

May 1, 2019

The City Council conducted a Work Session on the above date beginning at 6:30 p.m.

The following were present: Council members Jerry Cusick, Steve Kronmiller, Patti Ray and Mayor Christine Maefsky. Absent: Council member Chris Ness.

Staff members: City Administrator Neil Soltis, Fire Chief Mike Hinz, Public Works Director Adam Hawkinson, City Engineer Ryan Goodman, City Attorney Eric Sherburne, and former City Attorney Andy Pratt.

APPROVAL OF THE AGENDA

Mayor Maefsky requested that discussion on the issuance of a liquor license to the Scandia Heritage Alliance, a discussion on changing the Administrator interview dates, an update on the Scandia broadband legislation, an update on a proposal from the American Swedish Institute to donate a dala horse statue, and a discussion on engaging the Administrator to participate in the interview process and work on an interim basis be added to the agenda.

Motion by Ray, seconded by Kronmiller to approve the agenda as amended. Vote 4-0. Motion carried.

Councilmember Ness arrived during the following discussion.

DISCUSSION ON APPLICATION FOR TOBACCO LICENSE – 21190 OZARK AVE. – SCANDIA PLAZA

Administrator Soltis reported that the application is complete, the necessary insurance has been provided, and the background check did not disclose any information that would impact the approval. Councilmember Ray reported on a site visit to a store in Centerville by the proposed owner noting that the store sells tobacco, vaping products, cbd oils and other related and miscellaneous items. Ray also reported on information regarding vaping from a conversation with a high school student, expressed concerns about vaping and targeting the under-aged, and noted that multiple cities have enacted ordinance that have regulated vaping related products and increased the age for possession and sale to 21 years of age. Soltis noted that the omnibus legislation in both the State House and Senate has language that would classify e-cigarettes and vaping products as tobacco products to be regulated under the current tobacco statutes. Mayor Maefsky reported on a conversation with the Mayor of Centerville that there have been no issues with the Centerville store and their Council is seeking to raise the age for sale and possession to 21. Motion by Kronmiller, seconded by Cusick, to publish the draft ordinance and to add a discussion on the ordinance to the regular meeting agenda. Vote 5-0. Motion carried.

The Council discussed and was in consensus that the age limit in the ordinance should be 21.

DISCUSSION ON APPOINTMENT OF PROBATIONARY FIREFIGHTERS

Fire Chief Hinz reported that there are 4 applicants and he is looking to hire 3 of them immediately and potentially the 4th based on EMS background information that is still needed. Motion by Kronmiller, seconded by Ray, to approve the hiring of Steven Greenhow, Nick

Vannelli & Darrin Gould and the hiring of Kristian Severson conditioned on the EMS background information. Vote 5-0. Motion carried.

LAND USE PRESENTATION BY ECKBERG LAMMERS

Former City Attorney Andy Pratt made a presentation on variances providing information on what is a variance, how a variance is granted, and the legal standards for variances.

PRESENTATION ON 201 SEWER SYSTEMS

Soltis provided an overview of the history, current status, rates and finances, and current issues facing the 201 sewer system. Kronmiller noted that in the past inadequate reserves have been set aside for the replacement of infrastructure despite warnings from the auditors, that an amount should be determined to be set aside based on the life cycle of the systems components, and that the City should provide support for future infrastructure projects based on these decisions. Ness noted that the Public Works staff time had not previously been charged to the utility and that provided support from the City. Maefsky requested that the Wastewater Advisory Committee review the amount of reserves that should be provided for annually. Goodman noted that major improvements would likely be financed through the issuance of debt that would need to be factored into the user rates. Hawkinson presented information on the configuration of the system and its components. The Council discussed maintenance issues associated with the operation of the system and options for addressing the nitrate issues in the Bliss drainfield. Goodman noted that the key factor in determining the available capacity of the system is the average 3-day flow which is currently severely impacted by inflow and infiltration into the system.

DISCUSSION ON TEMPORARY CHANGE IN PUBLIC WORK EMPLOYEE WORK SCHEDULE

Hawkinson noted that the recommendation for the temporary change in the work schedule came from the Labor Management Committee, but expressed concerns about maintaining productivity with the change in hours. Kronmiller asked for the benefits would be measured, expressed concerns regarding combining the breaks and the requirements in state statutes for mandatory work breaks and mandatory meal breaks, and noted that under the proposed change the meal breaks would become paid lunch breaks. Sherburne noted the City would also need to allow for restroom breaks as needed. There was further discussion regarding evaluating the impacts and effectiveness of the schedule. It was agreed that the report would be revised and action on the proposal deferred until the regular Council meeting.

DISCUSSION ON ADMINISTRATOR DUTIES IN INTERIM

Soltis reviewed a listing of the most common job duties and the staff member and process to be used in performing those duties in the interim between Administrators.

DISCUSSION ON PERSONNEL POLICY FOR PAID TIME-OFF

Soltis reported that Deputy Clerk Eklund has reached the maximum accumulation of paid time-off and opportunities to utilize the time off during the interim between Administrators will be limited and that without a change the time would be forfeited. The Council discussed the recommendation that Eklund be allowed to accumulate paid time off in excess of 480 hours for the period of 1-year after the Administrator is hired. Kronmiller commented on the current

policy and recommended that the Council look at revising the policy to have the cap on the maximum accumulation of time off be applied at year-end and that the maximum be set at 2 times the employee's current accrual rate. Motion by Ray, seconded by Ness, to allow Eklund to accumulate of paid time off over 480 hours until the 1-year anniversary date of the new Administrator. Vote 5-0. Motion carried.

ISSUANCE OF A LIQUOR LICENSE TO THE SCANDIA HERITAGE ALLIANCE

Mayor Maefsky reported that the Scandia Heritage Alliance is holding a public meeting on May 31 to provide information on proposed projects and would like to celebrate their receiving non-profit status with serving champagne. Soltis noted that the application has been submitted for the temporary license and that evidence of liability insurance is still needed. Motion by Ray, Seconded by Kronmiller, to approve a temporary liquor permit contingent of state approval and obtaining the required liability insurance. Vote 5-0. Motion carried.

Mayor Maefsky noted that the Bone Lake Association sent in a card thanking the Council for continuing to support the aquatic invasive species inspections.

DISCUSSION ON CHANGING THE ADMINISTRATOR INTERVIEW DATES.

Mayor Maefsky noted that she is planning on attending the League of Municipalities annual meeting and the conference dates conflict with the planning interview dates for the Administrator finalists. The Council agreed to check if the interview with the finalists can be held on June 25 and June 26. Mayor Maefsky will contact Liza Donabauer to see if the schedule can be revised accordingly.

UPDATE ON THE SCANDIA BROADBAND LEGISLATION.

Councilmember Kronmiller reported on the efforts by Midco and the Minnesota Cable Communications Association to have our legislator amend the subordinate service district bonding language to limit its use to only unserved areas of the City and to increase the petition requirements from 25% to 50%. Kronmiller reported that two proposals will be going to the EDA for presentations by the proposers and it is expected that the EDA will make a recommendation to the Council for review at the June work session. Kronmiller also noted that a vendor has approached the City with a proposal for the City to construct and own the fiber infrastructure. The Council also discussed the potential for a fixed wireless solution.

UPDATE ON A PROPOSAL FROM THE AMERICAN SWEDISH INSTITUTE TO DONATE A DALA HORSE STATUE.

Mayor Maefsky reported that the Institute has made inquiries about possible relocating a wooden dala horse that was carved and painted in Sweden and has the Scandia name on it. The horse is currently in Mora, MN and the Institute would like to see that it is stored inside during the winter months.

DISCUSSION ON ENGAGING THE ADMINISTRATOR TO PARTICIPATE IN THE INTERVIEW PROCESS AND WORK ON AN INTERIM BASIS

The Council inquired about Soltis's availability to participate in the interview process and do some interim work on a contractual basis. Soltis noted that he would not be available most evening during the summer but would be interested in participating in the interview and will provide a rate for interim contractual work.

ADJOURNMENT

Motion by Ness, seconded by Kronmiller to adjourn the meeting. Vote 5-0. Motion carried.

The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Neil Soltis
Administrator / Clerk