

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING
Thursday, January 21, 2010

The meeting was called to order by Mayor Mills at 7:03pm. Myers, Lammi and Marker present. Benson absent.

Citizens Present: Ceil Strauss (DNR), Dave Snyder, Jack Warren, Frank Kubitschek.

Flood Plain Ordinance – Mayor Mills re-opened the public hearing at 7:04pm for the purpose of the continuing the flood plain ordinance amendment discussion. Marker reviewed the discussion from the previous meeting. One of the biggest issues was the lack of defined uses in the various districts, specifically the Marina. Dave Snyder reviewed the three types of uses, which are permitted, conditional and prohibited.

Ceil Strauss, DNR, was in attendance to answer questions from the Council. Marker questioned what would happen in the event of a flood, and the Marina had substantial damage. Ms. Strauss stated that since there has been no determination made for this part of the St. Croix River regarding floodway versus flood fringe, should a flood event happen an Engineer would need to create a model and make a determination at that time. It would also be up to the City to determine whether or not the damage meets the 50% rule, which FEMA would provide guidelines the City could follow. The revised FEMA rules state that any building in the flood fringe could be added on to or reconstructed per the guidelines and a permit from the City. If that building is currently in the floodway and is substantially damaged, it would not be allowed to be reconstructed.

Mr. Snyder briefly reviewed the new draft of the proposed ordinance, which now provides a section of defined uses. Jack Warren suggested the Council consider adding language to the ordinance stating that the floodplain is an overlay district to the existing land use districts in the City Ordinances.

Frank Kubitschek, resident, questioned whether all existing properties along the river, and that have a portion of the property in the floodway, would be grandfathered from having to provide proof of determination data to the insurance company. Ms. Strauss stated that would depend on whether the structure itself were in the floodway. FEMA does provide a process, which would allow a property owner to apply for an exclusion from the floodway determination requirement. Mr. Kubitschek requested the City provide this application process to all the homeowners along Second Street and Pine Cone Trail. The Council suggested the City place the information on the website as to where the resident can obtain the application.

Marker moved and Lammi seconded that the City adopt the proposed flood plain ordinance as reflected in the red lined version as directed by the City Attorney with the addition of the overlay district language. Lammi, Marker and Mills for. Myers against. Motion passes.

Marker moved and Lammi seconded to give the City Clerk authority to publish the new ordinance by Title and Summary, and also that the City staff have authority to make non-substantive changes to the ordinance. Motion passed unanimously.

Mayor Mills closed the Public Hearing at 7:44pm.

Old/New Business – The Relief Association is requesting a Resolution from the City authorizing a repayment of funds distributed to a member in error.

Lammi moved and Myers seconded to approve Resolution No. 2010-0122. Motion passed unanimously.

Adjournment –*Lammi moved and Marker seconded to adjourn at 7:46p.m. Motion passed unanimously.*

Minutes taken by Lynette Peterson, City Clerk