

February 7, 2018

The City Council conducted a Work Session on the above date. Mayor Maefsky called the meeting to order at 6:30 p.m. The following were present: Council members Bob Hegland, Steve Kronmiller, and Mayor Christine Maefsky. Council member Jim Schneider arrived at 6:45 p.m. Absent: Council member Chris Ness. Staff members present: City Administrator Neil Soltis, Assistant City Attorney Patrick Sweeney, City Engineer Ryan Goodman and Deputy Clerk Brenda Eklund.

### **APPROVAL OF THE AGENDA**

**Kronmiller, seconded by Hegland, moved to approve the agenda as presented. The motion carried unanimously by those present.**

### **CULVERT CLEANING FOR 2018 ROAD IMPROVEMENT PROJECT**

City Engineer Goodman explained that preparation of the 2018 road project requires the inspection of the existing culverts to determine whether or not they need replacement, but 70 of the culverts could not be inspected because of sediment that was half to full within the culvert. A map of the culvert locations was included in the meeting packet. To keep the road project moving forward, Goodman solicited proposals for culvert cleaning. Due to the frozen material at this time of year, higher costs were submitted over typical jet cleaning of culverts.

Goodman recommended the lowest bidder, American Environmental, LLC, be awarded the work to jet clean the culverts at a cost of \$18,988.00. Goodman explained that contracting for this work outside of the project will remove uncertainty of culvert replacement from the bidding process by including known repairs into the street bid. Administrator Soltis added that proceeding with culvert cleaning before the bids go out eliminates any mark-up by the general contractor to complete the work.

**Hegland, seconded by Kronmiller, moved to accept the bid for culvert cleaning from American Environmental, LLC in the amount of \$18,988.00. The motion carried unanimously by those present.**

### **STATE BONDING REQUEST FOR GATEWAY TRAIL PRE-DESIGN**

Mayor Maefsky explained that she and staff, along with John Herman, met with legislative representatives to advocate for moving the Gateway Trail project forward. Herman drafted a bill, edited by the Revisor, that is ready to be presented to the state legislature that would allow for the immediate expiration of ag preserves when a state agency acquires a trail easement (as is the case for the Gateway Trail connection into Scandia) and provides appropriation funding for pre-design and design of the Gateway Trail from William O'Brien State Park to downtown Scandia.

Through donations, the City has an opportunity to engage lobbyist John Kaul to assist with the bill's passage. Kaul is a lobbyist for Washington County, which is agreeable to Kaul representing Scandia as well. Kaul's rate of \$5,000 will be collected through donations to a special fund for lobbying efforts.

**Hegland, seconded by Maefsky, moved to approve engaging John Kaul to lobby for the bill, to approve John Kaul registering as a lobbying agent for Scandia, and to accept donations for the cost of the lobbying effort. The motion carried unanimously by those present.**

#### **RIGHT-OF-WAY ORDINANCE DISCUSSION**

Assistant City Attorney Sweeney presented a draft ordinance regulating the City's right-of-way property, including the placement of new wireless facilities. Last year, the state gave rights to private parties to place small cell wireless facilities on public property with minimal regulation, but allows cities to establish lease agreements governing the location and fees collected. Sweeney explained that since the city has old right-of-way ordinances and policies in place that do not include new cellular technologies, this draft is a comprehensive ordinance to allow the city to regulate right-of-way projects and other disturbances such as excavating and obstructions.

Soltis noted language in the ordinance that allows for mapping data to be acquired from the permittee that would be compatible with the city's GIS mapping to assist with engineering future road projects. He said this is an opportunity to consolidate right-of-way policies into one ordinance, for potential adoption in March. Council was in consensus to merge the existing policies with the small cell wireless ordinance and to include right-of-way patching and restoration, for review at the next work session.

#### **BOLDPLANNING SOFTWARE AND AGREEMENT WITH WASHINGTON COUNTY**

Administrator Soltis explained that Washington County is launching a cloud-based system for their Emergency Operations and Continuity of Operations Plans and making the software available for use by all 31 communities in the County. The County has FEMA funding to pay for the annual maintenance fee and an initial training session. Having resources up to date and in one accessible location is a huge benefit and valuable tool during an emergency. There is no cost to participate; however, the County is requiring a Joint Powers Agreement with those participating cities and townships that utilize the software. Attorney Sweeney said that there are some concerns with insurance language in the JPA, but these are the terms offered by the County. The County asked for a response by February 9<sup>th</sup>, with approval of the JPA after the County Board decision on February 27<sup>th</sup>.

**Hegland, seconded by Schneider, moved to approve participation in Washington County's BoldPlanning software program for emergency planning. The motion carried 4-0.**

#### **DISCUSSION ON ROLE OF PARKS AND RECREATION COMMITTEE**

Council member Kronmiller introduced a discussion on the role of the Parks and Recreation Committee and his observation that he would like to see more long-term planning for future park development instead of the role of event planning that seems to be the priority of late. Kronmiller noted that the lack of park capital funding is a downside to planning future parks and trails. PRC Chair Terry Gorham was present to participate in the discussion, and agreed that with a more stable membership now, they can focus on the committee's primary role of long-range planning and park development. However, he noted that organizing the recent Vinterfest event did take time and effort, and the group is thinking of having other local groups and

businesses sponsor the activities instead. If subcommittees are formed with members other than the Committee members, the PRC bylaws require Council approval of the subcommittees. Gorham explained that they have scheduled a work meeting later in the month to look at the parks and trails plan, as a focus to future planning. Administrator Soltis said that park development is hampered by the lack of funding collected by park fees, and potential funds are identified in the 2018 budget and 2018-2022 CIP through the sale of a city-owned lot on Goose Lake. Council member Schneider stated that there can be no planning with available funding sources. Gorham asked about opportunities for neighborhood input before any decision is made to sell the lot.

Council was in consensus to obtain an appraisal of the 2-acre lot for further discussion on the sale of the property.

### **DISCUSSION ON ANIMAL CONTROL AND ANIMAL SHELTER AGREEMENTS**

Administrator Soltis explained that Hillcrest Animal Shelter provided notice to end their agreement for animal impound services effective the end of February. Animal Control Officer Sherrill Reid is looking to end her service as well. Brittany Harmon of Companion Animal Control submitted an agreement through her business and impound service with Otter Lake Animal Care Center in Hugo, but her agreement calls for a \$300/month retainer, call charges, and mileage which dramatically add up to over \$400 a call to pick up a stray dog.

Soltis explained options such as pursuing impound services with Northwoods Humane Society in Wyoming, but they have not been receptive to repeated calls. As the average is one dog a month, this low volume could be reasonable for them, to be transported by city staff. Soltis will continue to contact this agency. The Scandia Veterinary Clinic was approached, but they indicated that they do not have the room to hold stray dogs for any number of days. Council member Schneider said he will contact the Stillwater Veterinary Clinic for any interest in providing an impound facility.

### **DISCUSSION ON FEE ORDINANCE**

At the January 3<sup>rd</sup> Work Session, Administrator Soltis presented a consolidated fee schedule for all fees the city collects, including building, planning and zoning, licensing, and others that are now spread out among various resolutions, ordinances and policies. Council continued its discussion on the draft ordinance that compared building permit fees from neighboring communities having flat fees for certain types of permits, such as roofing, windows, siding, etc. Council member Kronmiller said that he was in favor of keeping the fees simple, covering the cost of inspections, and to not gouge the residents.

Soltis recommended adjusting the escrow deposits of the planning and zoning fees upward to more closely cover the actual costs of the reviews. The draft ordinance proposed public works fees for equipment and labor, in the event of nuisance abatement or FEMA reimbursement.

**Hegland, seconded by Kronmiller, moved to proceed with flat fee rates for some types of building permits, for discussion and possible adoption at a future meeting. The motion carried 4-0.**

**DISCUSSION ON PARK DEDICATION FEES**

In earlier discussions, Council directed staff to eliminate the flexibility in the subdivision regulations ordinance that provides for the deferment of park dedication fees under certain conditions. In preparation of the ordinance amendment, certain legal issues were questioned such as charging park dedication fees for outlots, lots created from a subdivision that have existing homes on them, and exemption of large lots (resulting lots are 20-acres and greater) from the subdivision process. Legal counsel advised that collection of park fees must be roughly proportional to the need created by the new subdivision or development.

Attorney Sweeney explained that fees for outlots cannot be collected upon unless developed in the future, although the ordinance could be amended to charge fees for lots now exempt from the subdivision process. Council directed staff to refine ordinance amendments for further discussion with the Planning Commission.

**PART-TIME ON-CALL SNOWPLOW OPERATOR**

One application was received since posting the opening for a part-time on-call snowplow operator last November. Staff interviewed Tony Angell and have found him to be well qualified for the position.

**Hegland, seconded by Kronmiller, moved to approve the hiring of Tony Angell as a Part-Time On-Call Snowplow Operator at a rate of \$17.34/hour. The motion carried 4-0.**

**ITEMS FOR FUTURE WORK SESSION AGENDAS**

Frontier Internet and Cable Offerings -- Administrator Soltis said that he is meeting with Frontier later in the week and will report on this at the next Council meeting.

**ADJOURNMENT**

**Hegland, seconded by Schneider, moved to adjourn the meeting. The motion carried 4-0.**

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Brenda Eklund  
Deputy Clerk