

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING
Thursday, November 12, 2009

The meeting was called to order by Mayor Mills at 7:00pm. Myers, Benson, Lammi and Marker present.

Citizens Present: Kate Bourgeron, Irene Qualters, Dorothy Mattson, Jan Stull, Joe Paiement, David Denn, Gwen Roden.

Citizens Considerations – Dorothy Mattson Sewer Connection Request – Ms. Mattson was in attendance along with her attorney, Joe Paiement, to officially request her lot at 10 Butternut Falls be allowed to connect to the City septic system. Ms. Mattson attended the August Council meeting to inquire about connecting and the Council requested Ms. Mattson check with Washington County about the possibility of installing an individual septic system or some type of alternate system. Mr. Paiement advised Washington County submitted a letter stating that particular lot will not perc, and there are no other options at this point. The Council advised that the current number of ERU's on the system are at capacity. A memo was received by the City Engineer (attached) stating that the City should not allow any new connections to the system as the City has already committed to providing wastewater service to a set number of ERU's. Even though the current flow amounts are less than allowed, any new connections would compromise the City's ability to handle future conditions should those flow amounts increase. Mr. Paiement stated Ms. Mattson s willing to consider paying for any expansions necessary to allow for her connection to the City system. Dave Snyder, City Attorney, suggested the Council consider two questions. The first is can the system be expanded and what cost would be involved, and have all other system options for the property been exhausted. His suggested to the Council was to deny the request based upon capacity and request the City Engineer give an opinion of the possibility and cost of an expansion. The other question the Council asked is whether or not it would be worth expanding the system for one connection. A suggestion was made that the City Engineer discuss alternate systems with the MPCA and report back to Ms. Mattson regarding those possibilities. Lammi suggested the Council continue this request at the December meeting. Clerk Peterson reminded the Council of the 60 day rule, to which Mr. Paiement stated his client, Ms. Mattson, would be willing to waive the 60 day timeline.

Lammi moved and Marker seconded to continue this request until the December 10th City Council meeting. Motion passed unanimously.

Planning Commission – Irene Qualters – Variance Request - 500 Judd Street – Chairman Willenbring reviewed the variance request for Ms. Qualters to construct a garage on the north side of her property located at 500 Judd Street. The variances requested are for front yard setback, as Thompson Street (platted, however undeveloped) runs through the property on the north of side of the principle structure, garage orientation and garage door orientation. Along with the proposed variances, the applicant would also require an encroachment agreement with the City to construct a driveway on the platted Thompson Street (attached). After reviewing the proposed requests, the Council saw no issues with the granting the variances or encroachment

agreement.

Lammi moved and Myers seconded to accept the variance requests, Planning Case 102709-01, 500 Judd Street as presented. Motion passed unanimously.

Marker moved and Myers seconded to adopt the encroachment agreement as amended, adding the word 'construct' under condition #1, after the words 'license to'. Motion passed unanimously.

Cell Tower Update – Chairman Willenbring reported that three Planning Commission members and Mayor Mills met with Amy Dresch to discuss the T-Mobile proposal. Willenbring submitted a summary of the meeting (attached) along with the application requirements which he would like the Council's approval to send to Ms. Dresch. The Council reviewed the document and the consensus was that the information looked good. Mayor Mills will be the Council liason for future correspondence.

Committee Reports –

Jackson Meadow – Myers and Jack Warren met with Harold Teasdale to discuss the possibility of the City taking over the wastewater system. Myers stated that the City would not consider a takeover until at least August of 2010, which is when the wastewater permit is up for renewal. The City is also not receiving the reports from Eco Check, and Myers will follow up.

The Cyclocross was a big success, and the sponsors are looking into holding it in Jackson Meadow again next year.

Public Safety – Doug Latusek has joined the Fire Department as a probationary member. Lammi reported that the annual meeting was held last Monday. The issue of compensation was proposed and the majority believes the discussion that took place is a good starting point.

Relief Association – The previous elected Treasurer has stepped down and Diane Mills has been appointed to fill the position until February when a new Treasurer will be elected. Richard Johnson and Diane Mills have been nominated to be the Deputy Chiefs of the Fire and Ambulance squads.

Bonding Request – Chief Denn advised the City of Maplewood has donated land for an east metro training facility as part of a state bonding request as is looking for support from the City.

Lammi moved and Myers seconded to approve Doug Latusek as a probationary member of the Fire Department. Motion passed unanimously.

Lammi moved and Myers seconded to approve Diane Mill and Richard Johnson as Deputy Chiefs. Motion passed unanimously. (Mayor Mills recused himself from the vote).

Lammi moved and Myers seconded to approve Resolution No. 111209-01 authorizing support for state bonding funds for the design and construction of an East Metro Regional Firefighter training facility. Motion passed unanimously.

Roads– The Highway 95 project is nearing completion. The final coat of asphalt is now being applied and the hope is to reach Highway 96 by the end of the paving season. The pedestrian crosswalk flashers should be installed before Thanksgiving and all permits have now been approved.

The reclaiming project on the alley between Second and Third Streets is almost complete. If this reclaim is successful, it will be used on Oak Knoll and Judd Street.

Bike Trail Grant - Mary Tomnitz and Roberta Miller have been working together to gather the information needed to get this grant submitted by the submission deadline of November 13th. The project cost to reconstruct the bike trail from Camp Kiwanis to County Rd 4 and then the section of Fifth Street and Chestnut to Hwy 95 is estimated at \$200,000. If the grant is received, the DNR would pay 75% and the City would be responsible for the other 25%.

Myers moved and Marker seconded to approve Resolution 111209-02 supporting the grant application for the Parks and Trails Legacy grant. Motion passed unanimously.

Personnel/Building Inspector – No Report.

Recreation – Myers reported that the trails committee is continuing to meet once a month. The University of Minnesota project is complete and as a result a historic walking map has been created for the City. The trails committee is working with the Restoration Society to put together a trails map of the City to sell, of which proceeds would benefit the Restoration Society. Myers questioned the possibility of the City sending thank you letters and a token gift to the residents along those trail easements. After further discussion, the consensus of the Council was the trails committee should take that on rather than the City.

The MN Historical Society will be on the agenda in December to discuss the possibility of partnering with the City to clean out the forest area at the Mill Site.

Finance – The Truth in Taxation meeting will be held on Tuesday, December 1st at 6:00pm.

Hall/Restoration – No Report.

Cemetery – Marker plans to follow up on the column burial option.

Riverway Rules – No Report.

Village Center – A letter was received from the Marine General Store updating the Council on

the progress of their renovation/expansion project, and to request again that the City hold the wine/beer license for their establishment. Clerk Peterson stated she did email the State Alcohol and Gambling department on clarification of holding a liquor license, however is still waiting on a response. The Council requested a more formal plan from the General Store in order to proceed with their request.

Wastewater and Water Systems – There were two pump failures, of which one pump had to be replaced and the other re-built.

Consent Calendar – *Lammi moved and Marker seconded to approve the Minutes of 10/8/09, Treasurer's Report dated 10/09, the List of Bills for 11/12/09, Zoning Administrator's Report, Planning Commission Minutes (Oct. and Nov.), and the October Maintenance Report. Motion passed unanimously.*

Old/New Business – A request was received by Dan Boardman to have the Council waive the hall rental fee for a Marine Elementary School fundraiser being held on Thursday, December 17th.

Marker moved and Benson seconded to waive the rental fee for the MSA fundraiser on December 17th. Motion passed unanimously.

Mayor Notes/Clerk's Report – Clerk Peterson reported that Marine Elementary is changing their dismissal procedures, and beginning Monday will be temporarily blocking access on Pine Street to all traffic except buses between 3:30pm and 3:45pm. Northbound traffic on Fifth Street will also be blocked during that time, and will re-routed to the alley by the Asa Parker House. The reason for the change is to increase the safety measures by making designated pick up areas for children not riding the bus. The school has already discussed these changes with the Public Works Department and Public Safety Director, both of which had no issues with the proposal.

Flood Plain Ordinance – The proposed ordinance changes will be on the December agenda, with a Public Hearing date in January.

Mayor Mills closed the Public Portion of the meeting at 8:43pm to discuss pending litigation of Brent Reibel vs. the City of Marine.

Mayor Mills re-opened the regular session of the City Council at 9:09pm. The result of the closed session was that the Council directed legal council to proceed with the litigation proceedings.

Adjournment – *Marker moved and Lammi seconded to adjourn at 9:10p.m. Motion passed unanimously.*

Minutes taken by Lynette Peterson, City Clerk