

November 21, 2017

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 Bob Hegland, Steve Kronmiller, Chris Ness, Jim Schneider and Mayor Christine Maefsky. Staff present: City Administrator Neil Soltis, City Planner Sherri Buss, City Engineer Ryan Goodman, City Attorney Andy Pratt, Police Deputy Brandon Yetter, Fire Chief Mike Hinz and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Scandia Good Neighbor Recognition –

Mayor Christine Maefsky presented PN Products' owners Peter and Colleen Nora, and Sharon Lund with Scandia Good Neighbor Award Proclamations. Plastics manufacturing company PN Products was nominated by Travis Loeffler on behalf of the Scandia Fire Department for their many years of support and commitment to the fire department and community. Lund was nominated by Holly Harden in recognition of her good works and creation of the Befriender program at Elim Church.

There were no other public comments during the forum.

APPROVAL OF AGENDA

Discussion on filling the On-Call, Part-Time Snowplow Operator vacancy was added as Agenda Item 9.e). **Ness, seconded by Kronmiller, moved to approve the agenda as amended. The motion carried 5-0.**

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) October 17, 2017 Regular Meeting
 - 2) November 1, 2017 Work Session
- b) Treasurer's Report

Beginning Balance 10/1/2017	\$3,651,540.72
Receipts	\$57,384.93
Expenditures \$111,773.55	
Payroll <u>\$38,192.93</u>	<u>\$(149,966.48)</u>
Ending Balance 10/31/2017	\$3,558,959.17
- c) Payment of Vouchers
- d) Contract with Washington Conservation District for 2018 Technical Services
- e) Designate Polling Place for 2018 Elections – Resolution No. 11-21-17-01
- f) Approve 2018 Tobacco License Renewals: AJL Enterprises dba Scandia Olde Towne Liquor, Federated Co-ops, Inc. dba Super America
- g) Approve 2018 Liquor License Renewals: AJL Enterprises, Inc. dba Scandia Olde Towne Liquor (Off-Sale)

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

PUBLIC HEARING: CERTIFICATION OF UNPAID CHARGES FOR 201 AND UPTOWN SEWER SYSTEMS FOR COLLECTION WITH PROPERTY TAXES

Users of the 201 and Uptown Sewer Systems having delinquent accounts were sent notice of the public hearing to have an opportunity to object to the certification of unpaid charges to their property taxes.

Mayor Maefsky opened the hearing at 7:13 p.m. There were no speakers and the hearing was closed. The Council took action on the unpaid accounts later in the meeting.

PARKS AND RECREATION COMMITTEE

Terry Gorham provided a summary of the Committee's Vinterfest planning -- the community event scheduled for January 27, 2018. The Lions Club will hold a breakfast in the morning, Stanley Cup hockey tournament throughout the day with fireworks in the evening, snow sculpture contest, clogging performance, and a Gammelgarden Museum craft event and bake sale in the afternoon. A button design contest for 6th graders is planned, with the winning design offered for sale at area businesses. Posters and banners promoting the event will be prepared.

Appointment of PRC Chair and Vice Chair

At the November 6th meeting, the Committee voted to recommend the appointments of Terry Gorham as Chairperson and Dustin Hegland as Vice Chairperson. **Kronmiller, seconded by Ness, moved to approve Gorham as Chair and Hegland as Vice Chair of the Parks and Recreation Committee. The motion carried 5-0.**

PLANNING COMMISSION

Sonnen Addition Minor Subdivision at 20205 Oxboro Lane. Nancy Sonnen, Applicant. (Resolution No. 11-21-17-02)

Planner Buss presented the Planning Commission's recommendation to approve a minor subdivision at 20205 Oxboro Lane named Sonnen Addition. The 6.1-acre parcel will be subdivided into a 4.1-acre lot with the existing home and a new 2.0-acre lot. Buss explained that the application meets all the dimensional standards of the development code, and there were no objections stated at the public hearing. A resolution with seven conditions of approval was prepared.

Kronmiller, seconded by Hegland, moved to approve Resolution No. 11-21-17-02, Approving a Minor Subdivision named Sonnen Addition at 20205 Oxboro Lane North. The motion carried 5-0.

Variances at 18605 Langly Court for New Construction. Michael Laumann, Applicant on behalf of Bob and Jane Martsching, Owners. (Resolution No. 11-21-17-03)

Planner Buss presented the Planning Commission's recommendation to approve variances from Ordinary High Water Mark, wetland, and road right-of-way setbacks to construct a new home at 18605 Langly Avenue. Buss explained that placement of the new home is an improvement over the existing structure on the property and moves all impervious surfaces out of the shore impact

zone and is as close to the road and as far from the lake as possible. The Watershed will require buffer plantings and an erosion control permit. Buss summarized the variances to locate the single-family dwelling at a minimum of 50' from the Ordinary High Water Level of Big Marine Lake to the south, 50' from the OHWL of the lake to the east, 52' from the wetland boundary to the south and 11' from the road right-of-way. The septic tanks will be located a minimum of 30' from the wetland boundary to the south and 5' from the road right-of-way based on findings prepared in a resolution. Practical difficulties are caused by the size and configuration of the parcel that has OHWL and a wetland on two sides of the property; the parcel is not wide enough to permit development of a home without a variance. Among the thirteen conditions of approval were submission of detailed grading and drainage plans for review by the City Engineer, and to survey the boundary of the Shore Impact Zone.

Council member Kronmiller stated that this is the perfect example of where a variance works by planning a site design that best works with the limitations of the property.

Kronmiller, seconded by Hegland, moved to approve Resolution No. 11-21-17-03, Approving a Variance for 18605 Langly Court North. The motion carried 5-0.

Interim Use Permit for a Commercial Kennel at 21775 Manning Trail North. Patricia Neilsen-Wlkie, Applicant. Resolution No. 11-21-17-04

Planner Buss presented the Planning Commission's recommendation to approve an Interim Use Permit for a Commercial Kennel at 21775 Manning Trail. Buss explained that the owner has been keeping Shetland Sheepdogs on the property for many years as pets with occasional breeding. The dogs live in the house and run in a large fenced yard area a few times each day. A local veterinarian and deputy visited the property on October 20th and reported 37 dogs that were appropriately cared for with no signs of abuse. The City has had no complaints about the property from any neighbors. A resolution was prepared with findings and fourteen conditions of approval for operating the commercial kennel. The site meets the criteria for an IUP and was approved for an Administrative Exception for lot size of 9.7 acres. Conditions to address waste treatment with use of an on-site water digester and off-site disposal with a licensed waste hauler were included, as well as providing that the City can inspect the kennel if there is evidence of noncompliance.

Ness, seconded by Hegland, moved to approve Resolution No. 11-21-17-04, Approving an Interim Use Permit for a Commercial Kennel at 21775 Manning Trail. The motion carried 5-0.

BUILDING OFFICIAL

Building Official Chuck Preisler provided the monthly building activity report. In October, 118 permits were issued with a valuation of \$2,242,439.

POLICE DEPARTMENT

Deputy Brandon Yetter reported on two felony arrests made at the Log House Landing, shoplifting at the Bluebell Mercantile, theft of 115 gallons of diesel fuel from Super America, and investigation of vandalism. The large pile of dumped shingles along the tracks on 199th

Street have been cleaned up, presumably by the railway operator. Best efforts have been made to identify the owner of the boat abandoned along Pomroy Avenue.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 18 calls in October – 8 fire related and 10 EMS. The department will be conducting a house burn as a training exercise next month. Ten new members are taking the EMT training course at the fire station over the next 3 months.

CITY ENGINEER

City Engineer Ryan Goodman presented a cost estimate for the realignment of the bike/pedestrian trail at Hay Lake Park that crosses Olinda Trail at 195th Street noting an option to make safety improvements at the connection during the CHAS 3 project in 2018 by adding a shoulder and moving a portion of the trail south, closer to 195th Street. It was recommended this be a work session topic for further discussion.

Goodman presented a draft comment letter he would send to Washington County addressing the County's 2018-2022 Capital Improvement Plan, which advocated for improvements to Manning Trail and park-trail system development in Scandia. Mayor Maefsky asked if development of a scenic overlook at State Highways 95 and 97 should be included in the letter. Goodman noted that comment periods are offered annually and this could be included next year to give more time to define a plan and allow the County to be involved.

CITY ATTORNEY

City Attorney Andy Pratt summarized how a potential new finance law could impact cities' ability to borrow funds. The League is following this topic and providing relevant information.

DIRECTOR OF PUBLIC WORKS

Public Works Director Adam Hawkinson provided a written report on the department's activities.

CITY ADMINISTRATOR

City Administrator Neil Soltis reported that the City, along with the Carnelian-Marine Watershed, worked to make significant improvements for drainage along 197th Street by replacing culverts and restoring elevations. Mayor Maefsky and Soltis met with Xcel Energy and the solar developer to discuss the visual impacts of the interconnection poles for the Zavoral solar project placed within the watershed to the river at Highway 95 and 97. Xcel will provide an estimate to relocate the power poles. The SHIP grant of \$13,528 has been received to help offset the costs of work on the Comprehensive Plan. Soltis attended a software demonstration at the County for emergency response planning that he noted would be a very worthwhile tool for the city. Committee applications for terms expiring in early 2018 will be advertised on the website.

REQUEST FOR 25 MPH SPEED LIMIT IN TII GAVO SUBDIVISION

Homeowners in the Tii Gavo subdivision petitioned the City to install 25-mph speed limit signs at the 2 entrances to the development. Engineer Goodman explained that state statute determines speed limits and most of the roadways through the development could be defined as rural

residential and posted at 35-mph. A lower speed limit may not be enforceable if contested or challenged. An option is to request a MnDOT speed study, a lengthy process that could result in a higher posting.

Nancy Stallard, 19356 Meadowridge Trail, stated that a 35-mph posting would not be effective for improving pedestrian safety, and would give drivers a license to operate their vehicles too fast through the curves. She was opposed to posting a speed greater than the requested 25-mph.

Deputy Yetter stated that he could perform an informal radar study to collect data on typical speeds being driven, then place a portable speed cart in the development to monitor speeds and see if the digital speed signs will deter speeding.

CERTIFICATION OF UNPAID CHARGES – 201 SEWER SYSTEM AND UPTOWN SEWER SYSTEM (RESOLUTION NOS. 11-21-17-05 AND 11-21-17-06)

Resolutions were prepared with names of property owners having outstanding sewer charges. After 15 days, these delinquent charges will be assessed to the owner's property tax with a one-year collection term at 12% interest. No comments were made at the public hearing held earlier in the meeting.

Ness, seconded by Kronmiller, moved to approve Resolution No. 11-21-17-05, Certifying Unpaid Charges for 201 Community Sewage Treatment for Collection with Property Taxes. The motion carried 5-0.

Ness, seconded by Hegland, moved to approve Resolution No. 11-21-17-06, Certifying Unpaid Charges for Uptown Community Sewage Treatment for Collection with Property Taxes. The motion carried 5-0.

LIABILITY AND PROPERTY INSURANCE RENEWAL WITH LEAGUE OF MINNESOTA CITIES INSURANCE TRUST

Administrator Soltis explained that each year the Council must decide whether to waive the statutory monetary limit on tort liability. Attorney Pratt advised that most cities do not waive the limit so as not to take on potentially higher liability should a claim occur.

Soltis noted that the deductible will remain at \$1,000. In the past the City has not insured property in the open and Soltis described this option. This would include coverage for lighting, bleachers, fences and playground equipment at a cost of \$1 per \$100 of coverage. Council member Hegland questioned if coverage is based on value or replacement costs, could individual items be insured, and whether blanket coverage of a set amount is available. Soltis said that he will check on that.

Kronmiller, seconded by Hegland, moved to renew 2018 insurance coverage with LMCIT and to not waive the tort liability limit. Ness added a friendly amendment that costs for insuring items in the open will be researched and discussed at a future meeting. The motion as amended carried 5-0.

APPOINTMENT TO VACANT PLANNING COMMISSION TERM

The Council held a special meeting at 6pm to interview candidates to fill the vacant unexpired term on the Planning Commission. Greg Amundson, Dustin Hegland and Perry Rynders were interviewed.

Mayor Maefsky said that Rynders is a new resident with a business background, served on the Capital Improvement Committee, attended recent meetings and the site visit, and could provide a fresh perspective to the direction of the City.

Council member Hegland abstained due to being related to one of the candidates.

Maefsky, seconded by Kronmiller, moved to appoint Perry Rynders to the Planning Commission.

Discussion: Council member Ness said that all three were very good, but Rynders is not his first choice. Council member Schneider stated his agreement with Ness, and said that Amundson is a very involved businessman in the community.

Maefsky called for a vote on the above motion. Maefsky, Kronmiller – yes. Ness, Schneider – no. The motion failed with a 2-2 tie.

Schneider, seconded by Ness, moved to appoint Greg Amundson to the Planning Commission. The motion carried 3-1, with Maefsky opposed.

Greg Amundson will fill the term ending on February 1, 2020.

FILLING PART-TIME ON-CALL SNOWPLOW OPERATOR

Due to the untimely death of Clarence Seefert, Administrator Soltis recommended that applications be solicited for filling the part-time on-call maintenance worker position for snowplow operations this season. Council was in consensus to proceed with posting the position for applications due on December 1st.

ADJOURNMENT

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

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk