

August 15, 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 council 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, Fire Chief Mike Hinz, Public Works Director Adam Hawkinson and Deputy Clerk Brenda Eklund.

PUBLIC FORUM

Marine Area Community Library Report

Mary Burke, Marine Area Community Library Board Chair, and library volunteer Joyce Leslie provided a report on the operations of the non-profit community library, which has been operating in the Marine town hall for 6 years following the closing of the Washington County library branch. The library is entirely staffed by volunteers, and offers a wide variety of materials and programming for northern Washington County. Burke stated that she will report current events and happenings to the Council 3 to 4 times during the year as a means to raise awareness of the unique community library.

Good Neighbor Recognition – Scandia-Marine Lions Club

Mayor Christine Maefsky presented the first Good Neighbor Award Proclamation to the Scandia-Marine Lions Club, the largest Lions Club in the state which donated over \$78,000 in the past year towards local and global needs. Ten members accepted the framed proclamation.

APPROVAL OF AGENDA

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

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) July 18, 2017 Regular Meeting
 - 2) August 2, 2017 Work Session
- b) Treasurer's Report

Beginning Balance 7/1/2017	\$2,643,452.50
Receipts	\$1,282,322.30
Expenditures \$187,584.31	
Payroll \$28,759.34	<u>\$ (216,343.65)</u>
Ending Balance 7/31/2017	\$3,709,431.15
- c) Payment of Vouchers
- d) Request from Scandia Marine Lions to plant a memorial tree at Hay Lake Park
- e) Renewal of contract with the Lakes Center for Youth & Families (formerly Lakes Area Youth Service Bureau) for 2018 services
- f) Special Event Permit, Meisters, Taco Daze, September 8 and 9, 2017

- g) Authorization for Chiko's Bar & Grill to sell beer at Taco Daze Beer Garden, September 9, 2017
- h) Firefighter wage increases based on probation and certifications
- i) Filling a vacant position on the Parks & Recreation Committee

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

PUBLIC HEARING: ORDINANCE NO. 186, AMENDING THE DEVELOPMENT CODE, CHAPTER 2, SECTION 3.9 REGARDING LIGHTING

Mayor Maefsky opened the public hearing at 7:23 p.m. for comments on the ordinance to amend language in the section of the development code regarding lighting. There were no comments and the hearing was closed. The Council discussed the ordinance later in the meeting under Agenda Item 9.a).

PARKS AND RECREATION

Parks and Recreation Committee Chair Ryan Jinks presented the recommendation from the Committee to approve the revised landscape plan for the Veterans Memorial located in Lilleskogen Park as modified to include the addition of a minimum of 10 common milkweed plants. Jinks explained that the Veterans Committee agreed to replace the seeded turf grass area on the original plan with prairie dropseed, interspersed with butterfly weed. These plants are in keeping with the park restoration plan for low height plants bordering the parking lot and are listed in the for this area. Jinks stated that the addition of the common milkweed plants will allow the park to obtain the Monarch Butterfly Waystation certification that was previously approved by the Council. Planner Buss explained that butterfly weed is a type of milkweed, so that this could still qualify for the certification. There was discussion of the location for a Monarch Waystation sign outside of the Veterans Memorial area. Jinks said that the signage could be addressed in a more comprehensive signage proposal as the park develops in the future.

Council members had concerns about future maintenance of the park. The Lions had agreed to mow the area surrounding the memorial when it was planned as turf but, with the compromise to native grass, Council member Ness said he would like some commitment from the Vets Committee. Staff noted that regularly mulching the plantings with 3 to 4 inches of material would minimize weeds and keep up the site.

Kronmiller, seconded by Ness, moved to accept the landscape plan for the Veterans Memorial as presented by the Parks and Recreation Committee, without the additional common milkweed plantings because the butterfly weed variety will qualify for certification as a monarch butterfly waystation. The motion carried 5-0.

PRC Chair Jinks explained that at their August meeting, Cycling Scandia representative Janie O'Connor asked to remove a moss covered picnic table abandoned within Lilleskogen Park that volunteers would clean up and make available for cyclists to use. The PRC recommended approval of this request.

Ness, seconded by Kronmiller, moved to approve Cycling Scandia to remove an abandoned picnic table from Lilleskogen Park and restore it for their organization's use. The motion carried 5-0.

BUILDING OFFICIAL

In the aftermath of the June hail storm, 99 permits were issued in July with the majority of those as roofing permits. Valuation of work issued in July totaled \$1,981,132.69.

POLICE REPORT

The written report on citations and incidences was received.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported on the fire department's activity. The department responded to 19 calls in July; 8 fire and 11 EMS related.

CITY ENGINEER

Engineer Ryan Goodman added to his written report that MnDOT's I-35 project to replace 3 overpass bridges along 6-1/2 miles of the interstate will impact traffic beginning in 2018 until its completion date of October 2019. The Comprehensive Plan survey resulted in a return of 391 responses, which will be discussed at the Committee's final meeting on August 24th.

CITY ATTORNEY

Attorney Andy Pratt reported that he is serving on the League of MN Cities finance committee task force that will deal with legislative issues impacting city finances. Pratt assisted in closing the equipment certificate with Security State Bank for the financing of the new dump truck purchase.

PUBLIC WORKS DIRECTOR

Public Works Director Adam Hawkinson reported that the crew responded to 38 downed trees following the July 11th storm. He has inventoried 36 septic tanks in the 201 sewer system that need pumping, and is recommending 20 be a top priority for this year as the budget allows.

CITY ADMINISTRATOR

City Administrator Neil Soltis reported that the website upgrades are completed, and work will continue to improve navigation. Two union negotiation meetings have occurred with a goal to present the labor agreement to the Council at their September 19th meeting. Frontier is completing broadband updates and has questioned how the City plans to use the PEG (Public, Educational and Governmental) fees that will result from the video services that they will be providing. Soltis recommended setting up a dedicated fund for the collection of PEG fees which have restricted uses, and to add this to a future budget discussion meeting.

ORDINANCE NO. 186, AMENDING THE DEVELOPMENT CODE, CHAPTER 2, SECTION 3.9 REGARDING LIGHTING

Planner Buss summarized the recommendation from the Planning Commission to approve language amendments to Section 3.9 of the Development Code as presented in Ordinance No.

186. The public hearing was held earlier in the Council meeting and no public comments were made. Buss explained that the recent site improvements approved for Scandia Elementary School identified the need for the ordinance amendment.

In addition to removing outdated language prohibiting the use of LED luminaries for outdoor lighting fixtures, the amendment clarified that the standards apply to outdoor lighting, makes holiday lighting exempt, removes individually-lit letters from the list of prohibited lighting because this is covered in the sign ordinance, and removes lighting setbacks in the Village Area because existing storefronts cannot meet the intensity standard and the requirement that outdoor lighting be 10 from the road right-of-way.

Council member Schneider stated that he sees the ordinance as too restrictive for businesses that need security lighting in their parking lots and it restricts rooftop lighting. He also said the ordinance should more specifically distinguish lighting from sign standards. Administrator Soltis recommended the addition of “outdoor lighting as defined in Chapter 1” to the applicability paragraph. Mayor Maefsky said that she would not be comfortable moving ahead at this meeting with broader changes to the lighting standards without additional study on possible ramifications. Council member Kronmiller agreed that possible changes would need more thought; however it could delay the school’s project as the ordinance change to allow LED fixtures is needed before the site improvements can begin.

Schneider said he doesn’t intend to hold the school up, but now is the time to take a more comprehensive look at ordinance language. Schneider said that businesses need security lighting and since the ordinance allows for this type of lighting to remain on after closing, the language to require a business to turn off parking lot lights one hour after closing should be removed. Maefsky disagreed and said this this language is protection against over lighting and removing it could be offensive.

Schneider, seconded by Hegland, moved to add language to paragraph (1) to state “outdoor lighting as defined in Chapter 1” and to strike the hours of operation for lighting parking lots in paragraph (5)(C)(4). Discussion: Council member Ness noted that anything could be considered security lighting and this should be determined on a case by case basis with the business. Ness said the language should remain. Maefsky called for a vote on the above motion. Hegland, Schneider – yes. Kronmiller, Ness, Maefsky – no. The motion failed 2-3.

Council member Ness clarified that the business owner can determine what they need as security lighting and wants to leave the language as it is currently in the ordinance.

Schneider, seconded by Kronmiller, moved to approve Ordinance No. 186 with added language to paragraph (1) to state “outdoor lighting as defined in Chapter 1” to clearly define that the ordinance applies to lights only. The motion carried 5-0.

**SUMMARY PUBLICATION OF ORDINANCE NO. 186 (RESOLUTION NO. 08-15-17-01)
Kronmiller, seconded by Ness, moved to approve Resolution No. 08-15-17-01, Providing for the Summary Publication of Ordinance No. 186. The motion carried 5-0.**

ANNUAL OPERATING PERMIT FOR REDEEMED FARM AT 12680 SCANDIA TRAIL (RESOLUTION NO. 08-15-17-02)

Jeff and Julie Gacek were granted approval of an Interim Use Permit and Annual Operating Permit to operate a rural event facility known as Redeemed Farm at 12680 Scandia Trail in October 2016. The development code requires the operators to renew their AOP at least 60 days prior to the expiration of the current AOP. Planner Buss provided a review of their application that included a report on the past year's operations and proposed operations for the next year.

Planner Buss summarized that compliance with the conditions of the IUP and AOP were substantially met. City Engineer Goodman commented that the parking lot entry, measuring 28' at its narrowest point and is suitable for 2-way traffic, but is not 32' in width as in the original condition. Goodman recommended language in the AOP to not reduce the width and to prohibit parking on the emergency vehicle access. Goodman also noted that the first 75' of the driveway entrance has not been paved or constructed with trap rock to minimize tracking of sediment onto Meadowbrook Avenue and recommended language that the applicants perform sweeping on Meadowbrook if tracking occurs. Mr. Gacek explained that the first 75' of the driveway is constructed of recycled asphalt material.

Buss concluded that the City received no complaints and the facility will continue to hold up to 75 events such as weddings, retreats and worship activities in the next year. The applicants included in their report that they would like to increase the guest count from 150 to 185. Buss explained that an amendment to the IUP would be needed in order to allow for this. Buss recommended approval of an AOP for the next year with 6 conditions prepared in a resolution.

Hegland, seconded by Schneider, moved to approve Resolution No 08-15-17-02, Approving an Annual Operating Permit for a Rural Event Facility at 12680 Scandia Trail North.

It was clarified that any request to expand the number of guests would need to go through an IUP amendment procedure. Gacek asked if future reviews for his AOP would need to be so intensive, because he is being held to a higher standard than event centers that are operating without proper permits and the costs for these reviews are a burden on him. Buss said that this appeared to be a minimal review, and complaints should be made about other centers operating without permits. Council member Schneider said that an annual review could be done administratively. Buss added that if there are complaints against the center, it could go to the Council. The ordinance language for an annual review came about because this was a new use that could have potential impacts to neighbors. Mayor Maefsky said that once a clean track record for a business is established, perhaps the ordinance could be amended to no longer require an annual review, but for now it is a must.

The above motion carried 5-0.

Planner Buss recommended a review of the AOP procedures in the ordinance to coincide with the request for Gacek to amend his IUP to allow for a higher guest count. Council member Schneider agreed that the Planning Commission should review the ordinance to remove the requirement for an AOP to go to the Council.

Schneider, seconded by Ness, moved to administratively review Redeemed Farm's AOP next year. The motion carried 5-0.

2017 SPRAY PATCHING PROJECT

City Engineer Goodman presented a quote for the 2017 Spray Patching Project that included 9 road segments. Goodman recommended spray patching areas #1 to #4 to stay within the budgeted amount of \$40,000. Since areas #4 and #5 are along 240th Street, the county line shared with neighboring townships, it was agreed to remove these streets until a cost sharing project could be discussed with them. This allowed all remaining road segments to be spray patched at a cost of \$36,000.

Ness, seconded by Schneider, moved to award the 2017 Spray Patching Project to Fahrner Asphalt Sealers for areas #1-#9, excluding 240th Street (areas #4 and #5). The motion carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk