

November 17, 2015

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 Kristina Handt, City Planner Sherri Buss, City Engineer Ryan Goodman, Attorney Mike McCain, Police Deputy Brandon Yetter, Treasurer Colleen Firkus and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

There were no public comments.

APPROVAL OF AGENDA

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

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) October 20, 2015 Regular Meeting
 - 2) October 27, 2015 Special Meeting
 - 3) November 10, 2015 Work Session
- b) Treasurer's Report

Beginning Balance 10/01/2015	\$ 3,291,347.53
Receipts	+ <u>52,664.30</u>
Expenditures \$317,731.87	
Payroll <u>27,322.80</u>	- 345,054.67
Adjustments: Recycling Grant Oct. Deposit -	8,106.00
Safe box fee	- <u>35.00</u>
Ending Balance 10/31/2015	\$ 2,990,816.16
- c) Payment of Vouchers
- d) Approve 2015 Tobacco License Renewals: AJL Enterprises dba Scandia Olde Towne Liquor, Todd's Home Center
- e) Approve 2015 Liquor License Renewals: AJL Enterprises, Inc. dba Scandia Olde Towne Liquor (Off-Sale)
- f) Special Event Permit, Roberts Family Funeral Home, Scanley Cup Tournament, Jan 29-30, 2016
- g) Contractor's Request for Payment No. 2 and Final – Pilar Road N/Paris Ave N Ditching Improvements Project 2
- h) Hiring of Rink Attendants
- i) Agreement with Kathryn Herman to provide Skating Lessons
- j) Skating Programming
- k) Personnel Policy Updates
- l) 2016 Forest Lake Cable Commission Budget (*Resolution 11-17-15-04*)
- m) Adopt New Hillcrest Fees
- n) Contractor's Request for Payment No. 2 and Final – 2015 Seal Coat Project

- o) Contractor's Request for Payment No. 3 and Final – Quinnell Ave N Improvements

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

PUBLIC HEARING: CERTIFICATION OF UNPAID CHARGES FOR 201 SEWER SYSTEM FOR COLLECTION WITH PROPERTY TAXES (RESOLUTION NO. 11-17-15-01)

Treasurer Colleen Firkus presented the list of property owners with unpaid 201 sewer accounts and explained that they were given notice of the hearing for the opportunity to object to the certification of unpaid charges to their property taxes. Notice of the hearing was sent to 16 account holders with delinquent charges. There were no delinquent accounts on the Uptown System.

Mayor Simonson opened the public hearing at 7:02 p.m. There were no comments and the hearing was closed.

Simonson, seconded by Hegland, moved to approve Resolution No. 11-17-15-01, Certify Unpaid Charges for 201 Community Sewage Treatment for Collection with Property Taxes. The motion carried 5-0.

Property owners have until December 3rd to pay the outstanding charges without interest. Any remaining unpaid charges will be certified to Washington County and billed to the property tax statement for collection in 2016, at 12% interest.

PARKS AND RECREATION COMMITTEE

Pollinator Planting Project

Parks and Rec Committee Chair Ryan Jinks presented the Committee's recommendation to approve the installation of a pollinator garden on undeveloped city parkland (Outlot A) in Swenson's Goose Lake Farm Estates, located at the corner of Oren Road and Olgilvie Avenue. The project was presented to the Committee by the Soaring Eagles 4-H Club, which received a \$3,750 grant from Pheasants Forever and Quails Forever to create a habitat plot on public land. The planting area would cover approximately 1.7 acres. Jinks described it as a well thought out plan and explained that there would be no fiscal impacts to the city.

Mayor Simonson questioned the Development Agreement approved in 2000 which required the developer to install playground equipment and a softball diamond on Outlot A, which did not occur. Bruce Swenson was present and stated that he graded and added limerock in preparation of a ballfield, but the Township at that time determined it did not want to take on the maintenance of another ballfield, along with it being remote from the village area, so it was left as open space. To his knowledge, the agreement was not amended to record this change.

Mayor Simonson asked what maintenance responsibilities would be needed by the City. Janie O'Connor and Ann Rinkenberger stated that once professionally established over 3 years by Prairie Restorations, the native garden will not need maintenance and the neighbors plan to mow the walking trail around the perimeter. 4-H volunteers will be involved in weeding the plot.

Council member Lee, liaison to the Parks Committee, added that the plants selected are natural to MN and tolerable to growing conditions here. O'Connor said that the plants selected will bloom through three seasons. Jinks said that if mowing of the trail ceased, the native plants would take over and fill in.

Administrator Handt asked for clarification on the 4-H group's request to the Lions for additional funding. Rinkenberger explained that the grant covers the plants and prep work, and other contributions will go towards installing an educational component and purchase of an additional 400 plugs for planting.

Council member Schneider noted that this project differs from the use stated in the development agreement and asked if there are legal issues involved with omitting the ballfield. Attorney McCain said he would need to see the full agreement, and Administrator Handt advised that the process should be to amend the agreement.

Mayor Simonson stated that the pollinator garden appears to be a great idea, but should be tabled to make the necessary legal changes.

Simonson, seconded by Lee, moved to table a decision on the pollinator planting project until an amendment to the development agreement is made. The motion carried 5-0.

Special Event Permit, Vintage Snowmobile Event, Big Marine Lake Association, January 30, 2016

Parks Committee Chair Ryan Jinks presented the Committee's approval of Big Marine Lake Association's Special Event Permit for a vintage snowmobile show and ride to be held on January 30, 2016 as part of Vinterfest. This is the first year for the event, which will be held on Big Marine Lake. There was discussion on how this will be incorporated into the Vinterfest activities in the Village Area, but Jinks stated that this is a way to spread the event to other parts of town. Council member Lee said he sees this as a good move to incorporate the Lake into Vinterfest, and the Vets Camp is in support of the event.

Simonson, seconded by Hegland, moved to approve the Special Event Permit for Big Marine Lake Association's vintage snowmobile show on January 30, 2016 with conditions as stated in the staff report. The motion carried 5-0.

City Sponsored Vinterfest Events and Closure of 209th Street (Resolution No. 11-17-15-02)

Parks Committee Chair Ryan Jinks requested approval of the button design contest and snow sculpture contest as official City events during Vinterfest (January 29-30, 2016). Included in the resolution was action to close 209th Street between the entrance to the Community Center and the eastern entrance to the Elim Church parking lot during sledding on the church hill.

Simonson, seconded by Ness, moved to approve Resolution No. 11-17-15-02, City Sponsored Vinterfest Events and Road Closure. The motion carried 5-0.

PLANNING COMMISSION

Ordinance No. 165: Ordinance Amending the Development Code, Chapter 1, Section 4.2 and Chapter 2, Section 4.30 Regarding Development Standards for Signs; including an Update to the City's Architectural Design Guidelines

City Planner Sherri Buss presented the Planning Commission's recommendation for approval of amendments to the sign ordinance made at their November 4th meeting. Buss summarized the changes based on input from the EDA, the Parks Committee and a recent Supreme Court ruling that municipalities may not enforce sign ordinances that differentiate based on topic or content of the sign. Changes to definitions in Chapter 1 eliminated those related to content, incorporated new sign types, and clarified definitions such as sign height.

Buss noted the major changes in Chapter 2 such as eliminating the requirement of permits for temporary signs such as garage sales and community events, allowing temporary signs to be displayed for up to 34 days, portable signs allowed in the Village, Rural Commercial and Industrial Park Districts up to 40 square feet in size, and allow up to 3 signs that are 10 square feet in size or less in the Ag Core, Ag Preserves, General Rural and Village Neighborhood Districts. A section to allow off-premises signs to identify or provide direction to businesses at five major roadway intersections was added, however the content of the signs cannot be regulated. Wall signs such as murals are also allowed within the amended ordinance. Buss explained that the Commission had lengthy discussions on backlit signs and concluded to not allow them as they are not found to be compatible with the goals of the historic character of the Districts or with goals to maintain dark skies. The Design Guidelines were also updated to be consistent with the changes made to the sign ordinance.

Planning Chair Maefsky explained that the Commission spent a huge amount of time on the sign ordinance, and compromised on requests from the EDA to support the needs of businesses. Maefsky explained that prevention of sign intrusion on the landscape was important as well as maintaining the rural character of Scandia. She said that existing backlit signs are allowed to remain as non-conforming and the lighting that is allowed for signage is a better fit to enhance economic vitality to the community, and described the clutter of signs along Highway 61 from Hugo to Forest Lake is not the look for Scandia, which should strive for more simplicity.

Sally Swanson and Bruce Swenson, EDA officers, were present to advocate for businesses in the Village Districts and Rural Commercial to have better lighting through the use of backlit signs. Mayor Simonson agreed that businesses have a serious concern on increasing customer traffic through the use of backlit and LED signs.

Hannah Weber, 21087 Olinda Trail, spoke before the Council and said she would not want bright signs in the downtown area where she resides next to the Scandia Café. They are detracting and she asked that the visibility of these signs be weighed against the community character.

Administrator Handt explained that the EDA was asking for use of backlit signs in a limited area. Maefsky said that they reasoned that separate standards for businesses along the highway and in the downtown area separates them and loses a connection between the businesses. Council member Lee said that the City owes it to businesses to allow brighter signs that would benefit the businesses and visitors.

Mayor Simonson stated that he is in favor of allowing backlit signs and had Planner Buss prepare language to amend the sign ordinance to allow backlit signs in all districts. Council member Schneider agreed, and also recommended a change to paragraph (6)(B) to allow one temporary or portable sign per “business” instead of “lot “as multiple businesses exist on one property in some locations.

Simonson, seconded by Schneider, moved to adopt the amendments to the sign ordinance to allow backlit signs in all districts, that LED luminaires may be used in these illuminated signs, and the Architectural Design Guidelines are made to be consistent with these changes, and to amend paragraph (6)(B) from lot to business. The motion carried 5-0.

Lee, seconded by Simonson, moved to adopt Ordinance No. 165 as amended. The motion carried 5-0.

Simonson, seconded by Hegland, moved to adopt the Architectural Design Guidelines with amendments to be consistent with Ordinance No. 165. The motion carried 5-0.

Summary Publication of Ordinance No. 165 and Scandia Architectural Design Guidelines (Resolution No. 11-17-15-03)

Schneider, seconded by Simonson, moved to approve Resolution No. 11-17-15-03, Providing for the Summary Publication of Ordinance No. 165. The motion carried 5-0.

BUILDING OFFICIAL

The building activity report was received from Building Official Chuck Preisler. Twenty-eight permits were issued in October. Council member Schneider noted that the mileage appeared high, but Administrator Handt explained that building activity remains high.

POLICE DEPARTMENT

Deputy Brandon Yetter presented the report on police activity within the past month. A charge related to a burglary in the downtown area is in process, a DUI arrest, an animal issue on Margo Avenue, and egging vandalism occurred. Racing on the Tii Gavro roadways is being checked out.

FIRE DEPARTMENT

Fire Chief Mike Hinz’s monthly report was received. There were 13 calls in October, 3 fire and 10 rescue calls. Administrator Handt reported that the new tanker will be delivered in a few weeks.

CITY ENGINEER

City Engineer Ryan Goodman reported that the Watershed’s 197th Street Ravine project is underway and their Sand Lake Iron Filter project will start mid-December. Goodman will be preparing comments for improvements to the Manning/Highway 97 and Oakhill Road/97 intersections for the Washington County’s five-year Capital Improvement Plan.

DIRECTOR OF PUBLIC WORKS

Public Works Director Dave Williams reported that street sign installation is complete. The Pilar Road ditching looks good after the recent heavy rains. One more road grading will be scheduled prior to frost.

CITY ADMINISTRATOR

Administrator Handt reported that the Car-Mar Watershed voted for a 50% cost share to the Log House Landing boat ramp project, but not to exceed \$20,000. Handt recommended they remove “not to exceed” in the event the costs go over and the City pays a proportionately higher figure. The DNR is having difficulty with the Highway 97 access to the Crystal Springs SNA and Handt relayed to them that the Quarry Avenue access should not be a viable point of entry to the SNA. Handt said there is a potential large development in the works, along with other planning and zoning issues currently being worked on. Neil Soltis will begin work as the new City Administrator on November 23rd, with Handt’s last day scheduled for December 3rd.

2016 LMCIT RENEWAL

Administrator Handt recommended the City renew liability insurance with the MN League of Cities, and not waive the tort liability. The deductible will remain at \$1,000 for 2016.

Ness, seconded by Lee, moved to renew insurance coverage with LMCIT for 2016 and not waive the tort liability limits. The motion carried 5-0.

DISPOSAL OF SURPLUS PROPERTY

Administrator Handt presented options for selling the old fire tanker. Public Surplus is an auction site that does not charge a sales fee and allows for a reserve price to be set. Brindlee Mountain Fire Apparatus lists equipment on their website as a classified ad. Similar tankers have been in the \$20,000 - \$30,000 range.

Ness, seconded by Hegland, moved to approve disposal of the old fire tanker through Public Surplus. The motion carried 5-0.

2015 BUDGET AMENDMENTS

Treasurer Colleen Firkus explained that there have been significant changes to the 2015 budget in several departments, and amendments to various line items should be approved. A new contract deputy reduced Police expenses, purchase of a LUCAS lifesaving device made through donations and a large repair to the pumper exceeded line items in the Fire Department, and several large purchases and a higher Workers Comp premium in the Public Works budget were experienced.

Firkus provided worksheets showing the fund shifts in revenue and expenses as there are funds available for each of these line items and there is no net impact to the budget. Firkus explained that this makes for a cleaner audit and shows that the Council is aware of the figures and in approval of the amendments.

Ness, seconded by Hegland, moved to adopt the proposed amendments to the 2015 budget. The motion carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 8:32 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk