

July 15, 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, Assistant City Attorney Andrew Pratt, City Planner Sherri Buss, City Engineer Ryan Goodman, Fire Chief Mike Hinz and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Pam Smith, 20919 Quint Avenue, represented the newly formed “Friends of the Log House Landing”. Ms. Smith stated that their group would like to work collaboratively with the City on the improvement project at the St. Croix River access that would be more in keeping with the rural ambience of the site, and meet the goals of the Comp Plan to maintain and preserve the rural character and charm of the area. She stated that the project as described with a double width road and curb and gutter was out of scale considering the sensitive nature of the site.

Sonia Borg, 19609 Oxboro Circle, Chair of the Friends of Scandia Parks and Trails, stated that they endorse the objectives of the Friends of the Log House Landing and hope to come to a compromise on the project.

Ray Burris, 21850 Olinda Lane, stated his concern that the Log House Landing could be closed to boat traffic. Mr. Burris stated that many boaters use the access from April to late fall.

Gail Deitrich, 20525 205th Street, asked if a survey regarding the cost, effort and changes to the landing was done. She stated that runoff from paved surfaces is environmentally unsafe.

APPROVAL OF AGENDA

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

CONSENT AGENDA

The following Consent Agenda was presented:

a) Minutes

- 1) June 17, 2014 Special Meeting
- 2) June 17, 2014 Regular Meeting
- 3) July 2, 2014 Work Session

b) Treasurer’s Report

Beginning Balance 06/01/2014	\$2,600,911.82
Receipts	+ 31,875.83
Expenditures \$169,120.27	
Payroll + 24,659.89	- 193,780.16
Adjustments: Transfer Charges recorded	+ 8.00
Ending Balance 6/30/2014	\$2,439,015.49

c) Payment of Vouchers

- d) Appoint Election Judges for August 12, 2014 Primary Election and November 4, 2014 General Election (*Resolution No. 07-15-14-01*)
- e) Accept Donation of Survey Work from Landmark (*Resolution No. 07-15-14-02*)
- f) Hire Tennis Instructor for August Session

Council member Ness noted that Item 5.e) was survey work related to the curb installation at Lilleskogen Park, valued near \$500.

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

PLANNING COMMISSION

1) Variance at 20595 Quinnell Avenue. Kristin Tuenge, Applicant (Resolution No. 07-15-14-03)

Planner Buss presented the recommendation from the Planning Commission that the variance from the rear yard setback for construction of a bay window to Ms. Tuenge's home at 20595 Quinnell Avenue be approved based on findings included in a resolution. Buss explained that the Commissioners noted that the adjoining parcels are vacant, and the rear of the property is screened by existing trees.

Lee, seconded by Ness, moved to approve Resolution No. 07-15-14-03, Approving a Variance for 20595 Quinnell Avenue North. The motion carried 5-0.

2) Variance at 12680 Scandia Trail. Jeffrey Gacek, Applicant (Resolution No. 07-15-14-04)

Planner Buss presented the recommendation from the Planning Commission that the variance to construct an accessory structure closer to the road right-of-way than the principal building at 12680 Scandia Trail be approved based on findings included in a resolution. Placement of the garage is limited by the existing home, septic system and drainfield, barn and mature trees on the property. Existing trees will provide screening from the roadway. Buss stated that the Commissioners complimented the applicant on the design of the garage which fits the rural character of the city. A condition to combine the 10-acre parcel with the adjacent 30 acres to create 2 20-acre parcels or one 40-acre parcel was included to meet the ordinance requirement for area and number of accessory structures.

Simonson, seconded by Lee, moved to approve Resolution No. 07-15-14-04, Approving a Variance for 12680 Scandia Trail North. The motion carried 5-0.

3) Variance at 22723 Nolan Avenue. James and Kim Williams, Applicants (Resolution No. 07-15-14-05)

Planner Buss presented the recommendation from the Planning Commission that the variance to construct an accessory structure closer to the side lot line at 22723 Nolan Avenue be approved based on findings included in a resolution. Placement of the storage building is limited by wetlands and the septic system on the property. The Commissioners found that the location of the building is far off the roadway and will be screened from the neighbor's view.

Schneider, seconded by Ness, moved to approve Resolution No. 07-15-14-05, Approving a Variance for 22723 Nolan Avenue North. The motion carried 5-0.

***4) Variance at 23269 Lofton Court. Rodney and Susan Olson, Applicants
(Resolution No. 07-15-14-06)***

Planner Buss presented the recommendation from the Planning Commission that the variance to construct an accessory structure closer to the road right-of-way and drainfield at 23269 Lofton Court be approved based on findings included in a resolution. Buss noted that input from County staff determined an acceptable setback from the existing drainfield, and allowed for an area to locate a back-up septic system. The garage will be constructed on a slab, rather than with extensive fill, so as not to impact the existing drainfield. Buss explained the reasoning for a secondary driveway on the parcel.

Ness, seconded by Lee, moved to approve Resolution No. 07-15-14-06, Approving a Variance for 23269 Lofton Court North. The motion carried 5-0.

***5) Variance at 18629 Langly Avenue. Gregory Johnson, Applicant
(Resolution No. 07-15-14-07)***

Planner Buss presented the recommendation from the Planning Commission that the variance to construct a deck closer to the Ordinary High Water Level of Big Marine Lake at 18629 Langly Avenue be approved based on findings included in a resolution. Buss explained that the Commissioners found the placement of the deck on the lakeside of the home to be logical. Buss noted that the Watershed will require a shoreline buffer strip as mitigation for encroaching into the lake setback. The DNR agreed that a shoreland buffer is a benefit to the lake.

Lee, seconded by Schneider, moved to approve Resolution No. 07-15-14-07, Approving a Variance for 18629 Langly Avenue North. The motion carried 5-0.

Council member Ness stated that a deck addition will help to stabilize the area, as the house was elevated in 2004. Council member Lee asked about the buffer requirement. Buss stated that there appeared to be shoreline plantings in place, and the Watershed may require maintenance of the existing plantings.

***6) Conditional Use Permit at 21090 Ozark Court. Jean and Scott Womack, Applicants
(Resolution N. 07-15-14-08)***

Planner Buss presented the recommendation from the Planning Commission that a Conditional Use Permit to operate an auto repair business at 21090 Ozark Court be approved based on findings included in a resolution. The business will be relocating from their present location on Paris Avenue, which has been a non-conforming use. Buss explained that the business meets all the criteria for granting a CUP, and will have no negative effects to neighboring businesses in the Industrial Park District.

Lee, seconded by Ness, moved to approve Resolution No. 07-15-14-08, Approving a Conditional Use Permit for a motor vehicle repair business at 21090 Ozark Court North. The motion carried 5-0.

Council member Ness asked if an auto repair business could continue to operate at the Paris Avenue location. Administrator Handt explained that the applicant provided documentation that the property has been brought into conformity, and will be used for the storage of agricultural equipment only; operation of an auto repair business will not be allowed.

7) Ordinance No. 154

Planner Buss presented the recommendation from the Planning Commission that Ordinance No. 154, revising the density requirement to state “4 buildable lots per 40 acres” in the Ag Core and General Rural Districts be approved. No written or verbal comments were received at the public hearing on the proposed change from “4 dwelling units per 40 acres”. Buss explained that this change would provide clear language for future subdivision processes, and not create non-buildable lots because of the density requirement. Buss noted that existing non-conforming lots may be developed if they meet certain ordinance requirements, as outlined in the staff report. Council member Ness stated that this will close any loopholes in the current development code.

Simonson, seconded by Ness, moved to approve Ordinance No. 154, Amending Sections 2.4(7) and 2.6(7) of Chapter 2 of the Development Code and Pertaining to the Density of Dwelling Units Permitted in the Agricultural Core and General Rural Zoning Districts. The motion carried 5-0.

**8) Summary Publication of Ordinance No. 154
(Resolution No. 07-15-14-09)**

Simonson, seconded by Lee, moved to approve Resolution No. 07-15-14-09, Allowing for a Summary Publication of Ordinance No. 154. The motion carried 5-0.

BUILDING OFFICIAL

The building activity report was received from Building Official Chad Payment. Fifteen permits were issued in June.

POLICE DEPARTMENT

Deputy Chris Majeski was absent. Administrator Handt announced that National Night Out will be held at the Community Center on August 5th.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 20 calls in June – 7 fire, 12 rescue, and 1 dive related.

CITY ENGINEER

City Engineer Ryan Goodman reported that the County’s Lofton Avenue project should be completed by the end of July. The intersection improvements on TH 97/Lofton Avenue will begin later in the year.

CITY ATTORNEY

Assistant City Attorney Andrew Pratt reported on recent legislative laws pertaining to the Open Meeting Law (use of social media is allowed as long as the general public can be involved with exchanges), the sales tax exemption will be extended to include EDAs, and the assignment of penalties to ordinance violations (a petty misdemeanor if no penalty is listed).

DIRECTOR OF PUBLIC WORKS

Public Works Director Tim Kieffer reported on the department's activity in the past month.

CITY ADMINISTRATOR

Administrator Handt reported that she is working with the Bone Lake Association and the Watershed on the no-wake ordinance, which will be scheduled for a public hearing on August 19th. No comments had been received about shoreline property damage on Big Marine Lake. Washington County will be working on sight line improvements along Olinda Trail during the seasonal farmer's market events at Gammelgarden. The burned house on Layton Avenue was recently removed.

APPROVAL OF ARCHITECT FOR OAKHILL COTTAGES STORM SHELTER FEMA GRANT PROJECT (RESOLUTION NO. 07-15-14-10)

Administrator Handt explained the procedures for working with the Washington County HRA in obtaining grant funds for the construction of two storm shelters and well improvements at the Oakhill Cottages. Since the grant was awarded to the City, procurement procedures must be followed, and any expenses over \$5,000 must be approved by the Council.

The HRA has awarded the architectural services contract to Miller Hanson, at a cost of \$20,950. This will be paid by the Washington County HRA, not by the City.

Simonson, seconded by Swanson, moved to approve Resolution No. 07-15-14-10, Authorizing Architectural Expenditures for Storm Shelters at Oakhill Cottages. The motion carried 5-0.

PRELIMINARY SURVEYING WORK, LOG HOUSE LANDING IMPROVEMENT PROJECT

At the July Work Session, Council directed staff to gather preliminary survey and tree information for the proposed improvements at Log House Landing consistent with the concept plan included in the State Road Account Program grant.

Engineer Goodman presented a cost estimate of \$12,200 to complete the preliminary survey, layout and property research work. A design could then be prepared for discussion at a future meeting. Handt stated that funds for the work could come from either the general fund for engineering work or the Capital Improvement Fund, where \$20,000 was allocated for the Log House Landing this year. A 50% cost share will be requested from the Carnelian-Marine-St. Croix Watershed District.

Council member Schneider asked if soil borings have been done on 205th to determine the condition of the base. Goodman stated that this has been done and the base is in good shape to support a paved surface.

Simonson, seconded by Ness, moved to approve \$12,200 for preliminary work for the Log House Landing project from the General Fund. Council members were in consensus that proceeding with the gathering of initial data is necessary. The motion carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 8:02 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk