

October 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 Jerry Cusick, Steve Kronmiller, Chris Ness, Patti Ray, and Mayor Christine Maefsky. Staff present: City Administrator Ken Cammilleri, City Engineer Ryan Goodman, City Attorney Eric Sherburne, Fire Chief Mike Hinz, Public Works Director Adam Hawkinson, and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Diana McKeown, representing the GreenStep Cities program, presented the city with its Level 3 GreenSteps award and signage for entry points to Scandia in recognition of reaching sustainable and environmentally-friendly initiatives and goals. Community members Mary Hooley, Lisa Schlingerman and Christina de Sabrino were recognized for their volunteer efforts to advance Scandia in this program.

Loralee DiLorenzo provided an update on the Marine Community Library programs and offerings, and encouraged use of the many resources provided by this local library system.

There were no other comments from the public.

APPROVAL OF AGENDA

Additions to the agenda: 9.e) Letters of support for DEED grant; 9.f) Public Works seasonal snowplow hiring.

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

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) September 4, 2019 Work Session
 - 2) September 17, 2019 Council Meeting
 - 3) October 2, 2019 Work Session
- b) Treasurer's Report

Beginning Balance 9/1/2019	\$4,473,466.57
Receipts	\$ 44,336.40
Expenditures \$127,511.39	
Payroll <u>\$22,817.82</u>	\$(150,329.21)
Adjustments: Adjust 8/01/19 receipt	<u>\$0.05</u>
Ending Balance 9/30/2019	\$4,367,473.81
- c) Payment of Vouchers
- d) Resolution No. 10-15-19-01 Designating Funds to the Washington County Historical Society Capital Campaign
- e) Authorize Hiring of Ice Rink Employees -- Leader and Attendants
- f) Authorize Funds for Installation of Light Display for Vinterlights

- g) Authorize Disposal of Excess Inventory
- h) Authorize Disbanding of Personnel Committee
- i) Annual review – Deputy Clerk Brenda Eklund
- j) Resolution No. 10-15-19-02 Authorization to Submit Grant for Hazard Mitigation Assistance for the Fire Department

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

PUBLIC HEARING: ORDINANCE NO. 212 REGULATING TOBACCO PRODUCTS IN THE CITY OF SCANDIA

Over the past several months the Council reviewed amendments to the city's existing tobacco ordinance. A public hearing on a draft ordinance was held at their meeting on May 21, 2019. Further refinement to the ordinance resulted in a final version which prohibits sales to any person under the age of 21, requires child resistant packaging for certain liquids, expands compliance checks, restricts future license issuance with proximity limits from youth-oriented facilities and other tobacco retailers, and provides for non-criminal penalties to persons under the age of 21 who violate the ordinance.

Council member Ray noted the statistics that favor raising the purchasing age to 21, and referenced the seven letters of support received for the amended tobacco ordinance.

Mayor Maefsky opened the public hearing at 7:17 p.m.

Elaine Schumacher, Melanie Trail, said the city needs to deal with tobacco use among youth, said the statistics are there to support Tobacco 21, and said it will help the kids growing up in Scandia.

Cathy Mackiewicz, 11261 238th Street, asked the Council to pass the ordinance and offered her full support and encouragement to raise the purchasing age to 21. Her family has been affected by tobacco's detrimental health effects and applauded the city's efforts to stop kids from purchasing tobacco.

Alex Dusik, American Lung Association, said she supported the strong ordinance and noted that 48 other communities in the state have raised the purchasing age to 21, which could drive the state to change the law as well. The negative health effects of smoking and vaping are on the rise and this is an opportunity for Scandia to make a difference. She stated the support of Kathy Bystrom, Forest Lake youth representative, who said that this will protect youth in the community. Ms. Dusik offered that the ALA will provide free Tobacco 21 signage to the retailers.

There were no further comments and Mayor Maefsky closed the hearing at 7:21 p.m.

Ray, seconded by Ness, moved to adopt Ordinance No. 212.

Council member Kronmiller stated that the CDC has encouraged the prohibition of electronic cigarettes and asked if Scandia can make this ruling. Attorney Sherburne explained that the Council should make findings to support a ban on e-cigarettes, as support for Tobacco 21 had done. Sherburne advised that the Council could delay the adoption of this ordinance to collect findings to ban e-cigarettes, or proceed with its adoption and make amendments at a later time. There was agreement to adopt this ordinance, and discuss a ban on e-cigarettes at the next work session.

Sherburne noted that clarification to exempt those under 21 from misdemeanor prosecution in Section 12(C) should add the language “by any person age 21 or older”. **Ray, seconded by Cusick, moved to approve the addition of language “by any person age 21 or older” to Section 12(C). The motion carried 5-0.**

Mayor Maefsky called for a vote on the original motion to adopt Ordinance No. 212 as amended. The motion carried 5-0.

Kronmiller, seconded by Ray, moved to approve Resolution No. 10-15-19-03, Providing for the Summary Publication of Ordinance No. 212. The motion carried 5-0.

PUBLIC HEARING: INCREASE FIREFIGHTER BENEFIT LEVEL

At the October 2 Work Session, the Council reviewed a cost analysis for a potential increase to the Fire Relief benefit level, administered by PERA’s Statewide Volunteer Firefighter Retirement Plan. Fire Chief Hinz explained that the current benefit level has excess funds, and PERA recommended increasing the benefit level. The actuarial report contained funding alternatives, with a benefit level of \$3,500/year of service at a 103% funding level. Council was in agreement to adopt this benefit level by resolution.

State statute requires a public hearing for changes to the firefighter’s pension benefits. Mayor Maefsky opened the public hearing at 7:33 p.m. There were no comments and the hearing was closed.

Kronmiller, seconded by Ray, moved to approve Resolution No. 10-15-19-06, Opting to Increase the Benefit Level for Firefighters Vested in the Voluntary Firefighter Retirement Plan. The motion carried 5-0.

PARK AND RECREATION COMMITTEE

City Council member Patti Ray, liaison to the Park and Recreation Committee, reported on the committee’s October 7th meeting. Vinterfest planning, promotion of the lighted ballfield, and the ribbon-cutting ceremony of the Lilleskogen Story Walk were highlighted.

PLANNING COMMISSION

At the October 1st meeting, the Commissioners discussed revisions to the accessory structure and sign ordinances, and reviewed the 2020-2024 Capital Improvement Plan.

BUILDING OFFICIAL

Building Official Chuck Preisler's report on building activity was received. In September, 26 permits were issued at a valuation of \$616,005.

POLICE DEPARTMENT

Police Deputy Peters was absent on a call. The September incident summary report was reviewed.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 6 fire calls and 12 medical calls in September. The October 8th Open House was well attended. Hinz is working on the grant proposal for funding the new generator.

CITY ENGINEER

City Engineer Ryan Goodman reported on the County's Bicycle and Pedestrian planning, the conclusion of the Comp Plan update, and the sump pump inspection program for users of the 201 sewer system.

PUBLIC WORKS DIRECTOR

Public Works Director Hawkinson reported that the flow rates of the 201 sewer pump runtimes are showing less severe peaks, final notices to schedule sump pump inspections were delivered to 33 remaining addresses, and staff will make one last attempt to work with Washington County Historical Society on a shared water system for the Hay Lake pavilion.

CITY ADMINISTRATOR

City Administrator Cammilleri has spent his first 2 weeks on the job meeting community groups and dealing with the enforcement issues that had been put on hold during the interim time without staff in this position. He is working with Deputy Peters to bring cooperative resolution to the complaints.

MAYORS REPORT

Mayor Maefsky explained the Everybody Belongs inclusion project being undertaken by the Forest Lake Area Schools and encouraged city officials and community leaders to attend the learning events. The Lions Club has agreed to donate funds towards Vinterlights, the Gateway Trail bonding request has been submitted to the state, and Representative Dettmer and Senator Housley have voiced their support for the Gateway project.

AUTHORIZE PLANS & SPECIFICATIONS FOR THE 2020 STREET PROJECT

City Engineer Goodman presented a timeline of the 2020 Street Improvement Project schedule. The City has budgeted \$587,000 to repair Mayberry Trail and 209th Street in the Village Center.

Ness, seconded by Kronmiller, to Authorize Preparation of Plans and Specifications for the 2020 Street Improvement Project. The motion carried 5-0.

ADOPTING THE SCANDIA 2040 COMPREHENSIVE PLAN UPDATE (RESOLUTION NO. 10-15-19-04)

City Engineer Goodman reported that after a 2-½ year process, the final version of Scandia's 2040 Comprehensive Plan update was approved by the Metropolitan Council on October 9th.

Ness, seconded by Ray, moved to approve Resolution No. 10-15-19-04, Adopting the Scandia 2040 Comprehensive Plan Update. The motion carried 5-0.

ADOPTING THE LOCAL SURFACE WATER MANAGEMENT PLAN (RESOLUTION NO. 10-15-19-05)

City Engineer Goodman explained that the Local Surface Management Plan, an appendix to the 2040 Comp Plan update, was reviewed and approved by the local watershed districts.

Kronmiller, seconded by Ness, moved to approve Resolution No. 10-15-19-05, Adopting the Local Surface Water Management Plan. The motion carried 5-0.

DISCUSSION ON INTERNET ACTION COMMITTEE

Mayor Maefsky proposed modifications to the Internet Action Committee Charter that was discussed at their October 2nd Work Session:

- Omit Task #17 and have the Administrator post all communication regarding the Committee.
- Add "or other conference" to Task #16 to allow the committee to choose to attend either the Blandin Foundation conference or alternative.
- Clarify the up and download speeds in Task #7.
- Add "Desired Qualifications" to voting committee members.
- Appoint two non-voting council members to the committee.

Ray, seconded by Kronmiller, moved to approve the amended charter of the Internet Action Committee. The motion carried 5-0.

Staff will advertise for committee members for appointments at a future Council meeting.

LETTER OF SUPPORT FOR DEED GRANT

Council member Ray explained that Midco suggested the City ask for a letter of support from households on the state DEED grant application for a potential award to Scandia for broadband expansion. A draft letter was presented, which staff would mail to 219 households. Council member Kronmiller offered to go over the list for any addresses that may already be served by Midco.

Maefsky, seconded by Ness, moved to direct staff to mail the letter asking households to send letters of support to the Office of Broadband Development by October 26, 2019, using the list of addresses reviewed by Kronmiller. The motion carried 5-0.

AUTHORIZE HIRING OF PART-TIME ON-CALL SNOWPLOW DRIVERS

Ness, seconded by Ray, moved to authorize staff to advertise for part-time on-call snowplow drivers at a pay range of \$14.28-\$17.34/hour. The motion carried 5-0.

CLOSED SESSION

Ray, seconded by Cusick, moved to go into closed session under Minn. Stat. § 13D.05, subd. 3(b) for the purpose of discussing the Tii Gavo/Big Marine Lake Development Claim. Roll call vote: Ray –yes; Kronmiller – yes; Ness – yes; Cusick – yes; Maefsky –yes. Motion carried.

Ness, seconded by Ray, moved to return to the open meeting. The motion carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 8:41 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk