

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING
Thursday, October 11, 2012

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

Citizens Present: Paul Hand, Ryan Goodman, Brent Peterson, Win Miller, Robin Dochterman, Deidre Pope , Dan Willenbring, Phillip Bock, David Denn, Dave Schneider.

Citizens Considerations – Robin Dochterman, St. Croix Chocolate Company, is holding an event this Saturday and she is concerned about the upcoming weather. She would like to move the event inside the Village Hall and is requesting a discounted rate. The event will be from Noon – 5pm, and the expected attendance is approximately 200 people. Benson suggested lowering the fee to \$100. There were no other events planned for that day.

Benson moved and Mowery seconded to lower the rental fee to \$100. Motion passed unanimously.

Brent Peterson – Washington County Historical Society – Mr. Peterson advised the Historical Society is purchasing a new facility in order to expand their museum space. They have found a building on South Greeley St, which is over 14,000 sq. ft, and this new building will be named the new Heritage Center. They are currently fundraising in order to move forward with this purchase. Mr. Peterson is requesting the City of Marine donate \$1,000 to the project. Mowery questioned if there is a collection of items from Marine that would be housed in this facility. Mr. Peterson stated there are various items currently housed at the Wardens Museum from Marine, and some of these items will be moved over to the new facility. Miller suggested donating \$2000.

Miller moved and Marker seconded to donate \$2,000 to the MN Historical Society. Motion passed unanimously.

Win Miller - Mr. Miller is questioning a few items regarding the Village Center Task Force. The first question is whether the Task Force is subject to the open meeting law, and if so has it been violated and also whether any expenditures have been approved thus far. As of now, no expenditures have occurred, and as for the meetings they are posted as the Clerk receives notice. Clerk Peterson noted a 14 day notice is what should be given, so it would be helpful if a set date and time were set for the meetings. These meetings will be posted on the bulletin board and City website.

Planning Commission – Gerry Mrolsa updated the Council on the September meeting. The Commission is currently drafting a chicken ordinance for review at an upcoming meeting. The Watershed is also reviewing the draft Stormwater Management ordinance as submitted.

Benson noted that after the last Commission meeting, many people were referencing a line in the current code that states “if it is not specifically permitted, then it is prohibited” and believes that the intent of the code is analogous to the Bill of Rights, or it defines the right of the City to enforce. So in other words, that statement in the code means that if something is not expressly permitted by code, then the City does not the right to enforce it. Mowery questioned the Planning Commission’s opinion. Mrolsa noted that the Commission saw this issue as a gray area, and wasn’t really sure how to interpret that statement. Marker questioned how that would pertain to the chicken issue. Benson stated that the City does not have the right to enforce the prohibition of chickens since there is no ordinance, however now the City has to look at whether or not it wishes to enforce this issue and if so, then an ordinance needs to be created. The Planning Commission will look into that statement during its code revision process.

Committee Reports –

Jackson Meadow – Harold Teasdale is requesting the no parking sign be removed from entrance of the development in order to help their new marketing campaign. Marker noted the history of this sign is that it was put in place as a compromise due to the narrow roads, and the need to ensure public safety vehicles would always have access to those roads. The choice was to either having the one sign at the entrance or several signs around the development. Marker will talk to the City Attorney to discuss possibly using different language, changing the placement etc. Currently there are no parking issues, however that may change down the road as more people move into the development.

Public Safety – The County is requesting the City pass a resolution adopting their All Hazard Mitigation Plan. This resolution will allow the City to use their plan as needed.

Marker moved and Miller seconded to move Resolution No. 121011-01 Adopting the Washington County All Hazard Mitigation Plan. Motion passed unanimously.

The Art Fair proceeds were just over \$17,000, however after the additional expenses the net proceeds will be around \$13,000.

Roads - Ryan Goodman submitted an engineering report. The Council was very impressed. Miller questioned the time frame for moving forward with the Judd Street connection. Ryan suggested waiting until spring. This project will be less than \$100,000 so there will not a bid requirement. Benson stated that Ryan attended the last Task Force meeting, and the Third St. project was discussed. The suggestion was to complete the projects above Third Street first, which would allow for a better understanding of the stormwater issues.

Personnel/Building Inspector -

Garbage RFP – The Council reviewed the two garbage proposals, and still had questions regarding Veolia’s calculation of their fuel surcharge. Paul Hand and Dave Schneider were in attendance on behalf of Veolia to help explain. Veolia will absorb the first \$4.00 of the fuel

charge. Mr. Schneider explained how the percentage is calculated, however there is no maximum cap amount, whereas Waste Management has their fuel charge capped at 5%. Mr Snyder stated their proposal was written in a way that the fuel surcharge was negotiable. Miller does not believe their proposal was clear on those points. Mowery believes the City has a fiduciary responsibility but also believes that customer service is also very important and believes Waste Management has proven to be a great company. Benson suggested adding a performance clause along with a fuel surcharge cap of 5% be included in the contract. Clerk Peterson was also concerned about having a direct customer service contact. Mr. Schneider stated he would make sure that contact would be established.

Benson appreciates the service Waste Management has given in the past, however the price difference is a major factor and believes the Council should award the contract to Veolia. The Council would like three things added to the contract and reviewed by the City Attorney. The first being a performance clause stating if there are a certain number of complaints or a certain number of issues not handled correctly, then the City has the right to terminate the contract and look for other haulers. The second change would be to add a 5% fuel surcharge cap and the last item is to designate a direct customer service contact to work directly with the City on any/all issues.

Miller moved and Benson seconded to approve the contract with Veolia with the three additional items, and contingent upon review by the City Attorney. Benson, Marker and Miller for, Mowery against. Motion passed.

Job Descriptions – Benson will have the job descriptions ready for Council approval by the November meeting.

Recreation – Mowery questioned if any Council member walked the proposed trail around the Mill Pond and if there were any questions. Miller is still concerned that the City ensures that property is City owned. Benson questioned the difference between a platted City street and a City easement and what the process is for improving that street. One piece of that process is to survey that street to make sure where the property lines are. Miller believes that any work done on any trail needs to be surveyed prior to any work.

Curt Moe is no longer going to be heading up the trail committee, and is looking for someone to replace his position along with additional members.

Finance – Truth in Taxation meeting December 6th at 6:00pm.

Hall/Restoration - MarLa will be sponsoring a candidate forum on October 23rd from 7pm – 8pm and is requesting a waiver for the hall fee.

Mowery moved and Marker seconded to waive the hall rental fee for the candidate forum on October 23rd. Motion passed unanimously.

Cemetery – No Report.

Village Center – Will add the Task Force Minutes to the consent calendar.

Wastewater and Water Systems – Pumping and jetting is complete.

Consent Calendar – *Miller moved and Marker seconded to approve the Minutes of 9/13/12, Treasurers Report of 9/12, List of Bills, Zoning Administrators Report, Public Works Maintenance Report and Planning Commission Minutes. Motion passed unanimously.*

Old/New Business – Reviewed the long and short term goals. Miller questioned whether Jackson Meadow needs to be a continued committee report item. Marker will think about whether or not to keep that on.

Mayor Notes/Clerk's Report –

Adjournment – *Miller moved and Marker seconded to adjourn at 8:48p.m. Motion passed unanimously.*

Minutes taken by Lynette Peterson, City Clerk