

January 15, 2019

A regular meeting of the Scandia City Council was held on the above date. Mayor Christine Maefsky called the meeting to order at 7:00 p.m. Following the Pledge of Allegiance, roll call was taken. The following members were present: Council members Steve Kronmiller, Chris Ness, Patti Ray and Mayor Christine Maefsky. Absent: Council member Jerry Cusick. Staff present: City Administrator Neil Soltis, City Planner Merritt Clapp-Smith, City Attorney Eric Sherburne, Police Deputy Brandon Yetter, Fire Chief Mike Hinz, Public Works Director Adam Hawkinson and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Kent Swenson, 14401 Oren Road, asked for assistance from the City to treat an icy drive in front of his father-in-law's home. Swenson described that Al Lenz, 86 years old, fell on the ice getting his mail last week and broke his hip. Four homes share this access drive and he wants to prevent this hazardous situation from happening to the neighbors. Swenson said Google maps labels this gravel road as Newgate Avenue deeming it a city street, and that there is a street sign at the entrance identifying Newgate and 188th Street. His experience with the County addressing system gave him the understanding that it is a city street that should be maintained by the city. Administrator Soltis explained that the road was dedicated as an access drive to serve the homes in the subdivision when it was platted and is considered a private drive. Soltis pulled up a GIS view of the area on the projection screen and confirmed that it was not city right-of-way. Soltis said the Council can direct staff to apply sand but that would set a precedence to service other private drives. Attorney Sherburne addressed the legal aspects; if the City voluntarily performs maintenance on a private drive it can become an obligation to do this elsewhere, also opening the City to liability exposure. Council member Ray questioned if the City could apply sand on an as-needed basis with payment from the property owner. Soltis replied no, the city cannot compete in the private sector and there again are liability issues and precedence. Council member Kronmiller suggested the neighborhood raise the funds needed to apply ice control for the safety of the other neighbors on this drive; based on legal issues, the City cannot provide this service. Council member Ness said the property owners would need to show documentation that it is a city street. Sherburne explained that Google maps is a private mapping service and the County records provide the accurate deeded language. The placement of the street sign here was informative for public safety.

There were no other public comments.

APPROVAL OF AGENDA

Ness, seconded by Kronmiller, moved to approve the agenda as presented. The motion carried 4-0.

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) December 18, 2018 Regular Meeting
 - 2) January 2, 2019 Work Session
- b) Treasurer's Report

Beginning Balance 12/1/2018		\$3,677,273.45
Receipts		\$ 65,903.64
Expenditures	\$138,797.12	
Payroll	<u>\$ 27,836.85</u>	\$(166,633.97)
Adjustments: Tax Settlement		\$ 929,118.37
reverse JE 950		<u>\$ (13.36)</u>
Ending Balance 12/31/2018		\$4,505,648.13

- c) Payment of Vouchers
- d) Approval of 2018 Street project pay request No. 7
- e) Resolution No. 01-15-19-01 Designating Depositories of City Funds for 2019
- f) Resolution No. 01-15-19-02 Ratifying Surety and Blanket Bonds
- g) Step increase – Treasurer
- h) Temporary On-Sale Liquor License, Scandia Fire & Rescue Relief Association (February 23, 2019)
- i) Appointment of Dan Squyres to a 5-year term on the Planning Commission and Doran O'Brien to a 5-year term on the Wastewater Advisory Committee

Ness, seconded by Kronmiller, moved to approve the Consent Agenda as presented. The motion carried 4-0.

PARK AND RECREATION COMMITTEE

PRC Chair Terry Gorham invited Lions President Lynnette Welsch to provide an update on Vinterfest, as the Lions Club has taken over running this community event, scheduled for January 26, 2019 with the adult hockey tournament beginning on the evening of January 25th. Welsch provided a schedule of events and said all is going according to plan, with the pancake breakfast, snow sculpture contest, cloggers performance, chili cookoff and fireworks show happening on Saturday. Advertising in the local papers and flyers are promoting the event. In case there is a of a lack of snow, PRC member Dan Lee may have snow brought in from the local ski hills for the sculpture contest and the sledding hill.

PLANNING COMMISSION

Planner Merritt Clapp-Smith informed the Council on the Planning Commission's public information meeting scheduled for January 31st to gather input from the community on what the Commissioner's should focus on in developing a new community solar ordinance, resulting from direction given at the December 18th Council meeting.

The Commissioners scheduled a public hearing for their February 5th meeting on an amendment to Chapter 2 of the development code to add standards for fences in the shoreland and river districts. Clapp-Smith also reported that at their January 8th meeting, the Commissioners began a discussion on definitions for accessory structures, following the concern on size and numbers of small animal shelters being counted as accessory structures under the current definition.

BUILDING OFFICIAL

Building Official Chuck Preisler's report on building activity was received. In December, 14 permits were issued at a valuation of \$151,148. By years end, 435 permits were issued at a

valuation of \$25 million. Seventeen new construction permits were issued in 2018. Building permit revenue totaled \$270,439 for the year.

POLICE DEPARTMENT

Police Deputy Brandon Yetter reported recent theft reports of chainsaws, mail theft and a stolen gas can out of a locked garage. Yetter began the DARE program last week with the 6th grade class at Scandia Elementary, with DARE graduation planned for April 11th. Yetter said that he will be on duty both evenings of the Vinterfest event the last weekend of January.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 6 fire calls and 13 medical calls in December. Total number of calls through the end of 2018 numbered 225. The six newest recruits have started Firefighter I and II training, lasting through March. Hinz said he is compiling data for the upcoming ISO rating review, which insurance companies use to establish homeowners' property coverage rates.

CITY ENGINEER

City Engineer Ryan Goodman provided a written report. A meeting was held with Washington County regarding the Gateway Trail segment proposed to be constructed as a tunnel under Oakhill Road (County Road 52) and within a portion of the right-of-way.

CITY ATTORNEY

City Attorney Eric Sherburne informed the Council that he is working on identifying a proper person to fill the role as the public hearing officer as required by the newly adopted administrative citation ordinance.

PUBLIC WORKS DIRECTOR

Public Works Director Adam Hawkinson reported that use of WEX fleet fuel cards has started which will electronically track fuel consumption and other vehicle statistics. The door actuators have been installed to the front entrance and restroom doors of the Community Center.

CITY ADMINISTRATOR

City Administrator Soltis reported that the 2019 property and workers comp insurance renewals through the League were \$3,500 under the budgeted amount. Soltis, along with other involved parties, will attend a lobbying effort at the Capital to advocate for favorable language provisions to the bonding bill to support funding for Scandia's fiber to the premise proposal. Wendy Green, BHE Renewables, will attend the February work session with an update on site modifications to address the stormwater event at the Argo Navis community solar site. Soltis provided the output statistics for the Fire/Public Works building solar panels – since going online in late 2016, the system has generated 80,700 kWh of energy. Soltis introduced a request from Andrew Knutson to acquire a city owned outlot of a subdivision. Council directed staff to add this request to the February work session.

DESIGNATING THE OFFICIAL NEWSPAPER

Each year at the City's annual meeting, the Council designates a newspaper of general circulation as its official paper in which to publish legal notices as required by law. A summary of bids received from the Forest Lake Times and the Country Messenger was presented.

Council member Ness said the Times was designated in past years when it had free distribution to many Scandia households, but has now changed to a subscription newspaper. Ness noted that the Messenger provided a lower publication cost as compared to the Times.

Ness, seconded by Maefsky, moved to designate the Country Messenger as the official newspaper for 2019. The motion carried 4-0.

APPOINTMENT OF ACTING MAYOR FOR 2019

Ray, seconded by Kronmiller, moved to elect Ness as Acting Mayor for 2019. The motion carried 4-0.

CITY COUNCIL COMMITTEE APPOINTMENTS

The Council discussed Committee appointments at their January 2nd Work Session, and were in consensus with the following appointments:

- EDA: Steve Kronmiller and Patti Ray
- Parks and Recreation: Patti Ray
- Planning Commission: Jerry Cusick
- Wastewater Advisory Committee: Chris Ness

Ness, seconded by Ray, moved to adopt the Committee appointments as presented. The motion carried 4-0.

ORDINANCE NO. 207 – AMENDING ORDINANCE NO. 185 REGULATING DOGS

As discussed at the January 2nd Work Session, the dog ordinance was originally written to reference gross misdemeanors in the penalty section. Administrator Soltis explained that state statute limits the penalties for ordinance violations to misdemeanors, requiring an amendment to strike “gross” from three subsections.

Ness, seconded by Kronmiller, moved to adopt Ordinance No. 207, Amending Ordinance No. 185 Regulating Dogs. The motion carried 4-0.

SUMMARY PUBLICATION OF ORDINANCE NO. 207 (RESOLUTION NO. 01-15-19-03)

Ness, seconded by Kronmiller, moved to adopt Resolution No. 01-15-19-03, Providing for the Summary Publication of Ordinance No. 207. The motion carried 4-0.

TKDA 2019 RATE SCHEDULE

City Planner Clapp-Smith presented the planning firm's rate schedule for 2019, and noted the change in the rate billed for Senior Planner from \$105 - \$138/hour to \$105 - \$148/hour, with the meeting rate remaining at \$105 per meeting. Clapp-Smith said her rate has been set at \$138/hour at the beginning of this year. Administrator Soltis noted that much of the Planner's time related to zoning applications are paid by the applicants.

Ray, seconded by Ness, moved to approve TKDA's updated rate schedule for 2019. The motion carried 4-0.

CODIFICATION SERVICES AGREEMENT

Administrator Soltis explained that the 2019 budget provides \$8,000 for codification of city ordinances. A service agreement with the League of MN Cities and its consultant American Legal Publishing was presented for the codification at a fee of \$7,400. This would organize and index the city's ordinances, excluding the land development code.

Kronmiller, seconded by Ray, moved to approve the agreement for codification services. The motion carried 4-0.

PURCHASE OF HOLIDAY DECORATIONS AND APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND (RESOLUTION NO. 01-15-19-04)

In 2018, with support from the Scandia-Marine Lions, new holiday decorations were purchased for 15 of the 42 decorative street lights in the Village Area. The Lions donated an additional \$3,000 towards the purchase of lighting to complete the downtown area. Administrator Soltis said that the vendor is discounting the decorations 33% until the end of February, so that the cost to purchase the remaining 27 decorations would be \$5,500 after accounting for the Lions donation. The Capital Improvement Fund has a projected balance of \$580,000.

Council member Ness said he thanks the Lions for the generous offer, but \$5,500 is too much money for a short-term use and the funds could be better spent elsewhere. Council member Ray countered that the new snowflake lights add a lot of beauty to downtown Scandia and said she is in favor of the purchase. The decorations are now being discounted, and if put off for the future this design may not be available. Mayor Maefsky agreed that the holiday lighting improvements make downtown special and have an economic value to the businesses. The Vinterlights event for the inaugural lighting was well attended and a way to build community pride. Maefsky said the lights will be kept up through the Vinterfest weekend.

Ray, seconded by Kronmiller, moved to approve Resolution No. 01-15-19-04, Accepting Donations from the Lions Club and Approving Purchase of Holiday Decorations and Making Related Amendments to the 2019 City Budget. The motion carried 3-1, with Ness opposed.

ADJOURNMENT

Ness, seconded by Kronmiller, moved to adjourn the meeting. The motion carried 4-0.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk