

August 19, 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, Public Works Director Tim Kieffer, City Attorney Nick Vivian, City Planner Sherri Buss, City Engineer Ryan Goodman, Fire Chief Mike Hinz and Treasurer Colleen Firkus.

PUBLIC FORUM

There were no comments at the public forum.

APPROVAL OF AGENDA

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

CONSENT AGENDA

The following Consent Agenda was presented:

- a) Minutes
 - 1) July 15, 2014 Regular Meeting
 - 2) August 6, 2014 Work Session
- b) Treasurer's Report

Beginning Balance 07/01/2014		<u>\$ 2,439,015.49</u>
Receipts		<u>\$ 1,229,085.30</u>
Expenditures	<u>\$ 215,936.79</u>	
Payroll	<u>\$ 38,852.18</u>	<u>-\$ 254,788.97</u>
Ending Balance 7/31/2014		<u>\$ 3,413,311.82</u>
- c) Payment of Vouchers
- d) Special Event Permit, Meister's, Taco Daze, September 5 and 6, 2014
- e) Special Event Permit, Scandia Marine Lions, Taco Daze, September 6, 2014
- f) Authorization for Meister's to sell beer at Taco Daze Beer Garden, September 6, 2014
- g) Pay Increase for Firefighters completing EMT certification
- h) Contractor's Request for Payment No. 1, 2014 Seal Coat Project

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

PUBLIC HEARINGS

Proposed Ordinance No. 155: An Ordinance Regulating the Operation of Watercraft

Administrator Handt reported that the DNR requires a significant amount of information about the lake such as its physical characteristics, development around the lake, ownership of the shoreland, public regulations, accident history, watercraft usage on weekdays and weekends, and a perception of conflicts. A map is also required portraying the info. Lastly, the DNR requires a public hearing on the ordinance and that comments from the public hearing be included in the application from the City. Much of the information was gathered from the DNR's website and with the help of the Bone Lake residents and the Comfort Lake Forest Lake Watershed District. Mayor Simonson opened the floor for public comment.

Ken Huberty, 22899 Mallard Ave., Scandia, asked how the Ordinary High Water Level (OHWL) number was determined and did it change every year. This is the highest he has seen the water since he has lived on the lake 13 years and it has gone down a couple feet already. He stated a compromise of lake usage and the protection of lakeshore would be a good thing. Administrator Handt replied that the OHWL is a constant at 909.1 ft. above mean sea level on Bone Lake. The ordinance will give the staff a tool to institute a no-wake zone if needed next spring and to not have to wait for a Council meeting to take action. Council member Ness how far above the lake was above the OHWL. Handt replied it was one to two feet over. Council member Lee asked how the city staff will know when the level rises above OHWL. Handt replied that they will work with the County's Soil & Water Conservation District, which has a gauge it will read and notify the City. *Margie Schmitt, Pres. Bone Lake Assoc.*, pointed out the watershed's gauges cannot be read by the public and are read by the Conservation District every 7 to 10 days, and more frequently when the water is high. The City and the Bone Lake Association can also request a reading from the conservation district at any time. The Ordinance will require the City to post a No-Wake notice at the boat landing and notify the DNR. City staff will also put information on its website and social media. Specific signage has not yet been discussed. *Mike White, 13310 188th St. N., Marine*, stated the Soil & Water Conservation District puts the lake level readings on its website.

Mayor Simonson closed the public hearing and opened up discussion with the Council. Council member Lee thought that it was smart to have a no-wake zone and that the 300 foot distance seemed fair. Mayor Simonson stated it was not the City's intent to disrupt the enjoyment of the lake by residents, but to be responsible in protecting the property owners around the lake when the OHWL was reached. Both Swanson and Schneider indicated they supported the ordinance. Schneider asked Huberty if he understood the OHWL stayed the same. Huberty responded that he would like to know where that line is on his property and asked how he would be notified when the no-wake was in effect. Margie Schmitt said she would send out a notice to lake property owners, whether or not they are a part of the Bone Lake Assoc., as well as having the boat landing signage. Schneider suggested homeowners make a mark in their yard when they get a notification the lake level has exceeded the OHWL. Handt was directed to send the ordinance with accompanying documentation to the DNR for their review.

PARK AND RECREATION COMMITTEE

Administrator Handt reported that only one application was received for the dodgeball referee position, even with an extended application period. However, three members of the Park and Rec Committee volunteered to serve as referees giving the tournament four referees. **Simonson, seconded by Swanson, moved to hire Jacob Fetch for \$10 per hour as a dodgeball referee for the Taco Daze dodgeball tournament. The motion carried 5-0.**

PLANNING COMMISSION

Variance at 18773 Layton Ave., David Jessup, Applicant (Resolution No. 08-19-14-01)
Planner Buss presented the recommendation from the Planning Commission that the variances for lot size and lot setbacks from the public right-of-way and OHWL of Big Marine Lake to allow for the construction of a new single-family home and storage shed be approved based on findings included in a resolution. The new home and shed will replace the existing home and

shed and will use the same sewer hookup although a new tank will be installed. A County permit for the septic tank will be required. Some trees will need to be removed to make room for the rain garden which will do better in full sun.

Simonson, seconded by Lee, moved to approve Resolution No. 08-19-14-01 with its eight conditions, Approving Variances for 18773 Layton Ave. The motion carried 5-0.

BUILDING OFFICIAL

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

POLICE DEPARTMENT

The sheriff's activity report was received from Deputy Chris Majeski. Some incidents were a stolen wallet at the north access with a suspect in mind; a garage burglary on 209th Street where a GPS was stolen; another theft on Paris of an air tool and firearm which were both recovered; a bunch of mailboxes vandalized in two areas – Mayberry, and 202nd & Olinda; and a safe dumped at Mayberry and Maxwell from a burglary in Chisago County.

FIRE DEPARTMENT

Fire Chief Mike Hinz reported that the department responded to 21 calls in July – 8 fire, 12 rescue, and 1 dive related.

CITY ENGINEER

City Engineer Ryan Goodman reported on the Hwy. 97 crash report that is required as part of Tiller's AOP; there were five total crashes, none related to trucks hauling and one on Lofton. Lofton Avenue improvements were completed. The County will be opening bids August 29 for a reclaim and overlay project on County Road 4 between the tunnel bridge and Olinda Trail intersection. If bids are favorable it will happen this year. This is not in city limits but will affect some Scandia commuters. Administrator Handt also pointed out that there was also a preliminary survey done on the Log House Landing project. There has been some confusion as a lot of trees have been marked down there, and it is not an accurate reflection of the project. Goodman reported that no trees have been marked by city staff or the watershed district, and any trees marked down there have been marked by private parties. Further discussion of plans will happen at the September 3 council workshop.

CITY ATTORNEY

City Attorney Nick Vivian has nothing to report.

DIRECTOR OF PUBLIC WORKS

Public Works Director Tim Kieffer reported on the department's activity in the past month. Kieffer looked at the elevation plans for Wyldewood acres and there were no elevations for curb stops. If the city wanted to pursue this he would get out there with Bolton & Menk to get those elevations.

CITY ADMINISTRATOR

Administrator Handt reported that the Birch Lane vacation has been recorded at the County and she is working with Attorney Pratt on the easements for the driveways. Handt and Deputy Clerk Eklund meet with a representative from the County a few weeks ago and had the recycling contract reviewed by a consultant. Their advice was to try and negotiate with SRC for the contract renewal and not go out with an RFP, so they will be working on some provisions with the consultant. Handt and Kieffer met with Excel Energy about their energy efficiency programs. Part of the Green Step City process requires the City to look at building efficiencies so staff will be scheduling an energy audit in the near future. There may be some rebates as well on the sewer improvements. Handt attended a meeting about State broadband grants and requested information from MidContinent in regards to expanding in higher density areas such as Nature's Walk. She will be investigating that further. The Carnelian Marine Watershed District did agree to the 50% cost share of the preliminary survey work for the Log House Landing project. They also approved funding for Lilleskogen parking lot improvements and cost sharing of the bio-infiltration area for \$3,186. CMWD also extended their congratulations to the city for becoming a Green Step City. Handt and Kieffer have been working on complaints about oak wilt and have sent out a half dozen letters and are following the process of the ordinance on oak wilt. Some Minnesota laws changed August 1 including employee access to private data, so Handt is creating policy to comply with the new law. Handt is also working on the fall newsletter. Finally, Corey Roberts asked if the city would be interested in fireworks after the Scanley Cup. Discussions have been held with the Fire Chief and insurance carrier as to requirements. An additional insurance rider would have to be purchased if the city were the sponsor. However, that cost could be avoided if another entity like the funeral home or the Lions Club could be the sponsor. Parks Committee indicated they were interested. Council indicated they may be interested.

ACCEPTANCE OF ZAC BOESEL'S EAGLE SCOUT PROJECT AT WAYNE ERICKSON MEMORIAL PARK (RESOLUTION NO. 08-19-14-02)

Zac Boesel did a presentation of his Eagle Scout Project in which he replaced an aging scoreboard at the Wayne Erickson Memorial Park with a new remote controlled LED scoreboard, and improved the landscaping around the entrance sign to the park. Boesel also provided \$300 for future maintenance costs. Council members thanked Boesel for the great job he did in improving a city park.

Simonson, seconded by Ness, moved to adopt Resolution No. 08-19-14-02 Zac Boesel Eagle Scout Project as amended to include \$300. The motion passed 5 – 0.

PETITION TO VACATE 2ND STREET (RESOLUTION NO. 08-19-14-03)

Administrator Handt reported that a majority of property owners abutting 2nd Street signed a petition to vacate it. Access to some of the properties involved comes via a private road off of 197th Street. The Conleys need the extra space the vacated street will provide to re-locate their well and septic as part of a variance approved last year. One concern is that all property owners have secure access to their property, instead of just a hand-shake agreement over a private road.

Lee, seconded by Swanson, moved to approve Resolution No. 08-19-14-03 to hold a public hearing to vacate 2nd Street. The motion passed 5 – 0.

ZAVORAL MINE REVISED TRANSITION AREA PLAN

Planner Buss presented a proposal to revise the Tiller reclamation plan because of difficulty in trying to move 100 white pines to the transition area. The soil is too rocky and did not allow successful transplants. The National Park Service, Conservation District, and City Staff met with Tiller representatives on May 19 to review the transition site. The original plan was to clear the transition site and start over. The new plan is to clear just exotic species, save native trees in the area, thin native shrubs and trees, and selectively seed the area for native ground cover. All parties agreed it was a good plan and had the advantages of not clearing the whole site, the reclamation will happen faster, and not leave an open site for non-native species to take hold. Costs will be higher for this plan, so the city is getting more than the equivalent value and reclamation faster.

Mayor Simonson asked for public comments. *Christina Morrison of Tiller Corp.* indicated she was available to answer any questions as well as Amy Husveth of Critical Connections, one of the primary authors of the plan, and Jess Meyers. *Mike White, 13310 188th St. N.* said it sounds like a good compromise. Council agreed it was a good plan.

Lee, seconded by Swanson, moved to accept the Proposed Transition Area Development plan as an amendment to the Reclamation Plan for the Zavoral Mine and Reclamation Project, and that the revised plan meet the same performance goals as the original reclamation plan conditions. The motion passed 5 – 0.

LOFTON/TH 97 PROJECT UPDATE

Wayne Sandberg, Washington County Engineer, presented a plan for upgrades to the intersection of Hwy. 97 and Lofton. A diagram reflected the addition of center left and right turn lanes with center through lanes, eliminating bypass lanes. Driveways and culverts will be reconstructed and drainage patterns re-established by moving the ditches. The plan reflects proper radius turning points for large tractor trailers and also addresses appropriate site lines on the eastern approach. All the widening will be happening to the north and occur in the public right-of-way. They could save the large tree on the northeast corner, but its root system would be disturbed by ditching which may cause it to die. They could remove it as it is in the right-of-way, but they will be working with the property owner to see if they have an interest in the tree. They would recommend removal of the tree to get it out of the ditch line and remove a potential safety hazard. The County was awarded this project in December of 2013 as part of a cooperative agreement with MNDOT. However, MNDOT's review process has lengthened the construction timeline and the County just received approval of this plan. Another level of construction plans will need to be reviewed by MNDOT before placing it out for bids in early 2015. However, the delay gives them more time to work with property owners on tree and driveway issues. The project is to take six weeks to construct during which Hwy. 97 will remain open.

STREET SIGN AGREEMENT WITH WASHINGTON COUNTY

Public Works Director Kieffer recommended a cooperative agreement with Washington County and the City for street sign maintenance. This agreement would allow the City to install its street name signs and no outlet signs on one post at adjoining right-of-ways. The County would supply the stop signs.

Simonson, seconded by Swanson, moved to accept the cooperative agreement for street sign maintenance with Washington County. The motion passed 4 – 1 with Ness, Simonson, Swanson and Schneider voting yes and Lee voting no.

UPDATED PERSONNEL POLICY (RESOLUTION NO. 08-19-14-04)

Administrator Handt reported that all the changes to personnel and newly adopted policies have been incorporated into the Personnel Manual.

Simonson, seconded by Ness, moved to adopt Resolution No. 08-19-14-04 establishing personnel policies for the City of Scandia. The motion passed 4 – 1 with Lee, Ness, Simonson and Swanson voting yes and Schneider voting no.

SET SPECIAL MEETING DATE FOR CITY ADMINISTRATOR ANNUAL REVIEW

Council members agreed to meet at September 16 at 6:00 p.m. to perform the annual review of the City Administrator. Review forms need to be back to the Mayor by September 9.

ADJOURNMENT

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

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

Colleen Firkus
Treasurer