from 6:00 p.m. to 7:30 p.m. Area businesses have generously offered to contribute food items and funds for the event.

Accept Donation from Scandia Marine Lions and Approve Related 2011 Budget Amendments (Resolution No. 07-19-11-02)

The Scandia Marine Lions has made a cash donation of \$1,700 for the purchase of a reconditioned ProLaser III Lidar (Light Detection and Ranging) unit for use by the Scandia deputy. The equipment allows officers to more precisely target vehicles to measure speed. Dr. Thomas Rumreich, 23225 St. Croix Trail, was in attendance to explain that community donations were made to raise half of the proceeds of the donation. Mayor Simonson thanked the Lions Club and the community for the contribution of a tool to combat the speeding problem in Scandia.

Ness, seconded by Schneider, moved to adopt Resolution No. 07-19-11-02, Accepting Cash Donation from the Scandia Marine Lions Club, Approving Purchase of Lidar Equipment and Making Related Amendments to the 2011 City Budget. The motion carried 5-0.

FIRE DEPARTMENT

Fire Chief Jim Finnegan reported that the department responded to 19 calls in June, 7 that were fire related and 12 rescue calls. Finnegan explained the truck driving rodeo that the department recently held. This was an annual training to allow the members to practice emergency apparatus driving skills through a course of diminishing returns, serpentines and other maneuvers that may be encountered in an emergency call.

CITY ENGINEER

2011 Seal Coating Project – Award Bid

Bids for the 2011 Seal Coating Project, approved by the council at the June 21 meeting, were opened on July 18. City Engineer Paul Hornby reported that two bids were received:

	<u>Contractor</u>	<u>Total Base Bid</u>
Low	Allied Blacktop Company	\$165,480.00
#2	Asphalt Surface Technologies Corp.	\$211,720.00

City Engineer Hornby recommended that Allied Blacktop be awarded the bid as the lowest responsible bidder. As discussed at the June 21 meeting, if the bids were lower than the budgeted amount of \$200,000, additional roads should be added to maximize the number of streets that are sealcoated. Hornby stated that a change order will be forthcoming that allows for additional streets to be seal coated within the budget.

Simonson, seconded by Swanson, moved to accept the bid for the 2011 Seal Coat Project from Allied Blacktop Company, with additional streets added to the project, not to exceed the budgeted amount of \$200,000. The motion carried 5-0.

BUILDING OFFICIAL/MAINTENANCE SUPERVISOR

Building Official/ Maintenance Supervisor Steve Thorp reported that patching on Quinnell Avenue is finished. Removal of asphalt and amendment with Class 5 gravel on the first 300 feet of 237th Street has also been completed. An estimate to repair the Community Center roof was favorable and will proceed. The League denied a request for coverage of the damage, as it was found that the leaking roof was due to poor workmanship. Progress is being made on sign inventory for the retro reflectivity mandate.

Request for Council Approval to Travel to On-Site Sewage Treatment Workshop

In June, the Council recommended that Thorp take over the operations of the 201 sewer system. It is required that Thorp attend a pre-certification course in onsite sewer treatment. The University of Minnesota Water Resources Center is providing the course on August 23-26, 2011 in Brainerd, MN. Expenses for the course and lodging would be covered by the 201 sewer system budget.

Council discussed the procedures of being certified and asked if Maintenance Worker Jeff Anderson, who had previously been a certified septic installer, should be sent to attend the pre-certification course, as there may be advantages to having a local resident available to respond to emergency calls to the 201 system. Staff will investigate if Anderson needs any prerequisites to attend.

Ness, seconded by Swanson, moved to approve travel to the onsite sewage treatment service provider pre-certification workshop in Brainerd on August 23-26, 2011 by a staff member. The motion carried 5-0.

CITY ADMINISTRATOR

Request for Proposals, Audit Services

At the June 21 meeting, Council directed staff to prepare a Request for Proposals for audit services for 2011, 2012 and 2013. City Administrator Hurlburt presented a draft RFP and a proposed schedule. The RFP could be issued on August 1, responses due by September 14, interviews conducted by October, with a selection of a firm by November 15. Council approved of the draft RFP and schedule.

Ness, seconded by Swanson, moved to authorize release of a Request for Proposals for audit services for 2011, 2012 and 2013, and the schedule for release of the RFP. The motion carried 5-0.

City Office Hours

Council member Swanson requested a discussion of the city's office hours due to a concern that the hours may not be convenient for all residents. City Administrator Hurlburt presented a report that proposed extended hours one day a week. Tuesday was chosen as the most desirable day as this is a meeting night for staff members and having the office remain open until 6:00 p.m. could be achieved by having the Deputy Clerk adjust her hours during the rest of the week. This would minimally effect the budgeted hours for staffing. Council member Swanson stated that having the office open until 6 p.m. on Tuesdays could accommodate residents working out of the area. Council was in consensus to implement this schedule beginning in August.

Community Center Landscape Plan

At the May 20 work session, Council asked that a landscape plan be prepared for review at a future meeting, with a decision on whether or not to proceed with the project. The 2011 budget includes \$5,000 for landscape improvements at the Community Center. Dan Sandager, Abrahamson's Nursery, prepared a landscape plan at no cost to the city. Council reviewed the plan which included new perennial planting beds around the foundation, flagpole, bench area and the west side of the building. Some plants that are in good condition were retained in the plan. Mr. Sandager recommended that the overgrown crab tree at the front entrance be removed, and the birch tree near the flagpole be trimmed back severely, as it is also quite overgrown and causing damage to the flag. The total installed cost of all items on the plan would be in the \$8,000 to \$9,000 range, including bed preparation and installation. Administrator Hurlburt recommended that the planting bed on the west side of the building be eliminated as there are no plantings there now and it may be a future expansion area. The plan could be done in phases over the next few years. Council directed staff to contact Abrahamson's Nursery for a cost estimate for landscaping the front entrance of the building for this year, and obtain costs for the flagpole and bench area plantings. This second phase could be included in the 2012 budget. Councilmember Swanson stated that she will organize a group of volunteers to do the planting. This will be scheduled for September, after the Taco Daze event.

UPTOWN SEWER SYSTEM MASTER PLAN, BOLTON & MENK

Council approved a contract with Bolton & Menk in April 2011 to conduct a study of the Uptown Sewer System. The purpose of the study was to assess the current condition, performance and capacity of the system, and to forecast future costs of maintenance and repairs

to properly manage the system. Brian Malm, Engineer with Bolton & Menk, presented a thorough report based on this study.

The existing system, which serves uptown area businesses, the Community Center, Elim Church and Gammelgarden, has an average daily flow of approximately 2,000 gallons per day, but there are spikes where the maximum daily flow can reach 7,535 gallons per day. The system is designed to handle 4,060 gpd. Monthly water meter readings track the system's use, but this is not an accurate representation of the flow. A more valid method of measuring flows is to use elapsed time meters.

Testing showed wastewater strengths of the Uptown and Community Center tanks to be elevated, which would be due to discharge from the commercial kitchens. There was no evidence of leaking from any of the tanks, making the system compliant in tank integrity and hydraulic performance. Soil borings indicated that the drainfield does not have the required 3-feet of vertical separation, but this is not possible as it is a below grade trench system. By MPCA rules, this causes the system to be non-compliant. However, since the system was permitted through Washington County and the vertical separation was verified at the time of installation, and it is not a public health threat, the County will not require the system to be upgraded, repaired or replaced.

Recommended improvements were discussed in the report which would improve the performance of the system. Education of the users to switch to less damaging cleaning products should be done soon. Installation of an equalization and pretreatment tank were also recommended.

The report concluded that expansion of the system to meet regulatory standards is not possible and that additional users cannot be added to the system. It is difficult to estimate the remaining useful life, but with proper use and management, premature failure can be avoided. Mr. Malm stated that the drainfield is in fairly good condition, and that the lower few laterals are dry. There is no regular surcharging into the lower fields.

The report provided cost estimates for the recommended system improvements, at a total of \$111,193.50. These figures will be used for planning purposes. User rate recommendations were discussed, by which an enterprise fund would be implemented to establish a utility billing system. If the proposed system improvements were financed, the user rates would absorb the annual debt service.

Wayne Schmitt, building owner, asked what the next step would be. Administrator Hurlburt stated that one goal is to have a Wastewater Discharge Ordinance in place by early 2012. Upcoming budget discussions will further include proceeding with and financing the improvements as recommended in the report. Business owners and tenants will be included in discussions of user fees and options. Education fact sheets provided by the state will be distributed to the users.

REQUEST FOR REDUCTION OF FEES, LUGINBILL CHIROPRACTIC

A letter was received from Dr. Steve Luginbill concerning the fees recently charged for the Conditional Use Permit which was approved in May 2011 for the operation of his business, Croix Ridge Chiropractic, at 21150 Ozark Avenue. Dr. Luginbill requested a reduction of \$162.59, the amount which exceeded the escrow deposit of \$300.

Nancy Peterson, representing the owners of the building, was present to dispute the billing charges and questioned the need for a planning review. Ms. Peterson stated that charges such as this are not conducive to small businesses in Scandia.

Council member Ness stated that this should not have happened and staff should have made the application a priority.

Administrator Hurlburt explained the process of the submission. Dr. Luginbill came into the office with an incomplete application which Hurlburt assisted in filling out. Dr. Luginbill submitted the application just prior to the deadline for the May meeting of the Planning Commission, and indicated that he was in the process of opening his business within the month. As this was an urgent project, the application was sent to the planning consultants for review. The fees were explained to Dr. Luginbill, with a possibility that out-of-pocket expenses could exceed the escrow deposit.

City Planner Buss added that the review was assigned to staff that could most economically prepare the CUP report. It was necessary to gather additional information from the applicant to complete the review. It was determined that a site visit was not necessary, nor was the applicant billed for the Planner's attendance at the Planning Commission and Council meetings. The report was prepared with a minimum number of hours as possible. The number of hours billed were not unreasonable based on code requirements. Buss stated that CUP reviews generally go to planning consultants when a staff planner with the city is not available. In the cities that TKDA consults with, administrators do not have the responsibility of reviewing CUP's. Reports are prepared according to city code. If the Council would like to make changes to the code, amendments would need to be made which identify uses that do not cause impacts to surrounding properties and could be done administratively.

Mayor Simonson asked if there were any exceptions to having the consultants prepare the reports. Planner Buss replied that a standard review may be done by city staff, but planning reviews for more complex submissions are done by certified planners.

Administrator Hurlburt explained that the Comprehensive Plan committee spent lots of time going over permitted uses and the level of review required. Some permits were changed to Administrative Permits, but a decision was made to keep planning reviews in place for complex applications. It was a policy matter set by the council, and any medical office requires a CUP. Hurlburt stated that nothing went wrong with the processing of this application.

Mayor Simonson stated that he was frustrated by the system in place, but the city is bound to adhere to the policy that CUPs require a planner's review. He recognized that additional time was necessary as the applicant did not provide a complete application.

Council member Schneider stated that he would abstain from any vote as an owner of the building.

Simonson, seconded by Swanson, moved to deny the request for a reduction of fees for the Croix Ridge Chiropractic Conditional Use Permit. The motion carried 4-0, with Schneider abstaining.

ELECTRICAL PERMITS AND INSPECTIONS

Ordinance Authorizing City to Issue Permits (Ordinance No. 127)

Due to the Minnesota state shut-down, state electrical permits and inspections have been halted. Many cities have decided to take over this function and contract with the services of a qualified inspector. Administrator Hurlburt presented a draft ordinance that would authorize the City to issue electrical permits. Included in the ordinance is adoption of the state's existing permit fee schedule. Hurlburt stated the benefits of improved service to residents, the permit could be coordinated with other inspections, and there would be no restrictions on what day of the week that electrical inspections are conducted in Scandia, as they are now.

Simonson, seconded by Swanson, moved to adopt Ordinance No. 127, An Ordinance Providing Electrical Installation Inspections within the City of Scandia. The motion carried 5-0.

Agreement with Dave Kichler Inspections Inc. for Electrical Inspections

Currently, Dave Kichler Inspections, Inc. is contracted by the state to perform electrical inspections in Scandia and surrounding communities. Mr. Kichler has offered to contract directly with the city. He presented a proposed contract with a compensation of 80% of the permit fee. The remaining 20% would remain with the city to cover administrative costs. The contract would be effective upon approval.

Simonson, seconded by Ness, moved to approve an agreement with Dave Kichler Inspections to perform electrical inspections.

Council member Swanson presented a modified contract with a few changes and additions.

Simonson, seconded by Ness, moved to amend the above motion to accept the changes to the contract as recommended by Council member Swanson. The motion carried 5-0.

A vote was taken on the first motion to approve the Kichler agreement, with the accepted changes to the contract, to perform electrical inspections for the City of Scandia. The motion carried 5-0.

TACO DAZE PARADE PARTICIPATION

In past years, the Council has ridden together in the Taco Daze parade in the back of the City pick-up truck. Mayor Simonson has indicated that he plans to continue his practice of riding in the parade with a veterans unit. Administrator Hurlburt asked the remaining council members about their intentions of participating in the City sponsored unit, as pre-registration is required.

Council member Swanson asked staff to check on the theme for this year's event, as she may make other arrangements depending on the theme. The other council members stated that they would ride in the City's pick-up truck.

REPORT ON JULY 19, 2011 CLOSED MEETING HELD AT 6:00 P.M.

Mayor Simonson summarized the closed council meeting held at 6:00 p.m. for the purpose of Administrator Hurlburt's performance review. Simonson stated that the review covered the working relationship between the council and administrator, delivery of services, leadership, public relations, fiscal and personnel management and other discussions. Simonson said that no additional follow-up is required.

ADJOURNMENT

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

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk