

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING  
Wednesday, November 10, 2010

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

Citizens Present: Andy Creagar, Tom Warth, Laurie Allman, Gerry Mroska, Jack Warren, Chris Mowery, Hugh Heimdahl, Anne Reich, Peter Reich, Sherrill Reid, Charles Arnason, Steve Young, Dave Denn, Jeff Comins, Juli Hagstrom, Mary/Larry Whitaker, Carol, Harold Teasdale.

Public Hearing – Trail Easement Vacation – Joe Matsumoto – Mayor Mills opened the Public Hearing at 7:01pm for the purpose of discussing a proposed easement vacation for Joe Matsumoto, 1600 Broadway Street. The City Attorney has reviewed the new proposed legal descriptions, and has prepared the documents vacating the current pathway easement, and creating the new easement. The Council reviewed the map of the new easement location, and agreed that everything looked good.

*Myers moved and Lammi seconded to approve Resolution 2010-02 Vacating a Portion of a Pathway Easement Located in the City of Marine on St. Croix, Washington County, Minnesota. Motion passed unanimously.*

Mayor Mills recessed the Public Hearing at 7:04 in order to allow an issue under Citizens Considerations to be presented due to a time constraint.

Citizens Considerations

Scandia Gravel Pit – Hugh Heimdahl was in attendance to advise the Council of his concerns with the gravel pit proposed for Scandia on the corner of Hwy 95 and Hwy 97. He has signatures from 42 residents who oppose the gravel pit due to concerns of increased traffic, noise and safety issues. Laurie Allman, Maytownship resident, presented an overview of the project and questioned whether the City would be willing to declare itself a party of interest, and include itself in the Environmental Assessment Study. Marker questioned the significance of being a party of interest versus using the comment period after the EIS is complete. Ms. Allman believes there is still room for the Council's comments to be included in the EIS report outside of the initial scoping process. May Township has declared itself a party of interest, and has requested to be involved in community notifications, meetings, etc.

*Marker moved and Benson seconded to submit a letter to the City of Scandia as the responsible authority on the project, requesting we be considered a party of interest and receive all information consistent with that designation. Motion passed unanimously.*

Tom Warth – Wanted to go on record to say he opposes the idea of a library kiosk as presented by Washington County.

Planning Commission –

Joan Grant Minor Subdivision – Clerk Peterson advised there was a meeting held with Washington County, Parks and Trails, the City and the City Attorney to discuss the right of way easements and encroachment agreement required as part of the subdivision request. The County has agreed to the right of way dedicated proposed by the Planning Commission and Tim Pabst. The surveyor is in the process of creating those legal descriptions, and once those are complete, they will be sent to Dave Snyder for review. The County has sent a letter stating their Comprehensive Plan identifies that section of County Rd 4 as a B Minor Arterial roadway, which has a required roadway width of 120 feet. There is also a Glacier Hills regional trail identified along that section of roadway, therefore they are requesting an additional 54 feet of right of way be identified on the plat for future improvements. The City Attorney has confirmed that the City has no obligation to grant this additional roadway at this time, however recommends that the City at least consider such a request in the future should the situation arise.

*Marker moved and Lammi seconded to approve Resolution No. 111010-10 approving the final plat for the Joan Grant Minor Subdivision as drafted. Motion passed unanimously.*

October Meeting Update – There was an inquiry from Rollin and Rebecca Alm, who purchased the property at 400 Judd Street, as to whether or not they could use that property for commercial purposes. Their plan is to turn the current building into a studio, however there are no water or sewer facilities, and currently the City is not allowing any new connections to the system. The Commission advised the Alms that the property is located in a residential zone, and therefore would not be able to run a commercial business from that location.

T-Mobile – Currently T-Mobile is working on establishing the new height limit for the tower based upon the tree top heights for the new location.

New Commission Member – Gerry Mroska has submitted a letter of interest to join the Planning Commission. The Council welcomed Mr. Mroska and thanked him for volunteering.

*Marker moved and Meyers seconded to appoint Gerry Mroska to the Planning Commission for a term of 3 years. Motion passed unanimously.*

Proposed Fence Ordinance – Curt Moe submitted a proposal to amend the deer fence ordinance. The Council suggested the Planning Commission review the proposal as part of their zoning ordinance review.

Committee Reports –

Jackson Meadow – Leaching was reported on the North system, however Eco Check has since contained the issue. Harold Teasdale stated the lip on the liner had sunk, causing the sewage to leach. A temporary solution has been found, and the lip will get repaired in the spring.

Public Safety –

Compensation Program - Lammi advised the compensation program is ready to be implemented. There are a group of department members who are still not in favor of the program, however a larger group of the department is very much interested. Lammi submitted the final layout of the program, which consists of a base line and tier 1 compensation plan. Tier 2 will be implemented in 2011. Mayor Mills suggested a bonus incentive for level/years of service. Lammi noted that type of compensation should be included in the tier 2 level. Nancy Cosgriff, resident, questioned if the Council would consider finding a way to compensate other volunteer groups in the community, such as the Restoration Society. Andy Creager, resident, believes the risk involved with the Fire and Ambulance Department is much greater than the other volunteer organizations, and should not receive the same type of compensation. Lammi acknowledged all of the various volunteers within the community, and believes this community could not run without them.

*Lammi moved and Myers seconded to move forward with the Tier 1 compensation, noting that the reward will be a net compensation if payroll taxes should apply. Motion passed unanimously.*

Chief Denn thanked Chief Mills, Chief Johnson and the Councilman Lammi for their work creating the compensation program. Myers thanked all of the department volunteers for the many hours they put in to the department.

Other Business – Travis Strike has requested to be re-instated to the department.

*Lammi moved and Marker seconded to accept Travis Strike to the Fire Department effective immediately. Motion passed unanimously.*

Roads–Judd Street Project - Salt was delivered today.

Personnel/Building Inspector – Sherrill Reid, animal control officer, was in attendance to report the number of incidents involving dogs off leash has increased significantly. City staff will include a leash reminder in the next newsletter. Reid also suggested the City consider raising the impound fee at the Humane Society. Currently the City charges a pet owner \$35 for the first offense; however the City pays Ms. Reid \$90 for taking the animal down. After further discussion, the Council agreed to raise the fee to \$90 for the first and second offense and \$150 for the third offense.

*Myers moved and Marker seconded to raise the pick-up rates for the Humane Society to \$90 for the first and second offense and \$150 for the third offense. Motion passed unanimously.*

Recreation – Myers thanked all of the volunteers involved with cleaning up the Mill Site. The group has a bid to remove some of the larger trees next spring, which will be presented to the Historical Society along with a long term maintenance program agreement for mowing and the spraying of trails.

Finance – Truth in Taxation meeting on Thursday, December 2<sup>nd</sup> at 6pm.

Hall/Restoration – The Restoration Society has submitted a grant request for an engineering assessment on the Village Hall. The Butch Thompson concert will be held on Sunday, December 12<sup>th</sup>, and the annual meeting will take place on January 11<sup>th</sup>.

Hall Deposit Request – David Trampe is requesting a full refund of his \$1,000 damage deposit for a wedding reception which was held on October 23<sup>rd</sup>. Mr. Trampe had a discussion with Clerk Peterson regarding a cigarette butt which she found in the lobby early Sunday morning. According to the rental contract, anytime a cigarette butt is found anywhere in the building, the City automatically keeps one half of the rental deposit. Clerk Peterson discussed the situation with Jennifer Holloway of the Restoration Society, and the decision was made to compromise and only retain \$250 of the deposit. Mr. Trampe did not agree with the decision, and submitted a letter to Council explaining his disagreement with the decision and requesting the full amount. Myers stated the City has no tolerance for cigarettes in or around the building, and believes a mistake was made and that the renter should take responsibility.

*Marker moved and Benson seconded to send the refund consistent with the Restoration Society recommendation of \$750. Motion passed unanimously.*

Library Update – Benson emailed Pat Conley regarding a letter the County sent discussing the potential closing of the four libraries. The plan is to set up a meeting to discuss possibilities for the Marine library, one of which is the kiosk/library express which was recently implemented in Hugo. The County is currently using the Jordan bequest money for all expenses incurred for the Marine library, and Benson believes the City needs to have a plan as to how the remainder of the money should be used moving forward. Lammi noted a second idea was to purchase a kiosk with the remainder of the bequest money, and continue to use the current library space as a community reading room staffed by volunteers. Benson will notify the Council as to when that meeting will be held.

Cemetery – No Report .

Riverway Rules – No Report.

Village Center – Benson has met with and received great support from the local business owners. He hopes to bring some type of Village Center plan to the December meeting.

A question was raised regarding the Merchant business as the north end of town. A concern has been raised of the amount of merchandise placed outside and the visual impact it has on the community and neighboring businesses. A concern has also been raised that the owner may be living there part time, which would require a conditional use permit. Clerk Peterson will send a letter to the owner addressing these concerns.

Wastewater and Water Systems – The League of Minnesota Cities has a new policy requiring all cities having a wastewater system to create and adopt a Sanitary Sewer Maintenance Policy. If this is not done, the League will impose a \$1,000 deductible to any City having an insurance claim involving a back up, and a \$2500 deductible for a second offense.

*Myers moved and Benson seconded to adopt Resolution No 111010-05 Adopting a Sanitary Sewer Maintenance Policy for the City of Marine on St. Croix. Motion passed unanimously.*

Consent Calendar – Lammi moved and Benson seconded to approve the Minutes of 10/14/10, Treasurer's Report dated 10/10, the List of Bills for 11/10/10, Zoning Administrator's Report, Planning Commission Minutes, and the October Maintenance Report. Motion passed unanimously.

Old/New Business – Clerk Peterson presented draft Resolutions regarding the administration of the MN Wetland Conservation Act. The City is required to have these resolutions on file, and the City Attorney has already reviewed the proposed documents.

*Marker moved and Lammi seconded to adopt Resolution No. 111010-03 and Resolution No. 111010-04 Regarding the Administration of the Minnesota Wetland Conservation Act. Motion passed unanimously.*

Mayor Notes/Clerk's Report – Clerk Peterson advised the Council is required to canvass the election results from the November 2<sup>nd</sup> General Election. Michael Lammi and Christopher Mowery were elected to the City Council both for a 4 year term, and Mayor Mills has been re-elected for another 2 year term.

*Myers moved and Marker seconded to canvass the election results from the November 2, 2010 election declaring Mike Lammi and Chris Mowery elected to the City Council, both serving a 4 year term, and Glen Mills elected as Mayor to serve out the designated 2 year term. Motion passed unanimously.*

Adjournment – Lammi moved and Marker seconded to adjourn at 9:11p.m. Motion passed unanimously.

Minutes taken by Lynette Peterson, City Clerk