

February 18, 2014

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 Dan Lee, Chris Ness, Jim Schneider, Sally Swanson and Mayor Randall Simonson. Staff present: City Administrator Kristina Handt, Attorney Andy Pratt, City Engineer Ryan Goodman, Police Deputy Chris Majeski, Fire Chief Mike Hinz, Public Works Director Tim Kieffer and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Bob Bernard, 14797 Oren Road, addressed the Council with a request that the city assist residents with communications with utility companies to extend natural gas lines to underserved areas in Scandia. Mr. Bernard offered cost comparisons to heating with more expensive propane versus natural gas. Administrator Handt offered to set up a meeting with Xcel Energy and interested residents to discuss the possibility of extending natural gas service.

APPROVAL OF AGENDA

Administrator Handt noted the addition of Item 5.1) to the Consent Agenda. **Ness, seconded by Lee, moved to approve the Amended Agenda. The motion carried 5-0.**

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) January 21, 2014 Regular Meeting
 - 2) January 28, 2014 Special Meeting
- b) Treasurer's Report

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|------------------------------|---------------------|
| Beginning Balance 01/01/2014 | \$3,134,673.39 |
| Receipts | + <u>112,650.34</u> |
| Expenditures \$218,837.28 | |
| Payroll <u>28,794.65</u> | - 247,631.93 |
| Adjustments: Sales & Use Tax | - <u>32.00</u> |
| Ending Balance 01/31/2014 | \$2,999,659.80 |
- c) Payment of Vouchers
- d) Special Event Permit for Minnesota Ironman Bicycle Ride, April 27, 2014
- e) Application for Excluded or Exempt Lawful Gambling Permit, Gammelgarden Museum, Running of the Meatballs, September 6, 2014
- f) Application for Excluded or Exempt Lawful Gambling Permit, Scandia Women's Softball (April 11 and November 21, 2014)
- g) Adoption of Policy on Alcohol and Controlled Substances for Commercial Drivers
- h) Adoption of Drug and Alcohol Testing and Drug Free Workplace Act Policy for Non-Commercial Drivers (Non-DOT Policy)
- i) Appointment of Parks and Recreation Committee Chair and Vice Chair for 2014
- j) Appointment of Planning Commission Chair and Vice Chair for 2014
- k) Acceptance of Resignation from Jeremy Porter, Scandia Fire and Rescue
- l) Acceptance of Retirement from Kim Bakken, Scandia Fire and Rescue

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

PUBLIC HEARING: RESOLUTION TO VACATE PARTS OF BIRCH LANE
(RESOLUTION NO. 02-18-14-01)

At their January 21, 2014 meeting, the City Council set a public hearing to vacate parts of Birch Lane, an unopened road along 188th Street. Administrator Handt provided an overview of the process that was started with the street realignment in 2003 to convey property to affected landowners. A survey of the proposed Birch Lane vacation was viewed.

Mayor Simonson opened the public hearing at 7:16 p.m.

Ed Pelto, 13340 188th Street: Mr. Pelto asked if the vacated portion of Birch Lane would be added to his property. Handt explained that it would be.

Susan Kramer, 13440 188th: Ms. Kramer asked for clarification of the new lot dimensions. Handt explained that property owners will be granted easements for their driveways which cross the city property and connect to 188th Street.

Steve Kronmiller, 13450 188th Street: Mr. Kronmiller stated that he would like to see a different alignment to Elm Lane, the roadway to Big Marine Lake that will not be vacated. Mr. Kronmiller thanked the Council for their help in adjusting property lines.

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

Council member Schneider asked why Elm Lane does not make a straight connection to 188th Street. Planner Buss explained that the roadway is angled as such in order to make a 90 degree connection to 188th Street.

Council member Ness asked about the Kronmiller's parcel combination. Handt explained that the vacated portion will be added to their existing adjacent lot, and they can combine this with their other lots into one single parcel on their own with the County.

Simonson, seconded by Ness, moved to approve Resolution No. 02-18-14-01, Vacating Parts of Birch Lane. The motion carried 5-0.

BUILDING OFFICIAL

A report on building activity was received from Building Official Tim Okan. Three permits were issued in January.

POLICE DEPARTMENT

Deputy Chris Majeski reported that burglaries in the Bliss area and theft from fish houses on Big Marine Lake were investigated. A suspect was apprehended and most of the items were recovered and returned to the owners. One citation for a parking violation in the Uptown was issued.

FIRE DEPARTMENT

Fire Chief Mike Hinz provided a year end summary report on fire and rescue calls in 2013. A total of 207 calls were responded to, a slight decrease from 2012. A new 5180 pumper truck was put into service, the Polaris Ranger was outfitted for off-road rescues, and two weather warning sirens were installed for increased coverage area in Scandia.

CITY ENGINEER

City Engineer Ryan Goodman described the groundwater study initiated at the state and federal level that includes Scandia as part of the North & East Metro Area. The DNR, Met Council and other water coalition groups are working together on groundwater sustainability issues.

CITY ATTORNEY

Attorney Andrew Pratt reported on his attendance at Planning Commission meetings to facilitate discussion on density requirement policies.

DIRECTOR OF PUBLIC WORKS

Director of Public Works Tim Keiffer provided his report on the operations of the public works department.

CITY ADMINISTRATOR

City Administrator Kristina Handt reported on her involvement with the groundwater study meetings, the County HRA and the EDA work groups. The EDA is undertaking a survey on broadband connections. Handt reported on the successful Vinterfest event held on February 1.

ACCEPTANCE OF THOMAS LILLQUIST'S EAGLE SCOUT PROJECT AT HAY LAKE PARK (RESOLUTION NO. 02-18-14-02)

Boy Scout Thomas Lillquist presented a final report on his Eagle Scout project at Hay Lake Park. Last fall, he constructed a trail from the parking lot to the Swedish Monument site, along with installation of directional signs and plant beds.

Ness, seconded by Lee, moved to approve Resolution No. 02-18-14-02, Accepting Donation of Trail and Signage Improvements at Hay Lake Park from Eagle Scout Thomas Lillquist. The motion carried 5-0.

ACCEPTANCE OF BIKE ROUTE SIGNAGE AND MAP FROM FRIENDS OF SCANDIA PARKS AND TRAILS (RESOLUTION NO. 02-18-14-03)

Using grant funds from the MN Parks and Trails Council, the Friends of Scandia Parks and Trails purchased approximately 40 trail signs for posting along the Sand Lake Trail bike route. City staff installed the signs in 2013. A map of bike routes was also installed in the Lion's Shelter at Hay Lake Park.

Schneider, seconded by Lee, moved to approve Resolution No. 02-18-14-03, Accepting Donation of Sand Lake Bike Route Signage and Bike Route Maps at Hay Lake Shelter. The motion carried 5-0.

ANNUAL OPERATING PERMIT (AOP) FOR BRACHT MINE (RESOLUTION NO. 02-18-14-04)

Planner Sherri Buss summarized the AOP application for Bracht's existing sand and gravel mining operation, located on 40 acres at 185th Street. Buss reported that 2013 operating conditions were met, and activity is winding down with the closeout of the mining operation. Activities in 2014 will focus on final seeding of the reclamation area and removal of dismantled equipment at the site. A small amount of boulders and rock will be hauled from the site. The City received no complaints related to activity at the mine in 2013.

Buss recommended approval of the AOP with the same four conditions at last year.

Ness, seconded by Lee, moved to approve Resolution No. 02-18-14-04, Approving Annual Operating Permit Application of Bracht Bros. Inc. for Sand and Gravel Mining with conditions as stated in the staff report. The motion carried 5-0.

ANNUAL OPERATING PERMIT (AOP) FOR ZAVORAL MINE (RESOLUTION NO. 02-18-14-05)

Planner Buss presented the staff report for Tiller Corporation's application for an AOP at the Zavoral Mine site, a 114-acre site at the TH 95 and TH 97 intersection. Mining began in November 2013. Monitoring reports from various subconsultants were analyzed. Buss reported that most all conditions of the CUP and 2013 AOP were met.

Tiller reported that approximately 3,620 truckloads of Class C add-rock was hauled from Zavoral Mine to the Scandia Mine located between Manning and Lofton. The average trips per day numbered 402. Depth of mining was 850 to 855 feet above mean sea level, with a separation to groundwater of 40 to 65 feet across the site. Buss noted that no negative impacts to groundwater, surface water, noise, or air quality were measured.

Buss said that six noise complaints and five trucking complaints were responded to and resolved. One complaint about an impact to a neighboring well was unrelated to mining activity.

The reclamation plan included transplanting 100 white pines from other portions of the mine site to locations within the Phase 1 area. Due to the rocky nature of the soil, only 25 trees were able to be transplanted. Tiller proposed amending the plan to allow for a transition area in the perimeter and supplemental planting of white pine bare root seedlings. As this reclamation lies within the National Park Service Scenic Easement, their recommendation is to try a second effort at transplanting balled/ burlap white pines. The letter stated that if a survival rate of at least 80% is not achieved after the 2014 growing season, then the NPS would be willing to discuss an adaptive management solution.

Buss explained that the CUP required installation of truck warning signs at the 95/97 intersection and on Lofton Avenue prior to the start of mining. Washington County denied the request for the sign on Lofton, and MnDOT has not ruled on the signage for the trunk highways.

Buss recommended approval of the AOP with a few additions and revisions as compared to the 2013 conditions. Upon recommendation from the Washington Conservation District, installation of a monitoring station will be required on Middle Creek since it was found that groundwater is flowing in a southeast direction towards Middle Creek. This is in addition to the existing monitoring stations on Zavoral Creek and Crystal Springs. The WCD also recommended that “weather permitting” be added to conditions related to surface water monitoring, as the equipment is sensitive to freezing temperatures.

To address traffic counts, condition #27 was added so that truck traffic does not exceed the maximum level analyzed in Alternative 3 of the EIS – 334-400 average trips per day and 600 peak round trips per day. Buss recommended that language be added to include the trucking of reclamation materials to the mine. Condition #29 was added that requires a 14-hour video log at TH97 and Lofton in early 2014, to identify potential safety issues. This will assist the County with design of safety improvements at the intersection scheduled for later in 2014.

Condition #34 addresses the requirement to plant balled and burlapped white pine trees (5-feet in height) as part of the Reclamation Plan as recommended by the NPS, to replace the trees that could not be transplanted due to site conditions. Upon discussion of alternatives to the approved Reclamation Plan, Buss recommended that wording be added to include a field visit during the growing season with the NPS, the City, the WCD and Tiller, as a review of site conditions would be an effective way to review the goals of the reclamation plan.

Expiration of the permit was added (March 31, 2015) since mining occurs year round and is not limited to a mining season.

Mike Caron, Jason Husveth and Jed Chesnut added their perspectives on an adaptive management plan. Mayor Simonson stated that he supported the added wording to Condition #34 (site visit, consultation and input with the National Park Service) as a good way to deal with the situation.

Kirsten Pauly, Sunde Engineering, asked that the City consider eliminating the monitoring of Middle Creek and also reduce or eliminate the need for noise monitoring. Jed Chesnut explained the reasons for the recommendation for stream monitoring now that the first year’s data has been collected. Mayor Simonson stated that he would support the additional monitoring station and would not consider reducing noise monitoring.

Simonson, seconded by Swanson, moved to approve Resolution No. 02-18-14-05, Approving Annual Operating Permit Application of Tiller Corporation for the Zavoral Sand and Gravel Mine and Reclamation Project, with conditions as recommended in the staff report, with amendments to #27 (to include trucking of add-rock and reclamation materials) and #33 (to include on-site field visit and consultation with interested agencies). The motion carried 5-0.

ANNUAL OPERATING PERMIT (AOP) FOR SCANDIA MINE (RESOLUTION NO. 02-18-14-06)

Tiller Corporation has applied for an AOP for the existing sand and gravel mining operation located on Manning Avenue near 225th Street. Planner Buss summarized their application and reported on 2013 activities. All conditions of last year's permit and CUP were met. Mining into the groundwater began at the site in 2009. Excavation depth to date is approximately 15-20 feet into the groundwater table, with no deeper excavation planned in 2014.

Two noise complaints were received and found to be not related to mining operations.

Planner Buss recommended approval of the AOP with conditions the same as last year, with the addition of #8. This sets an expiration of the permit to March 31, 2015. Due to the transportation of add rock from the Zavoral site, the Scandia Mine remains open through the winter season.

Simonson, seconded by Ness, moved to approve Resolution No. 02-18-14-06, Approving Annual Operating Permit Application of Tiller Corporation for Sand and Gravel Mining and Processing at the Scandia Mine Site with conditions as stated in the staff report. The motion carried 5-0.

AUTHORIZE ADVERTISING FOR PROBATIONARY FIREFIGHTERS

Fire Chief Hinz has recommended the hiring of six new firefighters to bring the staffing level up to 30, and proposed that the openings be posted year round. Administrator Handt explained this would allow interested residents to apply and then go through the interview process at a time to be determined by the Fire Chief, without them having to wait until the openings are posted.

Handt provided a time table for recruitment, with new firefighters starting the first week in June.

Simonson, seconded by Ness, moved to authorize staff to advertise for volunteer firefighters, with the applications being available on an on-going basis. The motion carried 5-0.

HIRE FULL TIME MAINTENANCE WORKER

Administrator Handt reported that 38 applications for the Full Time Maintenance Worker position were received. Seven were interviewed and the top three candidates completed skills testing with Public Works Director Kieffer. Kieffer has recommended the hiring of Brian Jahnke at a pay rate of \$19.82/hour (Step 1). Jahnke has been working for the City as a Part-Time On-Call Snow Plow Driver this season. He is proposed to start work on March 5th.

Council member Schneider explained that he is opposed to increasing the staffing level of the Public Works Department.

Simonson, seconded by Swanson, moved to approve hiring Brian Jahnke as a FT Maintenance Worker at a pay rate of \$19.82/hour. The motion carried 3-2, with Lee and Schneider opposed.

ACCEPTANCE OF CASH DONATIONS FOR LILLESKOGEN PARK (RESOLUTION NO. 02-18-14-07)

Funds totaling \$535 were collected from donors in connection with the Vinterfest event to use towards the restoration of Lilleskogen Park. Donors were listed in a resolution, and Council members offered their appreciation to them.

Simonson, seconded by Lee, moved to approve Resolution No. 02-18-14-07, Accepting Cash Donations for Lilleskogen Park. The motion carried 5-0.

ACCEPTANCE OF CASH DONATION FOR SPEAKERS AT LEONARD WOJTOWICZ SKATING PARK (RESOLUTION NO. 02-18-14-08)

Dan and Sally Swanson have made a \$400 donation to the City for the purchase of new outdoor speakers at the ice rink/warming house.

Simonson, seconded by Ness, moved to approve Resolution No. 02-18-14-08, Accepting a Cash Donation from DJ Dan and Sally Swanson for Speakers at Leonard Wojtowicz Skating Park. The motion carried 4-0, with Council member Swanson abstaining.

CHANGE DATE/TIME OF MAY 20, 2014 MEETING DUE TO SCHOOL DISTRICT ELECTION

School District 831 has scheduled a special election on May 20th, the meeting date of the City Council. State law does not allow a public meeting to be held while polls are open during an election.

Simonson, seconded by Ness, moved to start the May 20, 2014 meeting after the polls close at 8:00 pm. The motion carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 9:22 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk