

September 10, 2013

A Work Session meeting of the City Council was held on the above date. Mayor Simonson called the meeting to order at 6:30 p.m. The following were present: Mayor Randall Simonson, Council members Dan Lee, Jim Schneider, Sally Swanson, and Chris Ness. Staff present: City Administrator Kristina Handt, Maintenance Superintendent Tim Kieffer, and Deputy Clerk Brenda Eklund. Police Deputy Chris Majeski was also in attendance.

APPROVAL OF THE AGENDA

Council member Swanson added a discussion about Taco Daze to the agenda. Mayor Simonson noted this as Agenda Item 8). **Lee, seconded by Ness, moved to approve the Agenda as amended. The motion carried 5-0.**

DISCUSS SOCIAL HOST ORDINANCE

Rose Hauge, a Drug Free Community Coordinator with the Chemical Health Action Collaborative (CONNECT), presented information on social host ordinances which many communities in the state have adopted to deter the use of alcohol by minors. A social host ordinance makes it unlawful to provide an environment where underage drinking takes place. Violations are punishable through a misdemeanor offense with a maximum penalty of 90 days in jail and a \$1,000 fine. The ordinance would not apply if the parents had no knowledge that underage drinking occurred at their residence.

Deputy Chris Majeski spoke in favor of this ordinance and stated that he could have enforced this at least once in the past year. Forest Lake has issued six citations since adopting the ordinance three years ago.

Administrator Handt explained that the draft ordinance provided for the meeting was modeled after Woodbury's ordinance which provides a definition of reasonable steps taken by a person hosting an event in order to prevent underage consumption of alcohol.

Council member Swanson noted that a social host ordinance could make a parent think twice about condoning the use of alcohol by minors. Mayor Simonson agreed that the ordinance could deter this activity from happening. Simonson went on to state that Deputy Majeski has good reasons to support the ordinance and it is not an unreasonable one.

Council member Lee stated that the city doesn't need more laws when it's already unlawful to provide alcohol to minors. Parents may not have control over every situation, but should be the responsible party to monitor these activities. Lee stated that he did not see how this ordinance could help.

Ms. Hauge answered that it's a tool to help parents say "no" to allow alcohol at a party. Simonson stated that the ordinance could help law enforcement do their job and it's good for the community.

Simonson, seconded by Swanson, moved to direct staff to prepare the Social Host Ordinance for the September 17 Council meeting agenda. Council discussion -- Ness : It's

there as a deterrent not as punishment and it works; Schneider – in favor; Lee: It would be hard to enforce and would not make a difference in keeping minors from drinking. It should be the personal responsibility of parents to teach kids that underage drinking is against the law. Council passed the motion 4-1, with Lee opposed.

2014 BUDGET: CERTIFY MAXIMUM PROPERTY TAX LEVY PAYABLE IN 2014
(RESOLUTION NO. 09-10-13-01)

The preliminary levy for taxes payable in 2014 must be certified to Washington County by September 16. The Council may make changes to the budget prior to its adoption in December, but the levy may not be increased. Handt explained that she provided various options for the Council to consider based on the discussion at the August 27 budget work session. One option, to provide a \$10,000 increase in the levy for EDA and HRA purposes, would raise the levy 0.46% over last year.

If the Council decides on a 0% increase and wants to allow for some amount of levy for EDA/HRA purposes, then the general fund levy would have to be reduced by this amount. Handt explained that it could be possible to not fund the EDA through a levy in 2014, but allow for an interfund loan transfer to the EDA to cover operating expenses. This loan would be repaid to the General Fund by the EDA in 2015 with tax levy dollars.

Handt noted that preliminary information from Washington County shows a 9.8% decrease in property values. Even with a slight increase in the levy, a property owner will see a decrease in the city portion of their tax bill.

Simonson stated that it's important to stick with the 0% increase. There may be a need to fund some expenses for the EDA, but the Board is not sure what that is.

Swanson said that the EDA has only had one meeting and haven't projected operating costs yet, but allowing for an interfund loan transfer makes sense.

Schneider stated that he favored Option D – a 0% levy with no levy for the EDA.

Ness suggested a \$1,000 levy to fund miscellaneous costs such as postage or printing costs.

Lee favored Option C, a 0% levy with a \$5,000 levy for EDA purposes. Lee explained that the EDA Board would be good stewards of the fund, but that it wouldn't go far if a consultant were hired.

Handt stated that there are ways to remove \$5,000 from the General Fund by December. Quotes for health insurance and audit services are being gathered and it is anticipated that these expenses will be lowered in 2014.

Simonson stated that he is in agreement with Option C. Schneider said that \$5,000 is too much but could support a \$1,000 levy for EDA.

Swanson, seconded by Lee, moved to approve Resolution No. 09-10-13-01C, Certifying the Maximum Property Tax Levy Payable in 2014 (0% levy increase and \$5,000 levy for EDA purposes). Roll call vote: Lee – yes; Ness – no; Swanson – yes; Schneider – no; Simonson – no. The motion failed 2-3.

Ness, seconded by Schneider, moved to approve Resolution No 09-10-13-01D with an amendment to allow a \$1,000 levy for EDA purposes and lower the General Fund by \$1,000, with a 0% increase to the total property tax levy. Roll call vote: Ness – yes; Swanson – no; Schneider – yes; Lee – no; Simonson – yes. The motion carried 3-2.

SET DATE FOR PUBLIC MEETING ON 2014 BUDGET AND TAX LEVY

Council set December 10, 2013 at 6:30 p.m. as the public meeting date for the 2014 Budget and Tax Levy hearing.

REVIEW DRAFT SPECIAL ASSESSMENT POLICY

Handt presented a draft assessment policy for the purpose of assessing and financing initial pavement and street reconstruction, as directed by the Council following discussion on assessments at the July and August work sessions. Seal coating and crack filling will continue to be funded by the Public Works budget in the general fund, while mill and overlays would be funded from the new Local Road Improvement Fund.

Handt explained that the section on paving gravel roads is consistent with previous township policy. The total bituminous cost is assessed at 75% on non-collector roads, and 25% on collector roads. Collector and non-collector roads are identified in the Comprehensive Plan. Construction of new streets is assessed at 100% to the benefiting property owners, generally paid for by the developer.

Council discussed the level for assessing the reconstruction of streets. It was decided to term this “full depth reconstruction” to indicate that a new base is needed to bring the road up to engineering standards. The draft policy sets an assessment rate of 75% of the costs to benefiting properties. Ness stated that this is too high. Schneider agreed and stated his position against any assessments for reconstruction, as the property was assessed once and shouldn’t be reassessed. Swanson countered that 20-year old roads are falling apart and it is a common practice for cities to assess for reconstruction.

Council directed staff to modify the draft policy by designating a 70/30 cost share for full depth reconstruction (30% of costs to property owner). Handt will research language on prepayment of assessments and clarify this section. The Council will continue to discuss the Assessment Policy at the October work session.

REVIEW STORMWATER MANAGEMENT PLAN

Public Works Director Tim Kieffer presented a Stormwater Maintenance Plan to monitor and maintain the city’s stormwater infrastructure as requested by the Council. The policy lists the maintenance tasks such as ditch cleaning, street sweeping, repair and cleaning of catch basins, and inspection and cleaning of stormwater ponds, along with a maintenance schedule. Kieffer

explained that he is using current department staff and equipment as best as he can on these jobs, but more staff would be needed to perform all the work. Some work, such as reshaping ditches, is being contracted out as the budget allows.

Council members were in consensus that it is a well-written policy and commended Kieffer on his work.

Simonson, seconded by Ness, moved to place the Stormwater Maintenance Plan on the September 17 Consent Agenda for approval. The motion carried 5-0.

DISCUSS FUTURE WORK SESSION DAYS

Handt recommended the Council consider changing work session meetings from the second Tuesday of the month to the first Wednesday of each month. This would allow attendance by the Fire Chief and provide additional time for staff to follow up on items that go on the regular Council meeting. Council was in consensus with this recommendation.

Lee, seconded by Ness, moved to place an amendment to Ordinance No. 91, City Council By-laws by changing the Council Work Session meeting dates to the first Wednesday of each month at 6:30 p.m., on the September 17 meeting agenda. The motion carried 5-0.

The change in work session dates will take effect on Wednesday, October 2, 2013.

ADDITION TO AGENDA: TACO DAZE ISSUES (COUNCIL MEMBER SWANSON)

Swanson stated her frustration with the Park Committee in how they ran the dodgeball tournament during the Taco Daze event on September 7. The Committee decided to recruit volunteer referees rather than pay them, which she felt resulted in no one being scheduled to referee. She recruited three students at the last minute and requested payment for them at the Park Committee meeting on September 9, especially due to the hot conditions and the five hours that they volunteered. The Committee denied the request. Swanson felt this is an embarrassment to the City given the fact that the tournament generated revenue from 16 teams.

Handt explained that the Committee designated member Rasmussen to be in charge of lining up volunteer referees. Swanson replied that the other members should have offered more support. Swanson explained that in answer to a question to Chair Zauner about what if there were no refs on Saturday morning, Swanson was told the tournament would have been cancelled. Swanson stated that this would have been totally unacceptable at the last minute.

Simonson stated that there is a competency problem with the Parks Committee and it may be beneficial to install policies and plans for each event the Committee sponsors so that they can be more organized. Contingency plans and written guidelines should be in place so that things do not fall through the cracks.

Council agreed that the Parks Committee should be invited to attend the October 2 work session for a discussion about these issues and expectations of being a member of the Committee.

ADJOURNMENT

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

Respectfully submitted,

Brenda Eklund
Deputy Clerk