

September 20, 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, Fire Chief Mike Hinz and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Mike Eggen, 23865 Morgan Avenue, provided comments on the Council's recent discussion of a shooting ordinance. Mr. Eggen said he didn't think Scandia's population density has made it necessary to adopt shooting restrictions, but rather there should be a balanced approach using common sense among neighbors to address concerns about target shooting. He asked the Council to tone down a proposed ordinance as too many restrictions can become complicated.

APPROVAL OF AGENDA

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

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) August 16, 2016 Regular Meeting
 - 2) September 7, 2016 Work Session
- b) Treasurer's Report

Beginning Balance 08/01/2016	\$3,026,894.97
Receipts	\$45,422.98
Expenditures \$290,702.43	
Payroll <u>\$22,104.79</u>	\$(312,807.22)
Adjustments: duplicate receipt entry	<u>\$(348.31)</u>
Ending Balance 8/31/2016	\$2,759,162.42
- c) Payment of Vouchers
- d) Safe Assure Safety Training Contract Renewal
- e) 2017 Health Insurance Renewal (Resolution 09-20-16-01)
- f) Appoint Election Judges for the November 8, 2016 General Election

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

PARKS AND RECREATION COMMITTEE

The Parks and Recreation Committee did not present a report. **Council member Dan Lee moved to censure the PRC for having no members in attendance.** Lee went on to explain that the members have a responsibility to provide representation, and this action could be a wake-up call that they need to act as a legitimate committee and have a voice at Council meetings. Administrator Soltis explained that sending a representative to the meetings is

addressed in the Committee bylaws. Attorney Pratt noted that the Council has authority over subcommittees to take action when necessary. **Ness seconded the motion for discussion.**

Council member Ness said that he didn't think censure action should be taken and that better communication is needed. Ness said that he would convey this to Committee Chair Ryan Jinks.

Mayor Simonson called for a roll call vote on the above motion. Lee – yes; Ness – no; Schneider – no; Hegland – no; Simonson – no. Motion defeated 1-4.

PLANNING COMMISSION

Recommendation to Deny Variance for an Accessory Structure at 16970 St. Croix Trail North (Resolution No. 09-20-16-02)

Planner Buss presented the Planning Commission's recommendation to deny a variance to locate an accessory structure within the 200' setback of the St. Croix River for applicant Paul Hedelson. Buss explained that Hedelson replaced a 10'x12' shed in the same location after it was damaged by a fallen tree, approximately 170' from the OHWL of the river. The shed is built on a separate parcel without a primary structure adjacent to 16970 St. Croix Trail. Buss stated that the shed is defined as substandard in the St. Croix Riverway District and requires any replacement due to destruction or deterioration to meet the dimensional standards of the ordinance, which is 200' from the OHWL of the river. Buss said the Planning Commissioners stated that although the shed is small in size, they need to be consistent in enforcing the regulations.

A resolution to deny the variance was provided with findings that the request does not meet the criteria for practical difficulties since there is adequate space to relocate the shed to an area that does meet the 200' setback, and the two separate parcels can be combined in order to meet the ordinance requirement that the shed be located on a parcel with a primary structure. Language in the resolution allows for 60 days to complete the relocation and combination of parcels.

Simonson, seconded by Hegland, moved to adopt Resolution No. 09-20-16-02, Denying a Variance for 16970 St. Croix Trail North.

Council member Ness asked if the applicant is willing to move the shed. Administrator Soltis said that a location 30 feet to the west was identified that will not require any large tree removals and meets the setback requirements from the septic drainfield.

Mayor Simonson called for a vote on the above motion. The motion carried 5-0.

Ordinance No. 177: Amending the Development Code for Temporary Dwelling Unit – Care Facility and Temporary Dwelling Unit during Construction

The Planning Commission held a public hearing at their September 6th meeting and recommended approval of Ordinance No. 177 which amends performance standards for temporary care units and temporary dwelling units during construction. Planner Buss summarized the amendments which adds definitions to align with recent state legislation regarding temporary care units; to permit temporary units to be occupied by persons being cared for as well as caregivers; clarifies that a permit for a temporary dwelling unit during construction

is only needed for a manufactured home that is brought to the site and not when an existing home serves as the dwelling unit during construction of a new home; and changes the required permits from an Interim Use permit to an Administrative Permit, a less costly process.

Simonson, seconded by Hegland, moved to adopt Ordinance No. 177, Regarding Amendments to Temporary Dwelling Unit – Care Facility and Temporary Dwelling Unit during Construction.

Council member Schneider asked if a bond would be involved for removal of the temporary dwelling unit during construction. Administrator Soltis stated that the Administrative Permit would provide for an end date for removal of the unit, beyond which legal enforcement could occur, and would require an escrow deposit as a condition for removal.

Mayor Simonson called for a vote on the above motion. The motion carried 5-0.

Summary Publication of Ordinance No. 177 (Resolution No. 09-20-16-03)

Ness, seconded by Lee, moved to approve Resolution No. 09-20-16-03, Providing for the Summary Publication of Ordinance No. 177. The motion carried 5-0.

BUILDING OFFICIAL

Building Official Chuck Preisler provided the building activity report for the month of August. Twenty-seven permits were issued with a valuation of \$1,018,216.75. Planner Buss made the comment that Mr. Preisler has been extremely helpful in providing information on zoning ordinances.

Administrator Soltis presented the report from the Insurance Services Office which rated Scandia's building code effectiveness as a 4 (1 being best, 10 as lowest), which is a step above the previous 5 rating. Soltis noted that this is a very good rating for a small community and reflects the quality of the work being performed by the Building Official.

POLICE DEPARTMENT

Deputy Brandon Yetter was out of town attending SWAT training. The August police activity report was reviewed.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 29 calls in August – 11 fire related and 18 EMS calls. The department participated in the Taco Daze and Osceola parades, and a 9/11 tribute on I-94.

CITY ENGINEER

City Engineer Ryan Goodman provided an updated road rating map of the city's streets. The second street sweeping of the sealcoat roads is scheduled for September 21st. Council member Schneider asked about road striping. Goodman answered that only 220th will be striped with a double yellow line as it was decided to cut back on striping locations.

2016 Crackfilling and Seal Coat Project – Contractor’s Request for Payment #1

Engineer Goodman recommended payment to Allied Blacktop for services they provided for the 2016 crackfilling and seal coat project. The request includes a 5% retainage.

Simonson, seconded by Hegland, moved to approve Pay Request #1 to Allied Blacktop in the amount of \$105,138.69 for the 2016 Crackfilling and Seal Coat Project. The motion carried 5-0.

CITY ATTORNEY

City Attorney Andy Pratt stated that although the city cannot regulate the number and content of political signage in the 46 days preceding an election, it can regulate placement. Signs are prohibited within the public right-of-way as provided in the sign ordinance.

CITY ADMINISTRATOR

City Administrator Neil Soltis reported that applications for the Public Works Director position are due on September 28th. The Request for Proposals for the Comprehensive Plan update were sent out on September 16th and posted on the City and League websites. Soltis announced that the Country Messenger newspaper will be hosting a Community Visioning session at the Community Center on September 29th to gather input related to the comprehensive planning process. A notice that a possible quorum of the Council may be present will be posted. Soltis stated that with the updated street ratings from Bolton Menk, plans for future road projects should be discussed at Council work sessions. Soltis will explore costs for possible use of concrete planking for the entire ramp at the Log House Landing.

PROPOSED CHANGES TO THE DESIGN OF THE VETERANS MEMORIAL AT LILLESKOGEN PARK

A proposal to increase the design size of the Veterans Memorial was discussed at the September 7th Work Session. Action was deferred to provide the Parks and Recreation Committee an opportunity to meet and make a recommendation on the project. A special meeting was not held, however, most of the Committee members individually visited the site to view the expanded footprint and provided comments in general support of the expanded design.

Dave Wilson, co-chair of the Veterans Memorial Committee, stated that they kept the design minimal to work into the park setting and to make the site handicap accessible. They have raised the funds needed to complete the project. Judy Rydeen added that the project has been in the works for 3 years and this is the best site for the memorial.

Council member Schneider stated that this will be an attractive addition to the park and size is not an issue with him.

Ness, seconded by Schneider, moved to approve the revised design of the Veterans Memorial. The motion carried 5-0.

SETTING A MAXIMUM TAX LEVY FOR 2017 (RESOLUTION NO. 09-20-16-04)

The recommendation from the September 7th Work Session was to certify the preliminary levy for taxes payable in 2017 at the same amount as 2016, a 0% increase at a total of \$2,257,871. Administrator Soltis explained that the Council has the option to lower the levy amount with the final budget adoption in December. Council will continue to discuss the budget between now and December.

Simonson, seconded by Hegland, moved to approve Resolution No. 09-20-16-04, Certifying the Maximum Property Tax Levy Payable in 2017 at 0%. The motion carried 5-0.

SETTING A DATE FOR PUBLIC HEARING ON THE 2017 BUDGET

Per state statute, the City may hold the public hearing on the budget any time after November 25th. In the past, the Council has held the budget hearing at the December Work Session.

Simonson, seconded by Hegland, moved to schedule the public hearing date for the 2017 budget as December 7, 2016 at 6:30 p.m. The motion carried 5-0.

REVIEW OF FALL NEWSLETTER

The Council reviewed a draft of the fall newsletter. No changes were identified. The newsletter will be mailed to all Scandia residents by October 1st.

ADJOURNMENT

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

The meeting adjourned at 7:51 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk