

November 20, 2012

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 Connie Amos, Chris Ness, Jim Schneider, Sally Swanson and Mayor Randall Simonson. Staff present: City Administrator Kristina Handt, Attorney Vince Stevens, Police Deputy Chris Majeski, Fire Chief Jim Finnegan, Maintenance Superintendent Tim Kieffer, Treasurer Colleen Firkus and Deputy Clerk Brenda Eklund.

### **PUBLIC FORUM**

There were no public comments.

### **APPROVAL OF AGENDA**

City Administrator Handt noted an addition to the agenda: 8)c)2) Purchase of computers for the fire trucks. **Ness, seconded by Amos, moved to approve the agenda as amended. The motion carried 5-0.**

### **CONSENT AGENDA**

The following Consent Agenda was presented:

- a) Minutes
  - 1) October 16, 2012 Regular Meeting
  - 2) October 23, 2012 Special Meeting
  - 3) November 8, 2012 Special Meeting
  - 4) November 13, 2012 Work Session Meeting
- b) Treasurer's Report

Beginning Balance 10/01/2012	\$2,424,002.90
Receipts	+ <u>39,101.56</u>
Expenditures \$151,676.73	
Payroll <u>32,512.60</u>	- 184,189.33
Adjustments: Safe Deposit Box	- <u>35.00</u>
Ending Balance 10/31/2012	\$2,278,880.13
- c) Payment of Vouchers
- d) Approve Updates to Fund Balance Policy (*Resolution No. 11-20-12-01*)
- e) Approve Donation Policy Checklist and Forms
- f) Direct Staff to Provide Notice to Miller and Stevens
- g) Approve Purchase and Installation of Hotsy Power Washer
- h) Approve Ordinance No. 135 Utility Permit Approval Process
- i) Utility Permit, Scandia Contracting to install a sewer service at 11085 189<sup>th</sup> St. N.
- j) Utility Permit, Connexus Energy to directional bore across the road at 22577 Kirk Ave N.
- k) Approve 2013 Tobacco License Renewal, AJL Enterprises dba Scandia Olde Towne Liquor and Todd's Home Center
- l) Approve 2013 Liquor License Renewal, AJL Enterprises, Inc. dba Scandia Olde Towne Liquor (Off-Sale) and The Scandia Creamery (On-Sale/Sunday On-Sale Intoxicating)

**Ness, seconded by Amos, moved to adopt 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. 11-20-12-02)**

A public hearing was held for the purpose of certifying unpaid 201 sewer payments for collection with property taxes. Notice of the hearing was sent to sixteen account holders with delinquent charges on November 1. City Administrator Handt reported that payment was recently received from one account holder, and the name could be removed from the resolution.

Mayor Simonson opened the public hearing. There were no comments and the hearing was closed.

**Simonson, seconded by Swanson, moved to adopt Resolution No. 11-20-12-02, Certifying Unpaid Charges for 201 Community Sewage Treatment for Collection with Property Taxes, as amended. The motion carried 5-0.**

**PARK AND RECREATION COMMITTEE**

Park and Recreation Vice-Chair Mike White reported that the Committee is working on a Safe Routes to School grant, has approved the winter skate program, and has begun planning for Vinterfest.

***Eagle Scout Project, Luke Eklund***

Luke Eklund, Scandia Boy Scout Troop 173, described his proposed Eagle Scout Project at the Swedish Monument site. The Scandia-Marine Lions have offered to fund the project to add low maintenance shrubs and flowers at the site, along with replacement of rotted posts on the informational sign. Two concrete benches, donated from Elim Lutheran Church, are also proposed to be installed. The Parks and Recreation Committee recommended approval at their November 5<sup>th</sup> meeting and appointed Dan Lee as his PRC contact.

**Simonson, seconded by Ness, moved to approve Luke Eklund's Swedish Monument Project as presented. The motion carried 5-0.**

**PLANNING COMMISSION**

***Amended Conditional Use Permit to Allow Replacement of Existing Antenna Panels and the Addition of New Equipment on the Sprint/Nextel Cellular Tower, 15072 Old Marine Trail. Powder River Development Services, Applicant (Resolution No. 11-20-12-03)***

The Planning Commission held a public hearing on November 7<sup>th</sup> on the application from Powder River Development Services for modifications to an existing cellular tower. City Administrator Handt presented the recommendation of the Planning Commission for approval of an Amended Conditional Use Permit for the cellular tower at 15072 Old Marine Trail. The conditions of approval were presented in a resolution. The Commissioners recommended that proof of insurance be provided annually, and removed the condition to require the driveway gate be secured with a lock.

**Simonson, seconded by Ness, moved to adopt Resolution No. 11-20-12-03, Approving Amended Conditional Use Permit for 15072 Old Marine Trail. The motion carried 5-0.**

*Amended Conditional Use Permit to Allow Replacement of Existing Antenna Panels and the Addition of New Equipment on the Sprint/Nextel Cellular Tower, 21560 Novak Avenue. Powder River Development Services, Applicant (Resolution No. 11-20-12-04)*

The Planning Commission held a public hearing on November 7<sup>th</sup> on the application from Powder River Development Services for modifications to an existing cellular tower. City Administrator Handt presented the recommendation of the Planning Commission for approval of an Amended Conditional Use Permit for the cellular tower at 21560 Novak Avenue. The conditions of approval were presented in a resolution. The Commissioners recommended that proof of insurance be provided annually.

**Ness, seconded by Amos, moved to adopt Resolution No. 11-20-12-04, Approving Amended Conditional Use Permit for 21560 Novak Avenue. The motion carried 5-0.**

#### **WASTEWATER ADVISORY COMMITTEE**

*Ordinance No. 134: An Ordinance Governing the Uptown Wastewater Treatment System*

City Administrator Handt reported that the Wastewater Advisory Committee had reviewed a draft ordinance for the governance of the Uptown System at their July and November meetings, and have recommended approval by the City Council. The ordinance defines public versus private portions of the system, establishes the framework for billing, and addresses connection issues, maintenance and operation requirements, prohibited waste discharges, and the cost of repairs.

**Simonson, seconded by Schneider, moved to adopt Ordinance No. 134, Governing the Uptown Wastewater Treatment System. The motion carried 5-0.**

#### **BUILDING OFFICIAL**

The Council received Building Official Keith Wille's report for the month of October. Seventeen permits were issued, including two new construction permits.

#### **POLICE DEPARTMENT**

Police Deputy Chris Majeski reported on the past month's police activity. Majeski is investigating two recent burglaries and two cases of credit card fraud.

#### **FIRE DEPARTMENT**

Fire Chief Jim Finnegan reported that the department responded to nine medical calls and four fire calls in October. The house burn on November 10 went very well. Finnegan invited the Council members to attend a Highway Safety Program with the State Patrol on December 11<sup>th</sup>, which the department is hosting. Finnegan reported that five fire officers are now certified as lead live burn instructors, which will make the department eligible for state aid funds.

***HGAC Buys Interlocal Contract for Cooperative Purchasing***

Fire Chief Finnegan reported that the Truck Committee has found that pricing for the purchase of the new fire engine may be most favorable through the HGAC. Finnegan introduced Wayde Kirvida to explain the Houston Galveston Area Council Purchasing Cooperative (HGAC), a streamlined process for municipalities to acquire equipment. Finnegan felt there are advantages in having Custom Fire submit the trucks specifications and obtain a proposed price, at no cost to the City. The City would still have the option of putting the truck purchase out for bids.

**Simonson, seconded by Swanson, moved to approve the Interlocal Agreement for Cooperative Purchasing with HGAC. The motion carried 5-0.**

***Computers for Fire Trucks***

Fire Chief Finnegan asked for authorization to purchase two tablet computers which would operate the new CAD/RMS software system being implemented by Washington County for interdepartmental emergency communications. A quote of \$6,657.45 was received from Provantage, the lowest of three quotes received. Finnegan explained that the purchase needs to be completed in 2012 in order to qualify for a Homeland Security Grant of \$4,600, which would be received in 2013. The department's 2012 budget had earmarked \$2,500 for the purchase of the computers, and Finnegan noted that he could identify a transfer of funds from other line items in the department to cover the cost of the new equipment. Budget transfers will be prepared for the December 18<sup>th</sup> Council meeting. **Simonson, seconded by Ness, authorized up to \$6,657.45 for the purchase of computers for the Fire Department. The motion carried 5-0.**

**CITY ENGINEER**

The Council received City Engineer Phil Gravel's engineering update. Council member Swanson questioned the higher levels of ammonia recorded in the fall monitoring well sampling. Maintenance Superintendent Tim Kieffer explained that they are looking for the source of ammonia, and will continue the well monitoring into the spring.

**CITY ATTORNEY**

The Council received City Attorney Tom Miller's summary of legal services provided to the City in the past month.

**MAINTENANCE SUPERINTENDENT**

Maintenance Superintendent Kieffer presented the Public Works activity report for the month of October. Seasonal equipment has been winterized, and the plow trucks readied for the winter season.

**CITY ADMINISTRATOR**

City Administrator Handt reported on updates to the city's website, which now includes web pages for Fire Department and Community Market, and a directory of local businesses.

**REQUEST FROM WASHINGTON COUNTY HISTORICAL SOCIETY**

Brent Peterson, Executive Director of the Washington County Historical Society, was present to discuss the Society's capital campaign to establish a Washington County Heritage Center. A

building at 1862 South Greeley Street in Stillwater was recently purchased to house the Center, to be used for exhibits and preservation of the County's historical artifacts. Mr. Peterson explained that the WCHS is requesting donations from all communities in Washington County, and asked for a \$1,000 commitment from the City of Scandia. Mr. Peterson noted the value of the Hay Lake School and Johannes Erickson Log House, operated by the WCHS and located in Scandia.

Mayor Simonson stated that he needs to be mindful of the public reaction to the City's spending and could not support an extension of the taxpayer's money to the WCHS. Council member Schneider stated his agreement with the Mayor's position.

Council member Swanson stated that preservation of history is important, although funds are tight. Scandia is part of a bigger entity and the city shouldn't isolate itself by not participating. Swanson suggested that the money could be allocated from another line item within the 2013 budget.

Council member Ness stated that he had no strong judgment either way and would vote with the consensus.

People in attendance at the meeting suggested the WCHS be offered fundraising opportunities at local events (Taco Daze, Vinterfest) and to solicit the local Lions chapter for donations. Mike White, PRC Vice-Chair, recommended the city proceed with a donation.

**Ness, seconded by Swanson, moved to approve a \$1,000 donation to the Washington County Historical Society's capital campaign, using unused funds in the 2012 Council Conference and Seminars budget. The motion carried 3-2, with Schneider and Simonson opposed.**

#### **CONTRACTOR'S PAYMENT REQUEST NO. 1, 2012 UPTOWN WASTEWATER SYSTEM IMPROVEMENTS**

Brian Malm of Bolton & Menk has recommended approval of Pay Request No. 1 to Septic Check in the amount of \$120,714.13 for the 2012 Uptown Wastewater System Improvement Project. A 5% retainage will be held until spring to make sure that the grass has been properly seeded.

**Simonson, seconded by Ness, moved to approve payment to Septic Check in the amount of \$120,714.13. The motion carried 5-0.**

#### **ORDINANCE NO. 133, ESTABLISHING RULES AND REGULATIONS FOR THE USE OF SCANDIA PARKS, REPEALING ORDINANCES NO. 115 AND 116**

Council reviewed the final draft language of Ordinance No. 133 which incorporated changes as recommended by the Park and Recreation Committee. One of the changes regards park closing hours, which will be established as one-half hour after sunset, with exception to the Wojtowicz Skating Park and any lighted ball fields.

**Simonson, seconded by Amos, moved to adopt Ordinance No. 133, An Ordinance Establishing Rules and Regulations for the Use of Scandia Parks and Repealing Ordinances No. 115 and 116. The motion carried 5-0.**

**HIRING SEASONAL ICE RINK ATTENDANTS**

Staff recommended the hiring of three returning Ice Rink Attendants, at the pay rate of \$7.50/hour, and one additional Attendant (Gunny Stolts) at the pay rate of \$7.25/hour for the 2012-13 season. Council member Swanson abstained from voting due to her son Garret Swanson being hired as an Attendant.

**Simonson, seconded by Ness, moved to approve the hiring of Ice Rink Attendants Matt Johnson, Gunny Stolts, Garret Swanson, and Tal Swenson. The motion carried 4-0.**

**HIRE SEASONAL PART-TIME, ON-CALL MAINTENANCE STAFF (SNOW REMOVAL)**

Staff completed interviews in early November for the hiring of seasonal, on-call maintenance staff for snow plowing. Staff recommended three candidates for hiring, conditioned upon the candidates passing a background check and drug test.

**Simonson, seconded by Ness, moved to approve the hiring of Part-Time, On-Call Maintenance Staff Bruce Swenson, Bob Lindblom, and Forrest Tibbets. The motion carried 5-0.**

**SELECT JANITORIAL SERVICES CONTRACTOR AND PROVIDE NOTICE TO CURRENT CONTRACTOR**

Four proposals were received in response to a Request for Proposals for janitorial services for the Community Center and Warming House. Staff recommended the hiring of Top Notch Cleaning Services as it was the lowest bid and met all of the requested services. The current service, Loiselle Building Services, had given notice that his contract will end effective December 22, 2012.

**Simonson, seconded by Schneider, moved to direct staff to compose a contract with Top Notch Cleaning. The motion carried 5-0.**

Council will review the contract with Top Notch Cleaning at their December 18<sup>th</sup> meeting.

**SUMMARY OF NOVEMBER 8, 2012 CLOSED MEETING**

Mayor Simonson reported on the November 8, 2012 closed City Council meeting with Administrator Handt. The purpose of the meeting was to discuss future goals and expectations, with no issues needing to be addressed at this time.

**SET DATE FOR SPECIAL MEETING TO INTERVIEW LAW FIRMS**

The Council set a Special Meeting date of November 27, 2012 at 7:30 p.m. to interview representatives from two law firms, selected from the 2011 RFP's for legal services.

**ADJOURNMENT**

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

The meeting adjourned at 8:27 p.m.

Respectfully submitted,

Brenda Eklund  
*Deputy Clerk*