

CITY OF MARINE ON ST. CROIX
CITY COUNCIL MEETING
THURSDAY, MAY 14, 2020
VILLAGE HALL 7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Citizens Considerations
 - . Todd Coursolle – Street Vacation Request
 - . Erik Sandager – Street Vacation Request
 - . Marla Update
 - Planning Commission
 - . April Meeting Update
 - . Cell Tower Update
5. Council Committee Reports –
 - a) Public Safety- Miller/Anderson
 - . Code Red Joint Powers Agreement
 - . Sex Offender Moratorium/Ordinance Proposal
 - b) Roads –Pardun/ Roden
 - . Engineering Report
 - c) Personnel/Building Inspector – Pardun
 - d) Parks & Recreation- Miller/Anderson
 - . Proposed Task Force for River Wake
 - . Millsite Update
 - . Anne Reich – Spring Update
 - . Urban Forest Update
 - e) Cemetery – Mills
 - f) Water Systems –Mills/Pardun
 - g) City Properties – Mills/Pardun
 - h) Holidays/Events – Roden/Anderson
 - . City Events Cancellation/Memorial Day Discussion
 - . Founders Day Proposal
6. EDA
7. Citizen Committee Reports
 - a) Green Step Cities – Roden
 - . Leslie McKenzie – Workshop Request
 - b) Communication Infrastructure – Anderson
8. Consent Calendar
 - a) Minutes of 4/9/20
 - b) Treasurer’s Report 5/20
 - c) List of Bills to be paid for 5/14/20
 - d) Planning Commission Minutes
 - e) Zoning Administrator’s Report
 - f) Public Works Maintenance Report
9. Old/New Business
 - . Washington County Weed MOA
 - . Dunrovin Garbage Request
 - . Long/Short Term Goals
 - Mayor Notes/Clerk’s Report
10. Adjournment

CITY OF MARINE ON ST. CROIX
Long and Short Term Goals/Projects
May 2020

Public Safety

Recruitment and retention

Roads

Washington County CIP Hwy 4 --

Recreation

Gateway Trail

Urban Forestry Program (Tree City USA)

Finance/Budget

Hall/Restoration

Village Hall Improvements (Lights, Bathrooms, etc)

Cemetery

CIP -New land expansion

Village Center

Signage for businesses and services

Public Bathrooms

Stormwater/ Water Resources / Watershed

Third Street

Wastewater and Water Systems

I & I mitigation

Drain field expansion/ long term planning

Capital Improvement Plan

Communication Infrastructure

Telecom/ISP

Comprehensive Plan

Possible Amendments

Lynette Peterson

From: Brigid Sandager <mcsandb27@gmail.com>
Sent: Thursday, May 7, 2020 12:37 PM
To: Lynette Peterson
Subject: City Council Meeting May 14th

Erik and Brigid Sandager
17520 St Croix Tr N
Marine MN 55047

May 7th 2020

City of Marine, City Council

I am requesting to be included on agenda for a Council Meeting, (May 14th if possible) regarding a request to vacate a portion of Cherry Street. Specifically a undeveloped portion of Cherry Street between our residence at 17520 and neighboring residence 17540. (Note: It appears Cherry Street is already vacated to the east per DOC 572466, and also already vacated to the west per DOC 671828.)

We are attempting to sell our home and our driveway currently uses a portion of Cherry Street to connect to intersecting alley.

Also most of the original detached garage, (in place at the time of our purchase of the property in 1988) appears to be on Cherry Street.

Also the Washington County GIS map appears to locate our residence much closer to property line than we understood it to be at the time of an addition we constructed in 2008.

If this unused and unconnected portion of Cherry Street could be vacated, it would greatly facilitate the possible future sale of this property, and correct the above mentioned irregularities.

Thanks for your consideration,
Erik Sandager

Citizens Considerations - Erik and Brigid Sandager were in attendance to question the possibility of vacating the portion of Cherry Street north of their property line. Their plan is to tear down an existing garage and place an addition and attached garage on the existing home, and the newly proposed driveway on Cherry Street. Win Miller noted that anyone can place a driveway on a city street as long as the resident is aware that the city maintains the right to use the street if needed in the future. However, the portions of Cherry Street to the east and west of the Sandager property have already been vacated, so it is unlikely the city will ever use that portion of Cherry Street which abuts their property. Two additional options would be to receive an encroachment agreement from the city, or have the city vacate half of Cherry Street. Win suggested the Sandagers withdraw their request for a vacation, and just proceed with placing the driveway on Cherry Street.

Win Miller moved and Reid seconded to deny the application for the vacation of Cherry Street due to no issues with placing a driveway on a city street. Motion passed unanimously. Win Miller withdrew his motion due to no formal application made by the Sandagers for the street vacation.

PIN 06.031.19.32.0008
Address 17520 ST CROIX TRL N
Owner SANDAGER ERIK T & BRIGID A
Class Residential



To: Marine on St Croix City Council and Planning Commission

From: Todd Coursolle

Stephanie Coursolle

480 Maple St

Marine on St Croix, MN 55407

612-325-4839

Subject: Linden Street between 480 Maple St and 171 5th St

We purchased the home and property on 480 Maple St approximately 18 months ago and have begun cleaning up the property including the removal of dead & downed trees, buckthorn and some types of past road construction debris like asphalt and concrete.

In the interests of improving the property, we would like to ask if the City would be willing to vacate the city owned street between our property (480 Maple St) and the abutting property on the other side of the easement (171 5th St) which is owned by Christ Lutheran Church.

We understand that there are State mandated processes that would need to be completed and followed and we are willing to do so if this city is at all amenable to vacating the easement. As we are somewhat unfamiliar with the exact steps and their sequence, we are hoping that a short discussion of the matter could be raised at the next council meeting (5/14/20).

Respectfully,

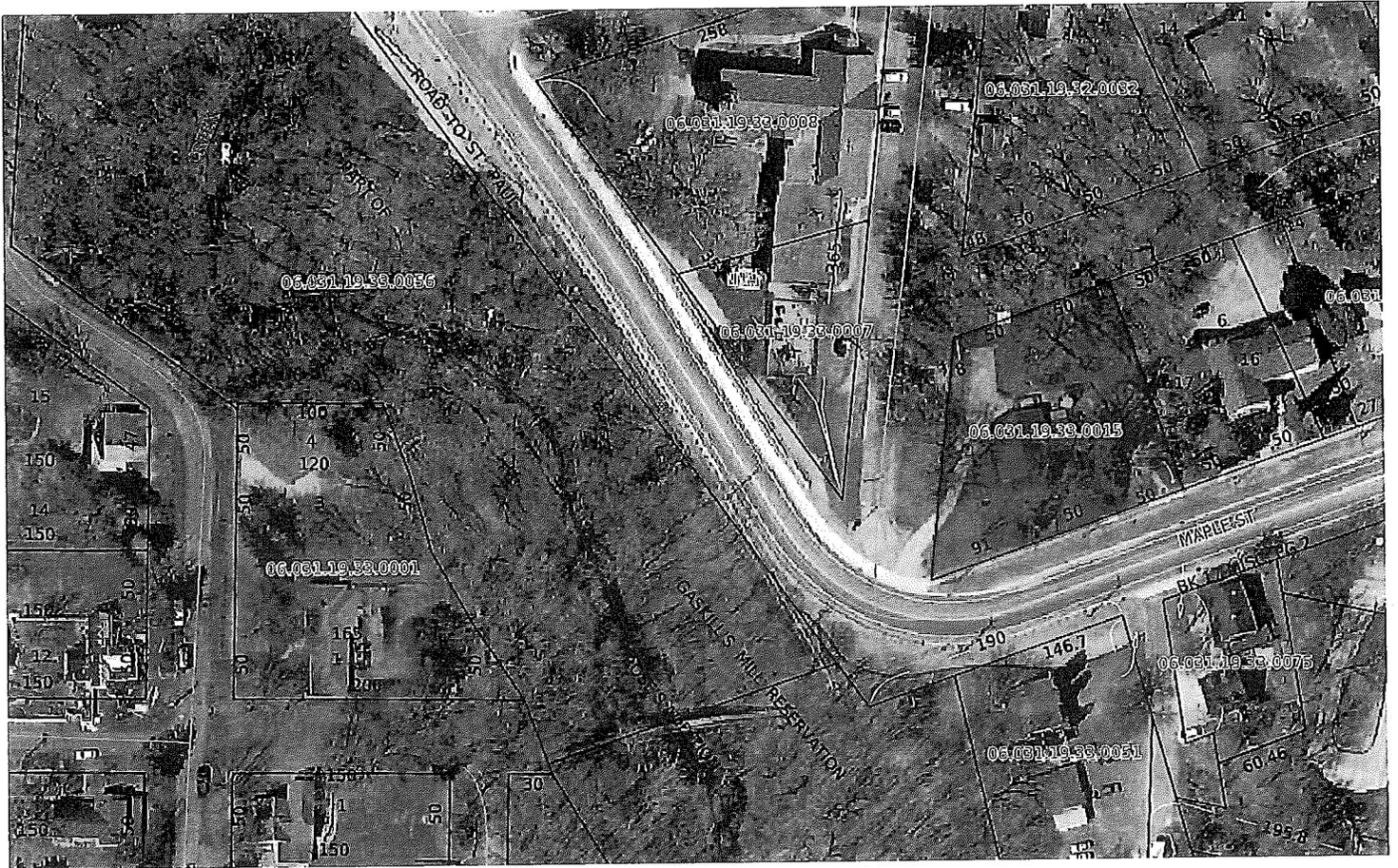
Todd Coursolle

612-325-4839

Stephanie Coursolle

612-964-6203

PIN 06.031.19.33.0015
Address 480 MAPLE ST
Owner COURSOLE TODD W & STEPHANIE A
Class Residential



Lynette Peterson

From: firechief <firechief@marineonstcroix.org>
Sent: Monday, May 11, 2020 10:04 PM
To: Bill Miller; Charlie Anderson
Cc: Lynette Peterson
Subject: May Fire Department Report

1. The department continues to respond to calls for service. Fire calls are out numbering the medical calls during this COVID-19 pandemic. Since the last meeting:
 1. One brush fire in May Township
 2. Assisted Stillwater Fire in May Township on a brush fire. Brush Truck One was damaged and a claim has been filed with league of MN Cities for Repairs.
2. Covid-19 Federal Reimbursement: Municipalities must spend a minimum \$3,300 in Covid related expenses to be reimbursed by the federal government. To date, the fire department has spent \$7.34. Jason Crotty and Lynette Peterson report no expenses for the city currently.
3. Code Red Alert JPA: The city was contacted by the County Sheriff's Department regarding participation in the alert program. We have participated in the past. I reviewed the agreement. I recommend participation and paying the annual fee of \$56.
4. Art Fair: Due to the low sign up for booths by vendors so far and unknown factors of the COVID-19 in September, the Art Fair Committee recommends canceling this year. I concur with their recommendation.
5. Training for department members has been suspended through the end of May. I will be discussing with fire department officers if we should start training in June or wait another month.

**JOINT POWERS AGREEMENT BETWEEN THE WASHINGTON COUNTY SHERIFF'S
OFFICE AND THE CITY OF MARINE ON ST. CROIX**

THIS AGREEMENT is made by and between political subdivisions organized and existing under the Constitution and laws of the State of Minnesota. Washington County a political subdivision by and through its Sheriff's Office (hereinafter "Provider") and the City of Marine on St. Croix, Minnesota, a municipal corporation, (hereinafter referred to as the "City") are the parties to this agreement.

WHEREAS, both political subdivisions through their law enforcement agencies manage threats to public health and safety.

WHEREAS, Minnesota Statutes Section 471.59 provides that two or more governmental units may by Agreement jointly exercise any power common to the contracting parties.

WHEREAS, The Provider has entered into a contract with OnSolve, LLC, formerly Emergency Communications Network (ECN), for the purpose of providing a Mass Emergency Notification System also known as Code Red.

WHEREAS, The provider has agreed to purchase 150,000 minutes from Emergency Communications Network for the purpose of sending Mass Emergency Notifications to home, business or cell phones.

WHEREAS, the Provider has agreed to purchase the Mass Emergency Communication system to assist agencies within Washington County provide necessary emergency and non-emergency mass notifications.

WHEREAS, The City is in need of having the ability to communicate with the public in a timely fashion during both emergency and non-emergency situations.

WHEREAS, At the request of the City, the Provider is willing to provide a Mass Emergency Notification System.

NOW THEREFORE, Pursuant to the authority contained in Minnesota Statute Section 471.59, commonly known as the Joint Powers Act which authorizes two or more governmental units to jointly exercise any power common to them and /or Minnesota Statutes Sections 626.76 and in consideration of the mutual covenant herein contain and the benefits that each party hereto shall derive hereby the Provider and City agree to the following terms and conditions.

PURPOSE

The purpose of this joint powers agreement is set forth in the recitals contained in the above whereas clauses which are incorporated by references if fully set forth herein.

CITY'S RESPONSIBILITIES

1. When needed, the City's representative shall be able to utilize the Mass Emergency Notification Communication System by notifying the Washington County Sheriff's Office 911 PSAP for Emergency Notifications. Emergency Notifications are those that are related to public safety as defined in the Code Red Policy. The 150,000 minutes purchased by the provider will be used for all Emergency Notifications at no additional cost to the City.
2. The City agrees to pay the Provider \$54.15 for the purpose of purchasing its proportionate share of 150,000 Emergency Notification minutes per year.
3. The City will conform to any Policy developed by Provider related to the use and maintenance of Code Red.
4. The City's representative shall be responsible for determining the content of any Emergency Notification message in addition to the geographic area the message is to be sent.
5. The Washington County 911 PSAP Center personnel will assist in preparing Emergency Notifications as defined in the Code Red Policy and will be responsible for initiating the call procedures through Code Red at the direction of the City's authorized representative.
6. The City's representative will be responsible for sending any General Notifications, as defined in the Code Red Policy, through a web based server. General Notification minutes used will be paid by the City to the Provider at an additional contracted rate of .25 per minute. Those funds will be retained by the provider for the sole purpose of purchasing minutes on the Code Red System.
7. For every additional year this agreement is extended the Provider will invoice the City at a rate of \$ 54.15 per year for emergency notification minutes.

8. City will be responsible for the payment of additional year(s) extension upon receipt of the invoice from the Provider.

PROVIDER'S RESPONSIBILITIES

1. Provider agrees to enter into a contract with OnSolve for the purchase of 150,000 minutes of the Code Red Mass Notification System in 2020.
2. Provider will develop a policy related to the use and maintenance of the Code Red System.
3. Provider will assign an employee as the Code Red System administrator.
4. Provider agrees to train the 911 PSAP personnel in the operation of the Code Red System.
5. Provider agrees to train the City representative in the use of the Code Red System.
6. The Provider will test the Code Red System to ensure the system is operating properly.
7. The Provider will monitor the number of minutes used by all agencies to ensure there is sufficient number of minutes available in the event of an emergency.

TERM OF AGREEMENT

The initial Term of this Agreement shall be from January 01, 2020 and ends December 31, 2022, the date of the signature of the parties notwithstanding, unless earlier terminated in accordance with the termination clause. After the initial Term, this Agreement will automatically renew for 2 additional one year periods with the final termination date of December 31st 2024, unless the automatic extension is cancelled by the City in accordance with the termination clause.

PAYMENT

The City shall pay the Provider within 30 days of being invoiced for the City's annual portion of the Code Red System or for any General Message minute usage.

INDEPENDENT CONTRACTOR

It will be agreed that nothing within the contract is intended or should be construed in any manner as creating or establishing the relationship of co-partners between the parties or as constituting the City as the agent, representative, or employee of the Provider for any purpose or in any manner whatsoever.

ASSIGNMENT

The City shall not assign any services contemplated under this agreement.

RECORD DISCLOSURES/MONITORING

Pursuant to Minn. Statute 16C.05 SUBD. 5, the books, records, documents and accounting procedures and practices of the contractor relevant to the contract are subject to examination by the County and either the legislative auditor or the state auditor, as appropriate. The contractor agrees to maintain and make available these records for a period of six years from the date of termination of this agreement.

INDEMNIFICATION

- a. The City agrees it will defend, indemnify and hold harmless the Provider, its officers and employees against any and all liability, loss, costs, damages, and expenses which the Provider, its officers, or employees may hereafter sustain, incur, or be required to pay arising out of the negligent or willful acts or omissions of the City in the performance of this agreement.
- b. The liability of the parties under this agreement shall be governed by Minnesota Statutes section 471.59 subdivision 1a. Each party to this agreement shall be liable for its own acts or omissions and shall not be liable for the acts or omissions of any other party to this agreement.

INSURANCE REQUIREMENTS

The City agrees that in order to protect itself, as well as the Provider, under the indemnity provisions set forth above, it will at all times during the term of this Agreement, keep in force the following insurance protection in the limits specified:

1. Maintain membership and participation in the Minnesota League of Cities Trust or Commercial General liability Insurance with contractual liability coverage in the amount of the City's and Provider's tort liability limits set forth in Minnesota Statute Section 466.04 and as amended from time to time.
2. Automobile coverage in the amount of the City's and Provider's tort liability limits set forth in Minnesota Statute Section 466.04 and as amended from time to time.
3. Worker's Compensation in statutory amount.

Prior to the effective date of this Agreement, the City will furnish the Provider, with certificates of insurance as proof of insurance. This provision shall be set as a condition subsequent; failure to abide by this provision shall be deemed a substantial breach of contract. Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed, or not renewed without thirty days notice thereof to the Provider.

DATA PRACTICES

All data collected, created, received, maintained, or disseminated for any purposes by the activities of the contractor, because of this agreement, is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules implementing such Act now in force or as adopted, as well as federal regulations on data privacy. For purposes of this agreement each party shall remain the Responsible Authority for all data it generates or creates as part of this agreement.

TERMINATION

- a. Provider may cancel this Agreement with or without cause at any time upon giving a 30 days written notice to the City Administrator or designee. The City may cancel this Agreement with or without cause at anytime upon giving a 30 days notice to the Washington County Sheriff or designee. No monies paid will be refunded to the City upon termination of this contract.
- b. During the initial or subsequent term if the City does not want to exercise the automatic one year renewal, it must provide written notice of such to Provider at least 90 days prior to December 31st of the current year.
- c. If Provider does not renew its contract with OnSolve for 150,000 minutes of the Code Red Mass Notification System for years 2020, 2021 and or 2022, the Provider will notify the City 30 days prior to December 31st 2019, December 31st 2020 or December 31st 2021 respectively.

WASHINGTON COUNTY

MARINE ON ST. CROIX

BY: _____ DATE: _____
County Board Chair

BY: _____ DATE: _____

BY: _____ DATE: _____
County Administrator

BY: _____ DATE: _____
Sheriff

Approved to as form:

Asst County Attorney

CITY OF MARINE ON ST CROIX

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF MARINE ON ST CROIX, MINNESOTA,
AMENDING CHAPTER XXX OF THE CITY CODE

The City Council of Marine on St Croix ordains:

Section X. Chapter XXX of the Marine on St Croix City Code is amended by adding Section
XXX to read as follows:

§ XXX SEXUAL OFFENDER RESIDENCE LOCATION RESTRICTION.

A. Definitions. For purposes of this Section, the following terms shall be defined as stated:

DESIGNATED OFFENDER. Any person who has been convicted, adjudicated, or committed
for a designated sexual offense, as defined herein, or who is required to register as a predatory
offender pursuant to Minn. Stat. 243.166 (2019 or as amended) in which the victim of the
offense was less than sixteen (16) years of age at the time of the offense or for which the
offender has been categorized as a "Level III sex offender" under Minnesota Statutes.

DESIGNATED SEXUAL OFFENSE. A conviction, adjudication of delinquency, or
commitment under Minnesota statutes chapter 253B involving any of the following offenses:
Minnesota statutes sections: 609.342; 609.343; 609.344; 609.345; 609.352; 609.365; 617.23;
617.246; 617.247; 617.293; successor statutes; or a similar offense from another state.

RESIDENCE (OR RESIDE). A place where a person abides, dwells, inhabits or stays for more
than fourteen (14) days in the aggregate during 12-month period or a place where the person
routinely abides, dwells, inhabits or stays for four (4) or more consecutive or nonconsecutive
days in any month. Residence does not require the person to have an ownership interest in or a
formal rental or lease agreement for the residence. A hotel, motel, or other commercial lodging
establishment, boarding house or shelter, and group home may be deemed a person's residence
under this Section.

B. Location of Residence. It is unlawful for any designated offender to establish residence or
otherwise reside within one thousand five hundred feet (1,500') of any of the following uses
(hereinafter referred as "protected zones"):

(1) School for pre-K through Grade 12 or any portion thereof, public or private;

- (2) Public park or playground;
- (3) A public place of worship that is maintained and controlled by a religious organization/ body and at which regular educational programs are provided (e.g. Sunday school); and
- (4) Licensed child care center (excluding in-home daycare providers).

For purposes of determining the minimum distance separation, the requirement shall be measured by following a horizontal line from any property line of the lot or parcel on which the subject residence is located to the nearest property line of subject use of a prohibited zone identified above.

The Public Safety Chief identified by the City Council or his designate shall maintain an official map showing approximate locations in which a designated offender is prohibited to reside, as defined by this Section. The Public Safety Chief or his designate shall update the map at least annually to reflect any changes in the location of prohibited zones. The actual measurement of minimum distance separation between the residence and the use within the prohibited zone shall, however, govern.

C. Penalties. Any person violating any provision of this Section shall be guilty of a misdemeanor and shall be subject to the penalties thereof as provided in this Code. Each day a person maintains a residence in violation of this Section constitutes a separate violation.

D. Exceptions. A designated offender residing within a prohibited zone as described in Section is not in violation of this Section if any of the following applies:

(1) The designated offender established the residence and reported and registered the residence pursuant to Minnesota Statutes Sections 243.166, 243.167, or successor statute, prior to the effective date of this Ordinance.

Deleted: Section

(2) The designated offender is under the age of 18 and resides with a parent or legal guardian.

(3) The school, park, playground, place of worship, or licensed child care facility within one thousand five hundred feet (1,500') of the designated offender's proposed residence commenced operation after the designated offender established residence and reported/registered the residence pursuant to Minnesota Statutes governing sex offender registration requirements.

(4) The designated offender owned and resided at the residence at the time of committing the

designated sexual offense and retained ownership of the residence thereafter and at all times relevant to

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application of this Section.

E. Renting or permitting habitation of Real Property in Violation of this Section.

(1) It is unlawful to let or rent any place, building, trailer or other structure, or part thereof, with the knowledge that it will be used as lodging or residence by any person prohibited from establishing such residence pursuant to this Section, if such place, structure, or part thereof, trailer or other conveyance, is located within a prohibited zone described in this Section.

(2) A property owner's failure to comply with provisions of this Section shall constitute a misdemeanor and shall be subject to the penalties thereof as provided in this Code.

Deleted: violation of this Section

Section 2. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ___" a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 3. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 4. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 5. Effective date. This ordinance shall take effect upon its passage and the publication of its title and the official summary according to law.

PASSED by the City Council this ___ day of _____, 2020.

Glen Mills, Mayor

ATTEST:

Lynette Peterson, City Clerk

CITY OF MARINE ON ST. CROIX
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 2020-____

AN INTERIM ORDINANCE PROTECTING THE PLANNING PROCESS AND THE HEALTH, SAFETY AND WELFARE OF CITY RESIDENTS, AND ESTABLISHING A TEMPORARY MORATORIUM ON SPECIFIED ACTIVITIES RELATING TO THE SEXUAL OFFENDER RESIDENCE LOCATION RESTRICTION (AS DEFINED HEREIN).

THE CITY COUNCIL OF THE CITY OF MARINE ON ST. CROIX DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Purpose. Recently, there has been an emphasis on increasing community housing for persons who have been convicted of designated sexual offenses. Consideration must be given to the planning and public health, safety and welfare implications of housing for such persons. Specifically, it is necessary that the City of Marine on St. Croix give due consideration to all of the rights and interests which are involved in consideration of whether and how the City should pursue adopting regulations which may affect housing for such persons. At the same time, it is deemed necessary and advisable that the City receive input and conduct studies to evaluate what regulatory tools, if any, are necessary, advisable and lawful to balance the concerns of public health, welfare and safety against other concerns that relate to housing and lawful interests and to gain an understanding as to all of those interests and whether and how they might be balanced. These matters have been the subject of litigation and advocacy on both sides. It is necessary that the City evaluate the relative interests and rights at stake and make an informed policy choice concerning these matters. In the meantime, a moratorium will permit the City to move forward to evaluate whether and how regulatory tools may be crafted and adopted to balance competing concerns and lawful interests

Section 2. Definitions. For purposes of this Section, the following terms shall be defined as stated:

DESIGNATED OFFENDER. Any person who has been convicted, adjudicated, or committed for a designated sexual offense, as defined herein, or who is required to register as a predatory offender pursuant to Minn. Stat. 243.166 (2019 or as amended) in which the victim of the offense was less than sixteen (16) years of age at the time of the offense or for which the offender has been categorized as a "Level III sex offender" under Minnesota Statutes.

DESIGNATED SEXUAL OFFENSE. A conviction, adjudication of delinquency, or commitment under Minnesota statutes chapter 253B involving any of the following offenses: Minnesota statutes sections: 609.342; 609.343; 609.344; 609.345; 609.352; 609.365; 617.23; 617.246; 617.247; 617.293; successor statutes; or a similar offense from another state.

RESIDENCE (OR RESIDE). A place where a person abides, dwells, inhabits or stays for more than fourteen (14) days in the aggregate during 12-month period or a place where the person routinely abides, dwells, inhabits or stays for four (4) or more consecutive or nonconsecutive days in any month. Residence does not require the person to have an ownership interest in or a formal rental or lease agreement for the residence. A hotel, motel, or other commercial lodging establishment, boarding house or shelter, and group home may be deemed a person's residence under this Section.

Section 3. Authority. Minnesota Statutes § 462.355, Subd. 4 permits the adoption of interim zoning ordinances for the purpose of protecting the planning process and the health, safety and welfare of its citizens.

Section 4. Conclusions. The City Council finds that it is necessary in order to protect the health, safety and welfare of its citizens, to protect the planning process, to conduct the studies described above, and to place a moratorium as described below relating to sexual offender residence location restrictions during the term of the studies.

Section 5. Moratorium.

A. A study is hereby authorized and directed to be conducted by the City Council and staff to study and decide whether and how the City should amend its official controls with respect to the items addressed herein, together with such other areas of inquiry which are reasonably related thereto. Upon finishing the studies, the City Council shall review the matter and make such decisions as are in the best interests of the City of Marine on St. Croix and its citizens.

B. A moratorium is hereby placed on relating to the sexual offender residence location restriction, pending completion of the studies and adoption of any amendments to the City's official controls, it shall be unlawful for any person to do the following within the City: Pending outcome of the moratorium set forth herein, it is unlawful for any Designated Offender to establish residence or otherwise reside within one thousand five hundred feet (1,500') of any of the following uses (hereinafter referred as "protected zones"):

- (1) School for pre-K through Grade 12 or any portion thereof, public or private;
- (2) Public park or playground;
- (3) A public place of worship that is maintained and controlled by a religious organization/body and at which regular educational programs are provided (e.g. Sunday school); and
- (4) Licensed child care center (excluding in-home daycare providers). For purposes of determining the minimum distance separation, the requirement shall be measured by following a horizontal line from any property line of the lot or parcel on which the subject residence is located to the nearest property line of subject use of a prohibited zone identified

above.

The City Clerk or her designate shall maintain an official map showing approximate locations in which a designated offender is prohibited to reside, as defined by this Section. The City Clerk or her designate shall update the map at least annually to reflect any changes in the location of prohibited zones. The actual measurement of minimum distance separation between the residence and the use within the prohibited zone shall, however, govern.

Section 6. Penalties. Any person violating any provision of this Section shall be guilty of a misdemeanor and shall be subject to the penalties thereof as provided in this Code. Each day a person maintains a residence in violation of this Section constitutes a separate violation.

Section 7. Exceptions. A designated offender residing within a prohibited zone as described in Section is not in violation of this Section if any of the following applies:

- (1) The designated offender established the residence and reported and registered the residence pursuant to Minnesota Statutes Sections 243.166, 243.167, or successor statute, prior to the effective date of this Ordinance.
- (2) The designated offender is under the age of 18 and resides with a parent or legal guardian.
- (3) The school, park, playground, place of worship, or licensed child care facility within one thousand five hundred feet (1,500') of the designated offender's proposed residence commenced operation after the designated offender established residence and reported/registered the residence pursuant to Minnesota Statutes governing sex offender registration requirements.
- (4) The designated offender owned and resided at the residence at the time of committing the designated sexual offense and retained ownership of the residence thereafter and at all times relevant to application of this Section.

Section 8. Renting or permitting habitation of Real Property in Violation of this Section.

- (1) It is unlawful to let or rent any place, building, trailer or other structure, or part thereof, with the knowledge that it will be used as lodging or residence by any person prohibited from establishing such residence pursuant to this Section, if such place, structure, or part thereof, trailer or other conveyance, is located within a prohibited zone described in this Section.
- (2) A property owner's failure to comply with provisions of this Section shall constitute a misdemeanor and shall be subject to the penalties thereof as provided in this Code.

Section 9. Enforcement. The City may enforce any provisions of this Ordinance by mandamus, injunction or any other appropriate remedy in any court of competent jurisdiction.

Section 10. Term. Unless earlier terminated or extended by action of the City Council, this Ordinance shall be effective for a period of twelve (12) months from its effective date and may be further extended for such additional periods as the City Council may deem appropriate subject to Minn. Stat. § 462.355, subd. 4.

Section 11. Effective Date. This Ordinance shall be effective immediately upon its passage and publication according to law.

WHEREUPON, said Ordinance was declared passed and adopted this ____ day of _____, 2020.

Attest: Lynette Peterson, City Clerk

Glen Mills, Mayor

CITY OF MARINE ON ST. CROIX
PLANNING COMMISSION
REGULAR MEETING

Tuesday, April 28, 2020
7:30pm via Zoom

The City of Marine on St. Croix Planning Commission regular meeting of April 28, 2020, was called to order at 7:31 pm. Present: Gerry Mrosla, Jennifer Henry, Ron Brenner, Kristina Smitten, Scott Spisak, Ed Sanderson. Absent: Anna Hagstrom.

Citizens present: Dennis Reynolds, Wendy Ward, Bill Miller, Lon Pardun, Emily Schollett, Laurie Schmidt, Juli Hagstrom, Larry Martin, Kay Hempel, Mary Skamser, Lizabeth Towers.

“Old Shed Project” Grants – Wendy Ward

Ward apprised commissioners of her "Old Shed Project," a historic preservation grant award program for outbuildings in Marine. She will make two grants available for \$900 each to incentivize upkeep of such structures. The grants will be awarded through an application process. There is no obligation by the commission or city, but there is potential to work with other funding partners in the future.

Mill Stream Cottages – Dennis Reynolds

Reynolds reported that the new agent for the property off Rosabell St. is taking a different approach, and developing the property with homes priced between \$200,000 and \$300,000 is no longer feasible for the group. However, they think there is potential for a similar project in the future. Their intent is to make sure different types of people and families can live in Marine. Skilled individuals volunteered time on the project, so the group will keep the body of research to see if they can make the concept work somewhere else in Marine. Laurie Schmidt if the city has any record of properties that are potentially sub dividable. Mrosla suggested looking in the comprehensive plan. Chair Mrosla and Commissioner Brenner encouraged looking for another spot for this concept.

Short-Term Rental Ordinance Update

Commissioner Smitten reviewed the latest action on the STR Ordinance draft, saying the STR Committee had a call with the city’s attorney, Dave Snyder, primarily to discuss homestead status and the number of days allowed at each property. They also discussed the number of rental properties per district, how to define transient guest, background checks, who to call, and potential for immediate license revocation by city council under certain circumstances. After consulting with Snyder, the committee updated the draft ordinance.

Resident / Dwelling:

The first change was under "Primary Resident," changing the definition to dwelling, since Marine uses dwelling in the zoning code already. The ordinance specifies “no dedicated vacation rentals allowed.” And under 4-F the ordinance states that the dwelling must be materially used for the owner’s enjoyment. Section E-vi outlines that the dwelling must be materially occupied by the owner.

Affidavits of Personal Use & Homestead Status:

Snyder recommended that the city have people sign affidavits of personal use stating that they have occupied the property for not less than x number of days per year. Attorney Snyder suggested not less than 30 days per calendar year. Smitten noted there was previous conversation on how many days, that 30 days per calendar year might be a little light. Under 4C the committee struck "homestead status required."

Background Checks:

In conversation with Snyder and reviewing the state statute, law allowing for background checks really applies to property managers, not STR owners. The statute doesn't really define what kinds of offenses would warrant not allowing STR rentals.

Properties Per District:

Section I: The committee proposed that four rental properties be allowed per district. Commissioner Henry noted that this number was based on feedback from the surveys, the idea that there is a need for short-term-rental properties and that it would be well received.

Maximum Number of Rentable Nights:

The small group proposed that a short-term rental maximum of two weekends per calendar month, with weeknight rental leading up to and/or afterward, up to 14 days per calendar month. This was a compromise to resolving the concern about STRs becoming a predominant use at properties.

Process for Complaints:

Contact information for those wishing to issue a complaint will be provided on the city website, and each property will provide it to immediate neighbors. The group also added language to allow immediate revocation of a license at the city council's discretion.

Discussion:

Commissioner Spisak noted that the number of rental properties per district had jumped from two to four, saying going to 16 feels like a big jump. A cap of 14 nights per month approaches the 180-night limit the group had discussed originally, and decided was too high. He also suggested a significant increase to the "personal use" standard, saying that would encourage what's in the comp plan and what we've talked about in the past.

Smitten noted that some of these are second homes or cabins. The family may not spend a significant amount of time in Marine, but own the property primarily for their own use and enjoyment. It's not their primary residence, but they are the primary resident of the property.

Regarding the number of rental properties per district, Smitten noted that the desire is in the urban districts. The original number was eight in each urban district, and the committee thought four seemed like a compromise.

Brenner and Mrosła said they would be OK with that. Mrosła asked if they could keep the 14-day monthly limit, but add a cap in Section E-6 using the language "not to exceed x number of days per year."

The group reviewed survey results and continued to discuss potential caps and the number of nights for determining personal use. Regarding the former, Sanderson proposed that, assuming weekends are three days, they might set a cap in the range of 75 days per year. Following that logic, Spisak said he would agree to an upper limit of 72.

Brenner signed off at 9:01

The group discussed next steps and Commissioner Smitten offered to reconvene the committee and return to the full commission with options.

Spisak noted that he could accept a higher number of units if the number of days per year was limited.

Mroska suggested compromising with three per district and an annual cap of 72 days.

The group reached a consensus that the committee would come up with options to consider at the meeting. Smitten asked the commissioners to review the full ordinance and offer comments within a week.

Zoning Codes

The Commission agreed to hold a workshop before the May meeting to review the draft Zoning Ordinance with recommended changes.

Cell Tower

Commissioner Spisak presented findings of the commission's Cell Tower Committee. The full brief is included in the agenda packet. The committee concluded that if the city wants a cell tower the code will need to be revised as the current code limits tower height to 45 feet, a quarter of the height that would realistically accommodate service in Marine. The committee is at a point where it needs input from the council.

Smitten noted that the group needs more information to understand how Marine may move forward: What is important to the community? What do we need to consider? How do we regulate? Where does the commission want this to go and where does the city council want us to go?

Mroska asked that city staff include the Cell Tower Committee's synopsis in the May council packet. Spisak added that if the Council feels this warrants an ordinance revision, the Commission can work on that.

The commission's Cell Tower Committee is requesting further direction from the City Council on matter of the proposed cell tower.

Approval of April 9 Emergency Meeting minutes

Spisak moved and Smitten seconded to add Commissioner Smitten's name as the "second" in the motion to adjourn, which was blank. Roll call vote: Mroska – Aye; Smitten – Aye; Spisak – Aye; Henry – Aye; Sanderson – Aye. Motion approved unanimously.

Spisak moved and Smitten seconded approval of the minutes of the April 9 virtual meeting. Roll call vote: Mrosla – Aye; Smitten – Aye; Spisak – Aye; Henry – Aye; Sanderson – Aye. Motion approved unanimously.

Approval of February 2020 minutes

Smitten moved and Sanderson seconded to approve the minutes of the February 24, 2020, minutes. Roll call vote: Mrosla – Aye; Smitten – Aye; Spisak – Aye; Henry – Aye; Sanderson – Aye.

Motion approved unanimously.

Adjournment

Sanderson moved and Henry seconded to adjourn at 9:48 pm. Roll call vote: Mrosla – Aye; Smitten – Aye; Spisak – Aye; Henry – Aye; Sanderson – Aye.

Motion approved unanimously.

Minutes taken by Suzanne Dammann, Assistant City Clerk.

Lynette Peterson

From: Scott A. Spisak <sspisak@mac.com>
Sent: Tuesday, May 5, 2020 7:27 AM
To: Lynette Peterson; Assistant Clerk
Subject: MOSC PC Meeting of April 28, 2020 - Draft STR Ordinance Comments
Attachments: STR Joint Workshop Minutes 2020-02-19.docx

Lynette and Suzanne-

Please circulate with members of the Commission and Council

All -

Members of the Planning Commission were asked, at the end of discussion on April 28th, to submit comments on revisions to the draft STR ordinance that we could not find consensus on during the meeting. My comments follow below.

At the February 19, 2020 (minutes attached) joint Council/Planning Commission STR workshop, we ended with general consensus on the draft ordinance including three major points that were the topic of lengthy discussion at the April 28, 2020 Planning Commission meeting. Those three topics and the February consensus were:

- Number of STR's per zoning District = 2 or 8 total City wide plus the schoolhouse units
- Maximum number of nights STR rental per year = 30 - 45. In combination with 8 STR's, this would allow 240 - 360 nights of rental annually in the City.
- A preference for homesteading or the STR being a primary residence as a requirement, but the committee was going to meet afterward with Counselor Snyder to review that language..

With that framework in mind, I was surprised to see the changes proposed at the April 28th meeting and have the following comments:

- Doubling the number of STR's per district to 4 or 16 City wide is far more than the current number of STR's or the 5 that were active at the time of the community survey. At the Public Meeting in 2019, both owners of active STR's stated that they were not getting many rentals and felt that renters might be favoring Stillwater over Marine. If the existing 2 units aren't in full demand, why would we need to increase from 8 (a 60% increase over the original 5 or an 8 fold increase to 16 STR's) to 16? I recall that the consensus at the February meeting was that the City should start with a smaller number which could be easily increased later rather than a larger number which may be very difficult to reduce if problems developed. The 8 units struck a balance at the workshop.

- An exception however, should be that the Owner's 100 days of use should not be restricted to the 6 month peak season period, but rather be applied throughout the entire year.
- The net result would be that out of 365 days in a year, the STR owner would need to personally use the property for a minimum 100 nights but could rent it for 72 nights, leaving 193 other nights for their personal use and commitment to the community.

Thank you for reading and considering my opinion. I'm looking forward to others' comments and perspective.

Regards,

Scott

Marine on St. Croix City Council / Planning Commission Joint Workshop: Short-Term Rentals

Wednesday, February 19, 2020, 6pm

121 Judd Street, Village Hall

Present: Mayor Mills; Council Members Miller, Roden, Anderson; Commission Chair Mroska; Commission Members Henry, Spisak, Sanderson, Hagstrom

Absent: Pardun, Smitten, Brenner

Citizens present: John Goodfellow, Anne Reich, Wendy Ward, John Waugh

Mayor Glen Mills called the meeting to order at 6:03 pm.

Review Draft STR Ordinance

Council and commission members reviewed a draft of ordinance from the city attorney, one with comments from Smitten (absent), and Hagstrom's original notes used to draft the ordinance.

Roden noted that the short-term rental subcommittee had gone through Snyder's draft as a group. They removed redundancies and brought the draft in closer alignment with the city's original requests.

Sanderson summarized a list of original findings and criteria:

- Marine has 505 residential properties; 350 homesteaded, 155 non-homesteaded. Of those, have 98 no building value. Of the 57 remaining, some have homes, some do not, and they are of varying value.
- A short-term rental is a unit rented for fewer than 30 straight days.
- The City of Mariné will not allow dedicated vacation units.
- The number of nights leased should be one less than number of nights owner stays there. This might be changed to an overall limit on number of nights per year, perhaps 30 or 45 days.
- No recreational vehicles used as STRs.
- Two STRs per district (excluding schoolhouse). Proximity of those will not be regulated.
- Signage indicating rental will not be allowed.
- Maximum number of guests allowed is two per bedroom, plus two more; a maximum of one vehicle per bedroom allowed.
- No events.
- Licenses are required, and subject to the city's regulations. Renewed annually.
- Owners will report records of dates rented and number of guests per night; guests will receive a welcome packet to inform them of city rules. Contact information must be given to city and guests.

The group discussed the best way to regulate short-term rentals to allow property owners additional income and give visitors a place to stay in Marine, without allowing dedicated rental properties or becoming a “short-term rental community.” Limit number of nights? Base it on the number of nights a resident is there? Ensure primary residency? Require that the property be homesteaded?

They reached a general consensus to have the city attorney meet with the STR subcommittee. The committee would give the attorney additional context and hear his suggestions for how to accomplish the city’s goals.

The group continued its review, using the draft of the ordinance with Smitten’s comments as a starting point

Regarding licenses, Miller and Roden noted that all licenses will be renewed together, annually.

Page 2, strike reference to a two-year term.

Roden noted that property owners with a license in good standing will get priority for renewal. If they have not used it within the last year, they could be bumped.

Anderson brought attention to Section 4 - E (iii) Requesting that the city not require a certificate of liability insurance, saying he would like to keep the onus on property owners.

Clerk Peterson noted that the city can ask them to provide a policy number instead, to show they have insurance.

Update E (iii) to reflect request for policy number only.

The group moved to Section 5 - A, noting that property owners can create additional parking as long as alterations are in keeping with city code, and maximum vehicle regulations. Overnight on street parking is regulated by city code.

Miller brought attention to Section 5 – I, citing the attorney’s suggestion not to allow additional licenses at the council’s discretion. If more licenses are needed, it would be better to change the ordinance.

Strike option for discretionary licenses in 5 - I.

Miller and Anderson noted that Section 5 - K regarding amplified music, trespassing and litter are covered elsewhere in the ordinance and city code.

Strike Section 5 – K.

Peterson brought attention to language that would allow rentals in accessory buildings, which is not a practical application as a condition for accessory buildings with bathrooms or accessory apartments are not allowed to be rented as a requirement of their permit.

In Section 5 - H strike accessory building. On page 1 definitions for “Type A” and “Type B,” strike last sentence.

Looking at Section 5 - J, Anderson and Hagstrom suggest a vehicle allowance of one per bedroom with a maximum of 4.

General consensus to add this maximum to 5 – J.

Anderson turns attention to Section 6 – A (2), requesting that “Violation of a Misdemeanor” clause be reinserted, to give the ordinance teeth if anyone is operating without a license:

Peterson noted that the fine should be the same as for other misdemeanors.

Reinsert Violation of Misdemeanor

Miller discussed the complaint form and procedure for how complaints will be handled. There are penalties if complaints are substantiated.

Anderson suggested having a standard operating procedure for handling complaints but not including that in the code.

He asked whether the city was going to have a fee schedule for fines. Clerk Peterson said it would not be practical.

Strike Section 6 – B.

The annual reports will come from homeowners but will not be aggregated.

The group discussed requiring access via public roads, citing the city attorney’s opinion that the city has no business being in the easement or covenant disputes of private road owners.

Next Steps – send to City Attorney for draft revisions

The small group will meet with the city attorney to hammer out homesteaded vs. non and number of days.

They will ask City Attorney whether we need to define “primary resident”?

Public Hearing Date

The Planning Commission will set the public hearing date for 7:30pm of April PC meeting (April 28).

Adjournment

Anderson moved and Sanderson seconded to adjourn at 7:57pm. Motion passed unanimously.

Minutes taken by Suzanne Dammann, Assistant City Clerk.

TO: Planning Commission and City Council

FROM: Planning Commission Cell Tower Committee – Scott Spisak, Kristina Smitten, Ed Sanderson

DATE: April 27, 2020

RE: Future Cell Service Options for Marine – Activities to Date and Potential Next Steps

At the January 9, 2020 City Council meeting, two cell tower representatives presented proposals requesting to construct a cell tower within the City of Marine. Both proposals were for use of a portion of the City's compost site with a tower approximately 180 feet in height. The cell tower representatives have been working with the Communications Infrastructure Committee (CIC), an independent committee consisting of City residents Charlie Anderson, Paul Anderson, Kim Creager, Andy Lapos, Sara Rottunda. A summary of the cell tower presentations can be found here:

https://www.marineonstcroix.org/index.asp?SEC=01E9EEC5-E65B-4FC9-A7BE-5FDF79A04C22&DE=83E03BE1-EF9E-4525-B3A0-FAF7562D7301&Type=B_BASIC

In response to these proposals, the City Council moved to send these proposals to the Planning Commission for further review.

Since that time, the Planning Commission has established a Cell Tower Committee (CTC), consisting of Commissioners Spisak, Smitten and Sanderson. In March 2020, the Communications Infrastructure Committee provided additional details on the original proposals, as well as information on a subsequent proposal for a 180-foot tower at the City yard near the intersection of Broadway Street and Old Guslander Trail. This information was reviewed and discussed with the Communications Infrastructure Committee on April 8, 2020 (via WebEx). The Cell Tower Committee has also conducted additional research and completed a cursory review of the zoning ordinance against the current cell tower proposals. This memorandum provides a summary of discussions and research to date, initial zoning code analysis, and potential next steps to further evaluate how best to address cell service options in the City of Marine.

RESEARCH TO DATE

At the April 8, 2020 meeting between the CTC and CIC, the following questions were posed by the CTC with answers in *italics* provided by the CIC.

1. **Potential Regional Options:** Has there been an inventory of other nearby towers, their locations and carriers and what signal strength exists in Marine, and also their heights and potential for colocation?

Yes, this was previously researched. No towers currently have line of sight to Marine nor can provide sufficient coverage of the area. This is a well known gap in coverage by carriers and site developers, hence the proposal to add a tower. There are no known options for co-location on other existing structures that will provide reliable cell coverage in Marine and surrounding area. The current voice and data options for Marine residents and businesses are:

- Utilize severely limited Wi-Fi signal from city/business or residential router and/or HotSpot; or
- Landline

2. **Potential Marine Sites:** What siting/location options in Marine did the committee review and rule out? Can you provide that information and data?

- a. Is the compost site the “only” option available? See 408.9(2)

The compost site was the only site proposed by Powder River (representing Uniti Towers). The AvERge Group (representing SMC/Vinco) proposed for both the compost site, and at the committee’s request, the Public Works site. All information and data, to include propagation, view shed images, and site plan renderings are in the hardcopy packet previously provided to you by Councilmember Anderson.

- b. What analysis was completed at the Public Works site? Ground elevation at the compost site is about 872, making the tower tip at elevation 1052. The Public Works site is at 1000, meaning a 52 tower there should get similar results.

See hardcopy packet previously mentioned. While the propagation between both is similar at the 180 foot level, one of the three carriers had a preference to the compost site, due to preferable propagation. The Public Works site, since it is farther upslope, reaches further to the south, west, and north due to the leveling out of the terrain. This will be advantageous mostly to the “uphill” residents of Marine, May Township, and Scandia. However, the Public Works site loses some propagation in the upper and lower villages, as well as the Village Center. Additionally, propagation along Hwy 95 and the river is lessened.

Conversely, the Compost site has increased propagation for the upper and lower villages, Village Center, Hwy 95, and riverway. Coverage is lessened to the west, north, and south due to the rise in elevation going “uphill.”

It is important to note that while coverage is either stronger or weaker in certain areas depending on site location, coverage is exponentially better than what that current coverage is, which is effectively null.

Since the propagation is based on line of sight (not strictly elevation), given the location of the Public Works site being set back from the steep decline in terrain, reduction in tower height in that location will significantly reduce the coverage in areas of lower marine and surrounding area due to terrestrial interference causing “shadows” in the signal coverage.

- c. Are there opportunities to use “repeater” poles that would make other site locations potentially feasible?

No repeaters were discussed or proposed. We do not believe this is an economically or technically viable solution.

- d. Has Marine had an opinion from an independent cellular phone expert that the compost site is the only and best location/solution?

Information was made available to the Planning Commission that the Public Works site and Compost site were being considered. Initially it was believed that the Compost site was the only site available. However, upon "deep dive", we found that data from the previous Public Works site eval was lacking. Thus, an updated proposal was requested and received.

Information was provided by the developers, who consulted with commercial carriers as part of the proposals received. It would be possible for the city to hire an external cellular technology expert to verify the information provided, but the committee believes this would be unnecessary.

- e. How was a viewshed analysis conducted?

Industry standard simulation tools for assessing viewsheds was used, as is considered a generally accepted best practice. Computer software models accurately portray visual impact based on data input.

- 3. **Propagation Mapping:** Can you talk a bit about the propagation mapping – how the footprint was determined, the tradeoffs, extent vs. tower height, etc.?

- a. How was the 180-foot height arrived at?

The tower height was determined to provide suitable coverage to Marine and the surrounding area plus the ability to support three carriers with one tower. This is deemed by the committee to be the most economically viable option and have a lower community impact than having separate towers per carrier.

- b. It appears that the propagation studies cover the river from the Arcola High Bridge to the Osceola Bridge. Is it Marine's responsibility to service that entire area?

The tower height was determined to provide suitable coverage to Marine and the surrounding area. Propagation beyond the Marine city limits is a function of the terrain, and may extend beyond the city limits. Additionally, having cell coverage that allows entry and exit of Marine without dropped calls implies that the signal overlap enough coverage with surrounding towers for signal handoffs to occur reliably.

Suitable coverage in Marine and surrounding areas (including the river valley) does also significantly improve public safety of our surrounding area. While not a primary goal, it is consistent with the values of community members and leaders.

- c. It would be helpful to better understand where the worst pockets of cell service are in Marine as a data point in prioritizing/balancing tower height and location.

Propagation maps were analyzed and provided with the current proposals. It may be possible for the city to hire an independent cellular technology expert to run additional

propagation and visual simulations for different heights and locations, however the committee finds this unnecessary. City-owned parcels are the only feasible sites for cell tower infrastructure, unless the Planning Commission wishes to explore allowing private person(s) to enter into contracts with cell carriers for towers on private property. This does not seem to fit with Marine policy or quality-of-life priorities. Tower height of 180 feet is not going to be affected by any of the variables in the above statement.

- d. Can you also provide propagation mapping boundaries overlaying the boundaries of Marine?

This could be requested from the parties who submitted proposals, or possibly provided by an independent cellular technology expert hired by the city. Towers in our surrounding area exist on both public and private property, and are owned/operated by unknown companies. The information mentioned may be proprietary in nature.

4. **Number of Carriers:** The Federal Government recently approved a merger between T-Mobile and Sprint which will leave only 3 major national carriers.
- a. Does that mean that the tower can be reduced to antennas for 3 carriers at the compost site?

This has already been addressed. AvERge rep Shelley Trampetti can answer, however our understanding is that if height is lowered from 180 feet we will lose significant propagation. Also, we will limit the ability to collocate with other nodes, to include future wireless possibilities with ISP companies like Midco which has recently expressed a desire to be a tenant on this tower. Limiting tower height does reduce flexibility, detrimentally affects propagation, and limits future options.

- b. One of the proposed towers has antennas at 120, 140, 160 and 180 feet. If the signal at 120 is adequate and we only have one or two carriers, why do we need a 180-foot tower?

It is the opinion of the committee that co-location of ALL carriers is the most economically viable solution, and provides citizens with more freedom of choice than a single carrier tower. A single carrier tower would effectively cause a monopoly, significantly limiting options and providing advantageous leverage to the carrier. The committee is confident that all carriers will be collocated on the tower.

- c. How will future changes to carriers potentially impact the site? Would additional components be added to the tower at future dates, to accommodate additional carriers, changing the tower dimensions over time?

As currently specified there are no expectations of any additions to the tower dimension, nor or in the future. The proposed lease contract does not allow for such a one-sided action.

- d. As additional carriers are added, how often is the site being accessed by operations and maintenance staff from these various companies?

Once installed, site visits are expected to be infrequent and scheduled. Typical frequency of site visits could be requested from those who have submitted proposals or from carriers directly.

5. **Community Survey:** Has the City conducted a survey of what carriers most residents use?
 - a. The City and others use T-Mobile, which we've heard is not good service. Do we know how many residents subscribe to each provider?

No formal survey of residents has been conducted by the committee. The committee does not believe this would provide relevant information. Citizens, businesses, and visitors to Marine use all four (now three) carriers, and limiting our ability to serve all citizens appears counterproductive.

- b. Constructing a tower with only one or even two carriers – especially with few resident subscribers is unlikely to “solve the problem”.

A primary consideration of the tower design and location is to create competition and freedom of choice for citizens. The committee has been informed that AT&T, Verizon, and T-Mobile/Sprint have a strong interest in Co-location on a tower located in Marine due to longstanding issues of a lack of reliable coverage in the area. Co-location also improves the business case for each carrier, since they are sharing the lease costs with other carriers. Also note that all carriers currently have the same coverage gap.

6. **Future Lease Agreement:** Would a future lease agreement be structured to allow for addition or removal of carriers as cellular service technology continues to evolve (i.e. 4G, 5G, ...)?

The lease agreement review has not been finalized, and this could be explored as part of that process. This tower is for 4G only. 5G does not “run” off of a tower like what is being proposed. 5G uses a much shorter (but faster) radio frequency that works along line-of-sight. This means each node must see the other. 4G is for calling and data. 5G is primarily for data. Furthermore, 5G nodes are typically placed in the right-of-way on things like light or utility poles. They are of primary use in high-density population areas and transportation corridors. When 5G comes to the St Croix valley, it is unlikely to impact our neighborhoods, but likely to impact Hwy 95. The proposed tower has nothing to do with 5G. Separately, Councilmember Anderson is exploring limiting use of right-of-way by carriers and can have a separate discussion with the Planning Commission regarding that.

7. **DNR/WOSP:** We understand that the DNR is completing a GIS analysis to evaluate the view of a potential cell tower from William O'Brien State Park. When will that data be available?

The committee has not currently received specific information on such analysis. It is our understanding that in conversations with officials from the DNR, MN State Parks, and National Parks Service that the planned location and height was outside of the domain of regulations of these entities. This may be independently verified.

8. **Cell Service Priorities:** Much of the information provided to the Planning Commission prioritizes the need for cell service in the following order: 1. Public safety; 2. Economic viability for tele-commuters and local businesses, and 3. Resident convenience. We are interested to learn more regarding the public safety aspect – of residents, not visitors on the river in terms of the extent of needed propagation. And, in general, how was this priority list determined?

It is the committee's view that all three items are important priorities. The committee based this priority based on informal conversations with residents of Marine and city officials, including those involved in public safety. Washington County has also expressed support for the tower in regards to increased public safety readiness, to include geographical information for emergency call response, and increased efficiency in call times due to faster connections to the Washington County Emergency Communications Center. For example, 9-1-1 callers on a cell phone in Marine, if they are able to connect at all, are oftentimes connected to St Croix County since a tower is located there and provides low-quality propagation overlap.

The response to having reliable cell coverage has been overwhelmingly positive.

9. **Regional Discussions:** What type of communication/collaboration has occurred with other St. Croix River communities as part of this process?

As part of the process, city administrators from nearby townships, cities, and towns were contacted by committee members. The committee attempted to obtain specific references regarding the proposed developers. Responses were limited, since most communities build appropriate cellular tower infrastructure more than 10 years ago, and there has not been a need to develop more tower sites in those areas in recent history.

Councilmember Anderson has had recent contact with Scandia Councilmember Patti Ray to discuss possibilities to improve ISP service to both our communities through the possibility of wireless internet options (such as Midco) collocating on the proposed tower. There may be similar partnerships with May in the future.

ZONING CODE ANALYSIS

- Our initial research has informed us that the current zoning code is obsolete
 - o Current 45' tower height limit is unlikely to provide any wireless service needs in the community
- Any applications that would come forward would be held to that current standard

POTENTIAL NEXT STEPS

Prior to moving forward with next steps in its evaluation of the current cell tower proposals and potential research into broader approaches to cell phone service, the CTC requests a discussion with the City Council and full Planning Commission. To help frame this discussion, the CTC has identified the following potential additional considerations:

- Understand Public Safety Communications needs of government agencies, such as: Washington County Sheriff's Office, National Park Service and MnDNR, etc.
- Evaluate potential for regional collaboration with adjacent communities (i.e. May Township, Stillwater Township, Scandia)
- Research how other St. Croix River Valley communities are addressing cell service options (i.e. Bayport, Afton, etc.)
- Identify area cell towers and their current propagation mapping to better understand the priority areas within Marine in need of better cell service
- After additional study (above):
 - Engage in a broader community conversation to better understand resident concerns to aid in determining the best approach for cell service for Marine
 - Community survey? – service providers, coverage quality, What is an appropriate level of coverage? etc.
- Revise current cell service ordinance (i.e. consider small cell ordinance, tower ordinance etc.)
- Implement Cell Service Improvements in the Community



The City of Marine on St. Croix

Engineering Updates 5/14/2020



Engineering *italics = old information*

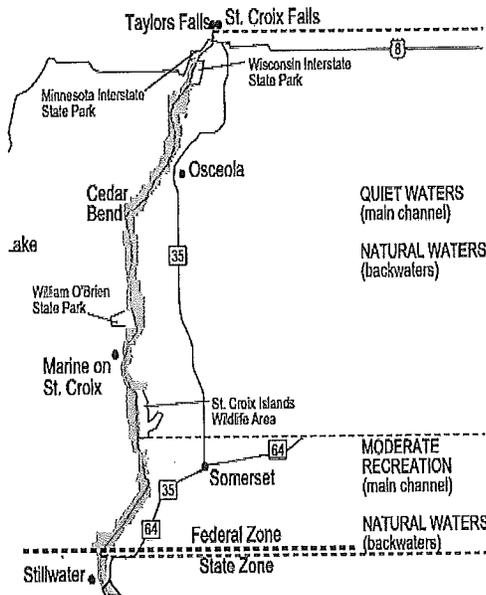
- **Local Road Improvement Program (LRIP) – Village Center Revitalization Project**
 - Project Management Team Meeting #12 is scheduled for TBD – COVID 19.
 - *Project has developed and revised preliminary concepts based on project requirements and feedback from PMT members, Watershed District, and City Staff. Associated concepts elevation reviews have been completed, which will allow further analysis and discussion on stormwater and preliminary construction cost estimates.*
 - *Stormwater Meeting #1 was held on June 21st with the Watershed District to discuss preliminary stormwater modeling, drainage, and stormwater quality improvement concepts related to the Watershed grant. Design of stormwater quality improvement areas is underway. Potential areas have been identified and some modeling has begun. Scope sharing of water quality area design has been determined between the City and Watershed.*
 - *Soil borings are necessary to continue design of the roadway, storm sewer, and water quality improvements. Soil borings were completed August 27-30th and final geotechnical report received.*
 - *Public Open House was held on August 27th. The current proposed layout was reviewed, renderings of proposed improvements presented, voting on design options conducted, and many comments received. Comments were reviewed at the last PMT meeting and have been incorporated into the design.*
 - *Final design of the street profiles, curb, sidewalks, site grading, and stormwater improvements is substantially complete. Final site layout and stormwater BMP plans to be incorporated into the project have been finalized BMP construction will be done in two phases, grading and storm pipes with this project and filter media, draitile, plantings with a separate watershed-let contract.*
 - *Public Open House meeting, including a site walk through, was held on October 24th from 5-7 pm.*
 - *A third Public Open House meeting was held on December 17th to present the final stormwater quality improvements that will be included in the project and discuss how this was decided. Only a small amount of people attended the meeting.*
 - Project information has been submitted to the State Historic Preservation Office (SHPO) for consultation on historic/archaeologic review SHPO response was received on November 14th. They are requiring an archaeological survey of the project area (this requirement was expected and has been completed), and an architectural/history assessment and analysis of effects for the proposed project (this requirement was not expected and requires the services of an architectural historian). The first phase of the assessment/analysis includes an assessment/identification of the contributing elements and character-defining features of the historic district and the second phase includes assessing the current integrity of the historic district and an assessment of effects the proposed project may have.
 - The first phase has been completed and was submitted along with the archaeological survey and draft construction plans to MnDOT Cultural Resources Unit (CRU) on March 4th, who must review it due to the LRIP grant. MnDOT CRU began their review on March 31st, and have offered to take the lead on the submittal to SHPO. We have been coordinating with MnDOT CRU (including making requested revisions to the various reports we submitted), the Corps, and MPCA over the past month to define agency roles and responsibilities related to the SHPO submittal. We anticipate obtaining a delegation letter from MPCA on May 8th.

- Minor site grading is necessary on the Marine Mills site to maintain ADA accessibility of the trail. This grading will require an additional archaeological survey because the property is a known archaeological site. The survey will be started May 8th and will conclude by May 15th. A report of the survey will be submitted to MnDOT CRU by May 27th for review. MnDOT CRU will be reviewing all other project documentation until they receive the survey report. Once MnDOT CRU reviews the survey report, they will put together their final findings letter, including effects analysis, and submit to SHPO likely by June 5th.
 - We plan to meet on site, or hold a conference call, with SHPO, MnDOT CRU, and the Architectural Historian the week of June 28th to discuss the submittal and effects findings and answer any questions SHPO may have.
 - At this point the architectural historian and MnDOT CRU believe the project will have “no adverse effect”, pending the results of the survey. If SHPO agrees, we could have concurrence by early-mid July. If they don’t, a memorandum of agreement and mitigation steps (potentially a 6-month process) may be required.
 - Coordination with Private Utility companies affected by the project is continuing. Xcel Electric relocated power poles the week of February 24th.
 - Design plan/specification submittal for State Aid review is planned for early June after the MnDOT CRU findings are complete.
 - DNR permit application for Judd St arch culvert work and stormwater BMP outlets was submitted on March 3rd application fee was received by DNR on March 25th and we are waiting on review comments (45-150 day review timeframe). The 30-day public comment period ended May 3rd and the DNR should be reviewing our application in the next two weeks and providing comments.
 - Wetland delineation for the Parker St BMP was completed by the Watershed the week of April 13th, proposed grading needed to be revised to minimize wetland impacts and was completed early this week. The Corps permit application for wetland impacts and arch culvert rehab is planned to be submitted in the next week (60-90 day review timeframe).
 - Project timeline, construction restrictions, specifications, and phasing will be discussed at the next PMT Meeting over on a conference call.
- **Washington County’s first Bicycle and Pedestrian Plan**
 - *Our first TAC meeting was held on Wednesday, August 14th, 2019.*
 - *Second TAC Meeting was held on Monday, December 16, 2019. To recap, the meeting included a project update and review of the existing conditions report. The project consultant also presented preliminary ideas on how the future county bicycle and pedestrian network may be laid out. Moving forward, we plan to hold two more TAC meetings (February and April 2020). We have also decided to schedule our next round of pop-up events for March/April and open houses in May/June. In the meantime, we will continue to provide project updates online and online engagement activities. We plan to launch an online survey after the holidays.*
 - *TAC Meeting #3 was held virtually on March 25, 2020. The planning consultant used this time to present draft materials, which included a revised Future Network map and a methodology for prioritizing future projects.*
 - Current online survey link has been shared with City Councils and Communities and is posted on the City’s website. The purpose of this survey is to gain even further insight into specific preferences and barriers that residents face. This information will assist in fine-tuning a network plan and future recommendations, as well as help to prioritize future opportunities.
 - Project Manager, Emily Jorgensen, 651-430-4338
 - emily.jorgensen@co.washington.mn.us
 - <https://www.co.washington.mn.us/bikepedplan>

Proposal to Marine City Council
WAKE SSUES TASKFORCE

The level of high-speed boat traffic on the River seems to be increasing. Last year the Marine City Council registered a concern and sent a letter of support that the matter be studied to the Lower St. Croix River Management Commission. The City of Scandia and the Carnelian Marine St Croix Watershed District similarly contacted the Commission. To date no response has been received.

The level of noncompliance this spring is unprecedented. The Council is asked to consider creating a taskforce of River stakeholders to evaluate the current situation and develop recommendations intended to increase public awareness of existing wake-related regulations.



There is a Cooperative Management Plan for the Lower St. Croix River. Marine lies in the middle (mile 36-34) of the 23-mile-long Federal Zone of the St Croix Scenic Riverway from the St. Croix Falls dam (mile 54) downstream to the Arcola Sandbar (mile 31). The main channel in this reach is designated as "Quiet Waters" where recreational uses that leave the surface of the river largely undisturbed and speed is to be kept low. Boating regulations for the Scenic Riverway are consistent in both Minnesota and Wisconsin provide useful definitions for the predominant regulation addressing boat speed and the resulting wakes in the main channel on the River in proximity to Marine:

- **Slow speed¹** means operation of a motorboat at a leisurely speed, less than planing speed, whereby the wake or wash created by the motorboat is minimal.

The high level of non-compliance is a demonstration of the need for public education. Generally speaking, boaters on the portion of the River in Marine originate from:

- Home docks and City owned access points.
- Marine Landing (mile 35.5)
- Wm Obrien State Park (mile 36.7)
- Somerset Landing (mile 35.7)

Since some of these launch points are beyond Marine's boundaries the Wake Taskforce could reach out to other communities and invite their participation.

The Q2 2020 issue of MOSC Times included an article addressing wake-related concerns on the St Croix River, and concluded with: "The City will be working with the National Park Service, MN DNR, and Washington County Sheriff's department on some enhanced enforcement patrols

The Taskforce could help coordinate and support these efforts. The taskforce would focus on defining the current situation, identifying root causes, and proposing solutions. The taskforce would provide updates to Council during the 2020 boating season. If necessary, it could be extended to support efforts in 2021.

¹ MN Rule 6105.0320 subpart 5 and WI NR5.32(4)

Marine Forest Committee Minutes 4/29/20

Attending: Kitsi Vadheim, Peter Foster, Leslie MacKenzie, Tammy Newcomb

Arbor Day

Tree planting was easier with fewer people. It's really a two-person job
Ask Ruth Willius or Suzanne the storytime reader if she would do the tree book reading on planting day in Spring.

In June, do the tree survey and ash tree tape and label.

Where do we provide the additional information – can we put it on the city website?

Trajectory is 3-5 years for tree death

Stillwater library has a list of books

Info on Website:

- More info – your window of time to act, help you budget
- Options and referral for treatment and taking down for private trees
- We may be able to bundle for treatment – a google form – if you would like to join the pool, we may be able to reduce your cost
- S&S Tree and Rainbow Tree
- Helke tree service can do removals and they have a band saw mill to saw it into lumber

Survey community – Google Form release June 1, collect 3 weeks later

- Facebook
- Newspaper – EAB story
- Community website
- NextDoor

Get this in the city council packet next Tuesday and then at May council meeting tell them we are ribboning in June.

You can treat up to 30-40% canopy damage, after that it's too damaged
Create slide deck for website and put our names on here – who to talk to

Forest Advisory Committee Tasks

1. **Designate heritage trees on public and private land.**
 - a. Write a new story about it
 - b. Ask people in a survey. Make this part of the June survey.
 - c. Get local stories and put it in the newspaper
2. **EAB**

- a. **Survey about city center trees**
- b. **Community education**
- c. **Continue Tree inventory** so we know how much of a problem we have with ash - iTree from forest service is what we used for this plan. We should look for an intern to help with this.

3. Forest Management Plan

- a. **Tree Species List** as part of replacement plan
- b. **Tree health assessments** – assess disease and risk of trees in public spaces – e.g., silver maples in Burriss park that are falling apart
- c. **Pruning plan**
 - i. Citizen pruners

GreenStep Cities April 25, 2020

Present: Gwen Roden, Leslie MacKenzie, Mark and Patty Kraske, Anne Reich, John Goodfellow, Kitsi Vadheim, Nancy Cosgriff, John Goodfellow, Greg Johnson, Juanita Ikuta, Valoree Dowell

1. Welcome and check-in

Thanks to the forest committee for the tree planting. Appreciation for River Radio and Kristina's story about the prairie restoration project in Jackson Meadows. Welcome to first-time attendee Juanita. Appreciation for the Zoom coffee groups and the Zoom exercise classes on Monday and Friday mornings. Appreciation for the store and for customers and the support it provides to local small businesses.

Issue: Greg just heard about Solar on Schools legislation. He will look for more information that may tie in with some of our proposed work plans.

Issue: Another year without events for the General Store puts them in difficult financial situation. The store is a vital service to community members and to other local small businesses. There is a good story to be told about the interconnectedness of that business and other local businesses.

2. **Goals for this Meeting:** Refine workplans for proposed projects to fulfill GreenStep Cities best practices that fit our community. Which ones will we bring to the joint Council-Committee meeting.

3. Review the Proposed GreenStep Workplans

These are plans that we will be offering to the Town Council for consideration at the joint working session. We want to provide them with OPTIONS. Is this plan one that we could/should forward? Does it need any additional work? Are there any additional plans that should be incorporated under that topical area?

- **Step 4** – Step 4 is setting up a reporting process that allows the town to understand where it is at right now. Improvement is a continual process. We are measuring baselines in the core areas and 3 additional areas of our choosing. Some of this measurement will be automated; some can be done monthly or quarterly or yearly. We can choose. REVISE to explain more about the nature of this project in terms of timeline.
- **EV/Transit** – All workplans will move forward.
- **Energy** – All workplans approved
 - a. **Drone:** Extended discussion about the drone energy leakage project. This needs to be developed more. Add in a communications plan, demonstrate the kinds of results people will see. Explain the benefit of this approach. Look more closely at the results that other communities obtained. REVISE
 - b. **Solar:** Greg will send links to the school solar program. Chisago has been very successful about accomplishing solar – lots of info on them.

- **Local Food** – Workplans approved but considerable conversation about a few issues. REVISE
 - a. Do we actually need an ordinance? Look more closely at their proposed ordinance.
 - b. How a “community” asset would be defined.

Jackson Meadow has a community garden, but only for the people in Jackson Meadow. Will that fulfill the “checkbox” of local food? Do we want – and is there a desire for – a community garden for people who don’t live in Jackson Meadow but who have too much shade in their yard to garden? (Those folks who live in the woods.) We may need to survey people to see if there is interest.

The Forest Committee has talked about a “distributed community orchard.” Is it a community orchard if the trees are on private property and private owners “own” the fruit? Also the issue of deer and bear damage. Distributed trees mean every homeowner needs to protect their trees themselves. In a community orchard, all trees together could be fenced.

- **Resilience** – Workplans approved but municipal plan should include mention of CERT training and plan implementation, and assistance in creating the municipal plan. REVISE
- **Natural Resources** – All workplans approved (noted that Jackson Meadow has a lights-out policy at 11 pm and was designed with no street lights for dark-night-sky.)
- **Active Living/Social Connection** – Big thumbs up for the Marine Explorers Club idea but revise to make activities more appropriate for distancing. REVISE
- **Business Development** – Nancy pointed out that the 4 areas covered in our comprehensive plan are the River, Green Space, Community and History. The current business development workplan touches on the river and greenspace, but not the other two. She wondered if the historic signage project should be included. Leslie suggested it could be a second workplan. Anne offered to take a look at this. The Business workplans will be reviewed at the next meeting.

Next Meeting: May 9, 9 am

Next meeting AGENDA

1. Workplan Review
 - **Business Development** workplan
 - **Waste workplan** – Gwen or John will submit
 - **Communications workplan**
 - Any workplans that required additional input
2. Planning for our **joint working session** with the Council. What do we need in place to make it a really effective session?

MEMORANDUM

TO: [Your Organization]
FROM: [Staff Name]
DATE: 05/4/2020
RE: **MOU –Washington County Cooperative Weed Management Area (WC-CWMA)**

Invasive species have significant environmental, social, and economic impacts on natural areas, parks, and open spaces. Second only to habitat destruction, invasive species are a leading threat to the decline of native species in the United States. They negatively impact ecosystems through the displacement of native species and alteration of ecosystem functions such as soil stabilization, water infiltration and wildlife habitat. Washington County contains a diversity of conservation groups including governmental agencies, non-profit organizations, private business, and private citizens and landowners that give the county the unique opportunity to manage invasive plants in a cooperative manner.

In response to this need for cooperative management, the WC-CWMA began meeting in 2008 and has been meeting annually since 2016. At these meetings, partners provide updates, share invasive species management information, and define management and outreach needs for the coming year. CWMA grants have been used to provide cost share to manage eradicate species such as Grecian foxglove and Oriental bittersweet, but also garlic mustard, and Japanese knotweed.

The goal of the CWMA is to formalize its partnership with an MOU, provide better communication and prioritization with a steering committee, and position itself for future invasive species funding opportunities. By formally joining the WC-CWMA, [insert organization name], would strengthen Washington county's ability to effectively manage invasive species and would benefit from the shared resources provided by this important partnership.

Requested Board Action:

Motion by Board Member 1, seconded by Board Member 2, to approve signing of the Memorandum of Understanding among Washington County Cooperative Weed Management Area partners.

Memorandum of Understanding

Among the Washington County Cooperative Weed Management Area Partners (Listed in Appendix A)

I. Background and Objectives

Invasive species have significant environmental, social, and economic impacts on natural areas, parks, and open spaces. Invasive species are a leading threat to the native species of the United States, second only to habitat destruction. Invasive plants consume approximately three million acres of land each year. Invasive plants threaten both entire ecosystems and individual species. They negatively impact ecosystems through competition, suppression, and displacement of native species and can alter ecosystem functions. Washington County contains a myriad of groups including governmental agencies, non-profit organizations, private business, and private citizens and landowners that give the county the unique opportunity to manage invasive plants in a cooperative manner.

II. Purpose

The purpose of this Memorandum of Understanding (MOU) is to encourage and formalize the cooperative relationship necessary for effective management, coordination, and implementation of invasive terrestrial and aquatic plant species programs among the above mentioned Partners.

Other organizations or individuals may, at any time, join as Partners of the Washington County Cooperative Weed Management Area (WC-CWMA). Partners may agree to offer funding or in-kind service to the WC-CWMA. These Partners will be required to sign a signatory page stating that they will voluntarily participate under the applicable guidelines in this MOU. Partners are listed in Appendix A.

Definition of terms

Introduction- the intentional or unintentional escape, release, dissemination, or placement of a species into an ecosystem as a result of human activity.

Ecosystem- the complex of a community of organisms and its environment.

Native species- a plant species that historically occurred in Washington County, not as a result of an introduction.

Local Ecotype Native Seed- seed originating from the ecoregions found in Washington County. Seed used in the WC-CWMA must be Local Ecotype Native Seed, and must originate from as close to the given project as possible. "Yellow tag" certified seed should be used whenever possible.

*Non-native species-*with respect to a particular ecosystem, any plant species, including its seeds, spores, or other biological material capable of propagating that species, that has been introduced to that ecosystem by means other than natural processes.

Invasive plant or weed- a plant species, typically non-native, that has competitive advantages and can become established in natural plant communities and wild areas and replace native vegetation. They may alter the ecosystem and may cause economic, environmental, and/or social harm and may also negatively affect human health.

Noxious weed- a plant determined to be problem by a governmental agency. This can be on a county, state, or national level. They are mandated by law as pest species, and the law calls on all citizens for the destruction of the species.

WC-CWMA - Washington County Cooperative Weed Management Area- geographically defined as the lands and waters within the geopolitical boundaries of Washington County. A cooperative effort to manage invasive plants in Washington County.

WC-CWMA Steering Committee - WC-CWMA Steering Committee organizes members, provides direction, holds regular meetings, and generally furthers the common goal of cooperative invasive plant management. Each Partner will be directly or indirectly represented on the Steering Committee. The steering committee shall select a chair and vice chair.

III. Legislative Authority

For the National Park Service, the legal authority for entering into this agreement is the National Park Service Organic Act (16 U.S.C. §§ 1-3). This is a general management authority for entering into a memorandum of understanding to document mutually agreed upon policies, procedures, objectives, and/or assistance relationships that do not involve funding.

This MOU is neither a fiscal nor a funds obligation document. Any action involving contribution of funds or reimbursement between parties to this MOU will be handled in accordance to applicable laws, regulation, and procedures including those for Government procurement and printing. These actions will be outlined in separate agreements between parties and will be authorized by the appropriate statutory authority. This authority does not provide such authority, nor does it establish authority for noncompetitive award to the cooperator of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

IV. Statement Of Work

The intent of this MOU is to enhance the success of the Cooperative Weed Management Area for Washington County by encouraging sharing of resources, information, expertise, and effort on a willing and cooperative basis on both public and private lands and waters. This MOU is not intended to establish legal authorities or mandates where they do not currently exist.

The undersigned parties mutually agree to the following:

- a. Participate and/or cooperate in the development of the Washington County Cooperative Weed Management Area (WC-CWMA); including cooperatively preparing a Management Plan to describe the goals objectives and strategies of the CWMA. The Management Plan will outline the structure and function of the CWMA and provide any other needed background information. Absent any separate agreement among one or more parties, each party is solely responsible for its own costs and participation in this joint planning effort.
- b. Share information among Partners and provide assistance and expertise regarding invasive plant management activities on their lands and waters.
- c. Provide opportunities to outside interest groups, private landowners, and the public for involvement in carrying out weed management planning and education on lands and waters within the Washington County Cooperative Weed Management Area (WC-CWMA).
- d. Utilize the Washington Soil and Water Conservation Division as the fiscal administrator for any grants or financial support received by the WC-CWMA.
- e. Review this MOU and make revisions and updates as necessary to meet the purpose of the agreement. Amendments shall become effective upon approval by all Partners.

This MOU in no way restricts any of the Partners from participating in similar activities with other public or private agencies, organizations, or individuals.

V. Term of Agreement

This MOU will become effective upon July 1st, 2020. Any additional parties added after this date will be subject to the 30 day review process outlined in Section VII before becoming a partner. This MOU expires 5 years from the effective date at which time it will be subject to review, renewal, or expiration. If the Partners mutually agree to continue cooperation, a new agreement shall be executed.

VI. Modification and Termination

Modifications to this MOU shall be made by the issuance of a unanimously approved modification prior to any changes being performed. Any Partner may withdraw from this agreement at any time before the date of expiration by providing 30 days written notice to all signatories.

VII. Additional Parties to the MOU

Additional parties may, and are encouraged to, be added to the MOU as Partners at anytime. All Partners will be notified of any additional party and will be given 30 days after the notification to determine if there is a conflict of interest. If a conflict of interest is identified the Partner may choose to withdraw from the MOU. If the Partner does not withdraw, then the additional party with the conflict of interest may not be added to the MOU.

VIII. Key Officials and Signatures

A separate page will be included for each of the Partners designating the key official to this MOU and the signature for the person authorized to enter into this agreement.

Memorandum of Understanding

Among the
Washington County Cooperative Weed Management Area Partners
(Listed in Appendix A)

IX. Key Official and Signatures (continued)

Name, Title:

Agency/Organization:

Address:

Key Official Signature: _____

X. Primary Partner Contact

Name, Title:

Agency/Organization (if different than above):

Phone:

E-mail:

Appendix A.

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CITY OF MARINE ON ST. CROIX

TREASURER'S REPORT

CHECKING	605,550.93		<u>DEPOSITS</u>
FIRE & RESCUE-DEDICATED	277,323.00		
FIRE & RESCUE-VEHICLE REPLCMNT	209,031.74		
FIRE & RESCUE- EQUIPMENT	51,863.21		
FIRE & RESCUE- VILLAGE WATER	16,565.93	G&R - Garbage	8104.37
FIRE & RESCUE-800MHZ RADIOS	10,473.01	G&R - Compost	598.05
GEN-CITY OFFICE/RECORDS	4,206.14	G&R - County Tax	2696.14
GEN - LAND ACQUISITION	40,097.19	G&R - Commercial Tax	107.62
GEN-STORMWATER	77,394.65	G&R - Residential tax	686.02
.		G&R - Recycling	4416.68
WASTEWATER-RESERVE	238204.86	GEN - Bldg Fees	5204.73
JM WATER - RESERVE	17,046.66	G&R - Cable	1,162.96
JM-WELLHEAD PRTCTN	5,193.89	PS - Permits	20.00
		GEN - Interest	78.49
ROADS-EQUIPMENT	31,126.76	RDS - Transit Tax	19.28
ROADS-ALLEYS/STREETS	320,321.96	GEN -Animal	6.00
ROADS-PICKUP RPLCMNT	15,213.08	WTR - Billing	1454.86
		GEN - Permits	460.00
HLL- VILLAGE HALL	23,394.40	WWT - Sewer	13367.85
		WWT - LC	218.26
PARKS & REC-RED BRIDGE	29,794.11	WWT - Interest	78.29
PARKS & REC- VC SIGNAGE	15,657.21	CEM - Interest	4.07
PARKS & REC-BLDG MAINTENANCE	17,231.73	WTR - Interest	7.31
PARKS & REC-BIKE TRAIL	0.00	HLL - Interest	1.92
		P&R -Interest	27.60
CEM-PERPETUAL CARE	90,000.00	PS - Interest	94.63
CEM-PERPETUAL CARE-SAVINGS	76,573.20	RDS - Interest	120.51
CEM-IMPROVEMENTS	12,381.42	RDS - Reimb	130.00
		GEN - School Rent	
P&R - COMMUNITY EVENTS	21,299.49	GEN - Fines	
CITATION CABLE-SECURITY	2,500.00	Total	39065.64
BALANCE 4/30/20	<u>2,208,444.57</u>	Report by Lynette Peterson,	
		Clerk/Treasurer	

1	Actual	Budget	Actual	Budget	Actual	From 2019	FUND NAME
2	2019	2019	2019	2020	2020	to 2020	
3	thru 10/31/19	thru 10/31/19	thru 4/30/20	2020	thru 4/30/20		
4							
5	Actual	Actual	Actual	Budget	Actual	From 2019	6.2650%
6	Budget	Budget	Budget	Budget	Budget	to 2020	LEVY INCREASE ^^^^^^^^^
7	2019	2019	2020	2020	2020		
8							
121							CEMETERY INCOME
122							
123	2,000.00	3,225.00	2,000.00	2,000.00	1,850.00	0.00%	BURIALS
124	350.00	458.08	375.00	375.00	25.95	7.14%	INTEREST INCOME
125	2,000.00	1,450.00	2,000.00	2,000.00	50.00	0.00%	CEM LOT PURCHASE
126	2,000.00	1,450.00	2,000.00	2,000.00	50.00	0.00%	PERPETUAL CARE PURCHASE
127							MISC.
128							
129	6,350.00	6,583.08	6,375.00	6,375.00	1,975.95	0.39%	INCOME TOTAL
130							
131							CEMETERY EXPENSES
132	150.00	144.68	150.00	150.00	46.00	0.00%	ELECTRICITY (HAND PUMP)
133	350.00	538.33	350.00	350.00	50.97	0.00%	FUEL VEHICLES
134	200.00		200.00	200.00		0.00%	REPAIR-NOT VEHICLES
135	100.00		100.00	100.00		0.00%	REPAIRS-VEHICLES
136	2,500.00		2,500.00	2,500.00		0.00%	TREE MAINTENANCE
137	500.00	681.04	500.00	500.00	24.55	0.00%	MATERIALS & SUPPLIES
138	150.00	75.00	150.00	150.00		0.00%	TOOLS & EQUIPMENT
139	3,000.00	2,800.00	3,000.00	3,000.00	1,450.00	0.00%	GRAVE OPENING
140	500.00	398.29	500.00	500.00		0.00%	POTTIES
141							MISCELLANEOUS (LOT BUY BACK)
142	7,450.00	4,637.34	7,450.00	7,450.00	1,571.52	0.00%	EXPENSE TOTAL
143							

	Actual Budget 2019	Actual 2019 thru 10/31/19	Budget 2020	Actual 2020 thru 4/30/20	From 2019 to 2020	LEVY INCREASE ^^^^^^^^^^ 6.2650% FUND NAME
1						
2						
3						
4						
5						
6						
7						
8						
171						
172						ROADS INCOME
173	2,700.00	1,770.67	2,700.00	485.80	0.00%	INTEREST
174		519.07			0.00%	TRANSIT TAX
175				130.00	0.00%	MISCELLANEOUS
176	2,700.00	2,289.74	2,700.00	615.80	0.00%	ROADS INCOME TOTAL
177						
178						ROADS EXPENSES
179	11,500.00	10,395.44	13,000.00	4,197.72	13.04%	ELECTRICITY-STREETLIGHTS
180	4,000.00	4,580.08	4,500.00	1,936.28	12.50%	FUEL VEHICLES
181	3,500.00	3,272.89	3,500.00	1,458.41	0.00%	REPAIRS-VEHICLE & EQUIPMENT
182	200.00	344.36	200.00		0.00%	SERVICES-LEGAL
183	2,500.00		2,500.00	1,200.00	0.00%	SERVICES-TREE MAINTENANCE
184	3,500.00	2,641.47	3,500.00	942.07	0.00%	TELEPHONE/BROADBAND
185	1,500.00	714.25	1,200.00	516.22	-20.00%	UNIFORM SUPPLIER
186	6,000.00	2,011.95	6,000.00	1,317.92	0.00%	MATERIALS & SUPPLIES-SIGNS INCLUDED
187	4,000.00	9,893.85	5,000.00	57.84	25.00%	ROAD REPAIR MATERIAL
188	1,500.00	606.26	1,500.00		0.00%	TOOLS & EQUIPMENT
189	750.00	140.00	200.00	100.25	-73.33%	MISC.EXPENSE-LICENSE
190	4,000.00	1,687.50	4,000.00	1,365.00	0.00%	SWEEPING
191	5,000.00	6,079.05	5,000.00	2,473.25	0.00%	SALT AND SAND
192	5,000.00	2,698.58	5,000.00	878.06	0.00%	SERVICES - ENGINEERING
193	2,000.00	883.66	2,000.00	123.80	0.00%	REPAIRS-BLDG-MAINT./ALARM
194	2,500.00		2,500.00		0.00%	EXTRA SHERIFF PATROL
195	57,450.00	45,949.34	59,600.00	16,566.82	3.74%	ROADS EXPENSE TOTAL
196						
197						MARINE SCHOOL INCOME
198				1,491.92		RENTAL FEES
199				207.29		MISC./REIMBURSEMENT
200				1,699.21		MARINE SCHOOL INCOME TOTAL
201						
202						MARINE SCHOOL EXPENSES
203						HVAC SYSTEM
204				10,743.22	0.00%	ELECTRICITY
205						MOWING
206						BUILDING REPAIRS
207				278.89	0.00%	MATERIALS/SUPPLIES

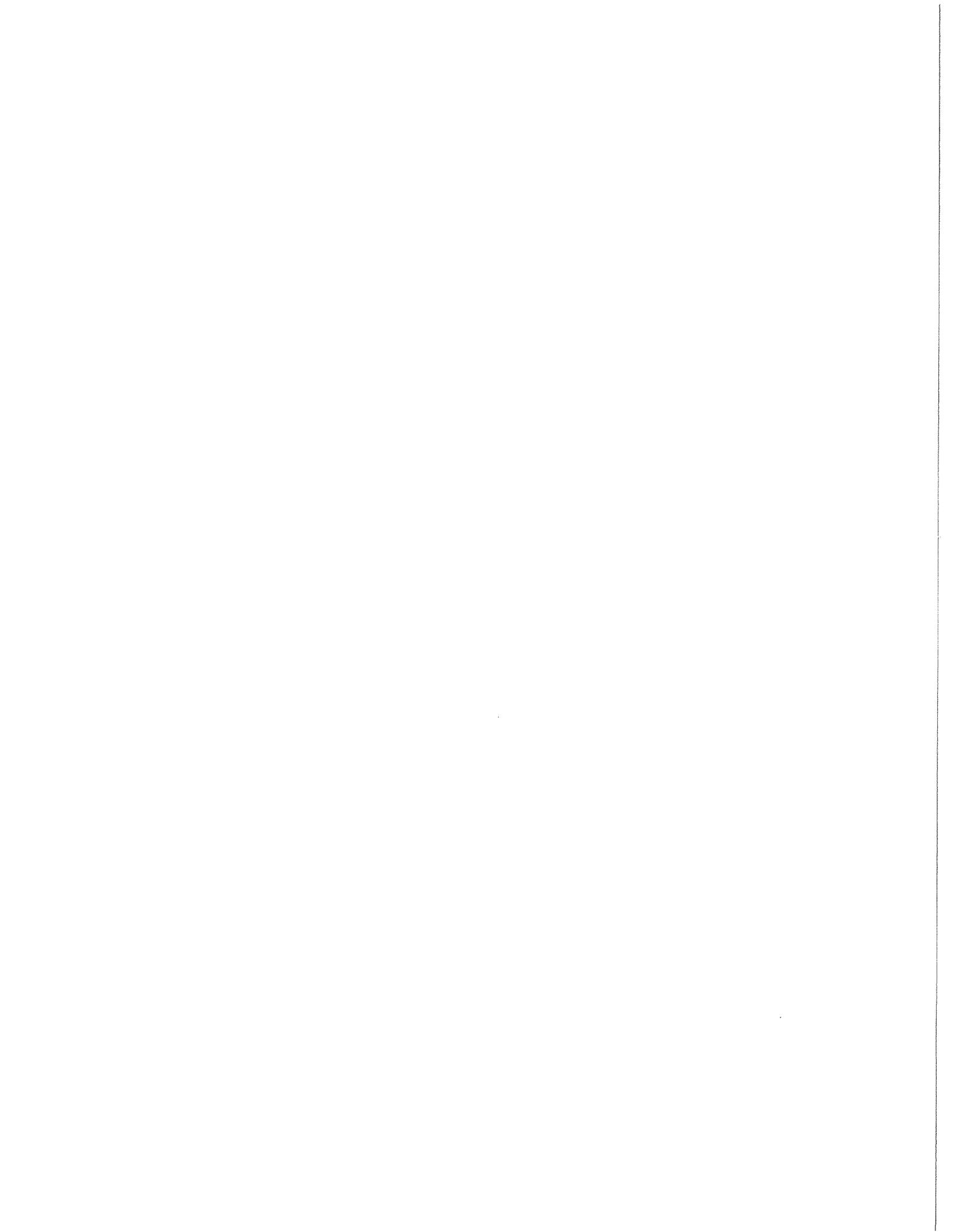
1	Actual	Budget	Actual	Budget	Actual	From 2019			
2	2019	2019	2019	2020	2020	to 2020			
3	thru 10/31/19	thru 10/31/19	thru 4/30/20	2020	2020				
4									
5	Actual	Budget	Actual	Budget	Actual				
6	2019	2019	2020	2020	2020				
7									FUND NAME
8									
234									WASTEWATER INCOME
235									
236	126,741.30	97,412.87	39,882.47	133,078.36	39,882.47	5.00%			OPERATION & MAINT.
237	2,000.00	717.72	315.60	1,000.00	315.60	-50.00%			INTEREST
238	1,500.00	1,173.78	559.44	1,500.00	559.44	0.00%			LATE CHARGE
239		6,566.16				0.00%			REIMBURSEMENT
240	17,000.00		0.00	0.00		-100.00%			GENERATOR CARRYOVER
241						0.00%			PINE CONE TRAIL PROJECT (BOND PAYMENT)
242	147,241.30	105,870.53	40,757.51	135,578.36	40,757.51	-7.92%			WASTEWATER TOTAL INCOME
243									
244									WASTEWATER EXPENSES
245	500.00	0.00	1,000.00	1,000.00		100.00%			EMERGENCY PUMPING
246	7,000.00	5,613.91	2,167.15	7,000.00	2,167.15	0.00%			ELECTRICITY
247	2,200.00	1,944.40	561.64	2,200.00	561.64	0.00%			FUEL-VEHICLE
248	2,000.00			2,000.00		0.00%			JETTING/LINE CLEANING
249	200.00	580.00	150.00	200.00	150.00	0.00%			SERVICES - LEGAL AND OTHER
250	0.00								SITE MAINTENANCE
251	200.00	128.50	200.00	200.00		0.00%			REPAIRS-BLDG&VEH
252	4,326.00		4,454.00	4,454.00		2.96%			ADMINISTRATIVE LABOR (LJP)
253	25,000.00	25,275.00	27,000.00	27,000.00		8.00%			SEWER PUMPING
254	9,500.00	15,958.86	170.69	9,500.00	170.69	0.00%			EQUIP. REPAIR
255	4,000.00	3,990.21	2,984.13	4,000.00	2,984.13	0.00%			MATERIALS & SUPPLIES
256	1,000.00	973.41	364.43	1,000.00	364.43	0.00%			TELEPHONE-PAGER & DIALER
257	5,000.00		5,000.00	5,000.00		0.00%			NEW EQUIPMENT
258	1,000.00	1,844.00	528.25	1,000.00	528.25	0.00%			LICENSE/PERMITS
259	3,000.00	2,120.00	932.20	3,000.00	932.20	0.00%			WATER TESTS
260	1,000.00	1,412.05	498.12	1,000.00	498.12	0.00%			TRAINING
261	14,708.00		15,134.24	15,134.24		2.90%			PW SUPERVISOR AND PART TIME
262	40,000.00		25,000.00	25,000.00		-37.50%			RESERVE FUND
263	17,000.00		17,000.00	17,000.00		0.00%			GENERATOR
264	3,000.00	5,877.55		3,000.00		0.00%			ENGINEERING SERVICES
265	6,500.00		6,500.00	6,500.00		0.00%			PANEL REPLACEMENT
266									PINE CONE TRAIL PROJECT
267									
268	147,134.00	70,187.89	8,356.61	135,188.24	8,356.61	-8.12%			WASTEWATER EXPENSES
269									
270									

May 2020 List of Bills

5/13/2020

Payable To	Total Check	Code	Breakdown	
			Amount	
Lynette Peterson	\$4,556.27	GEN		May Salary
Jason Crotty	\$2,048.38	GEN		05/01/2020 - 05/15/2020
Jason Crotty	\$2,048.38	GEN		05/16/2020 - 05/31/2020
Tom Boesel	\$2,252.61	GEN		05/01/2020 - 05/15/2020
Tom Boesel	\$2,252.61	GEN		05/16/2020 - 05/31/2020
Suzanne Dammann	\$1,043.68	GEN		05/01/2020 - 05/15/2020
Suzanne Dammann	\$1,043.68	GEN		05/16/2020 - 05/31/2020
Richard Johnson	\$193.93	G&R		May Salary-Compost Site
Tyler Peterson	\$260.88	G&R		May Salary-Compost Site
Edward Jones	\$100.00	GEN		Employee IRA Contribution
Security State Bank	\$5,296.67	GEN		Fed Withholdings May
Minnesota Revenue	\$896.66	GEN		MN Withholding May
PERA	\$1,908.70	GEN		05/01/2020 - 05/15/2020
PERA	\$1,061.02	GEN		05/16/2020 - 05/31/2020
Abrahamson Nurseries	\$481.60	P&R		Urban Forest
Action Rental	\$206.00	RDS		Capital
Advanced Auto (CarQuest)	\$64.20	RDS	\$32.10	Materials/Supplies
		WWT	\$32.10	Vehicle Repairs
Advanced Disposal	\$9,393.81	G&R		April Services
All Hands on Deck	\$455.00	HLL	\$240.00	Cleaning
		PS	\$215.00	Cleaning
Bolton & Menk	\$7,820.00	WWT	\$584.00	Eng / Services
		GEN	\$120.00	Engineer
		RDS	\$7,116.00	Capital
Capital One	\$2,323.50	GEN	\$519.71	Materials/Supplies
		GEN	\$180.57	Services
		GEN	\$60.00	Meetings (Appreciation Dinner)
		WWT	\$125.00	Materials/Supplies
		WAT	\$125.00	Materials/Supplies
		G&R	\$486.42	Materials/Supplies
		GEN	\$428.49	Office Equipment
		HLL	\$59.13	Materials/Supplies
		RDS	\$7.49	Services
		RDS	\$164.56	Materials/Supplies
		SCHOOL	\$9.79	Materials/Supplies
		PS	\$89.91	Materials/Supplies
		PS	\$26.62	Fuel
		PS	\$40.81	Repairs
CliftonLarsonAllen	\$588.00	GEN		Auditor
Companion Animal Control	\$75.00	GEN		Animal
Federated Co-Ops	\$371.99	WWT	\$214.46	Fuel
		RDS	\$63.53	Fuel
		P&R	\$94.00	Fuel
Forest Lake Trailer	\$738.31	RDS		Vehicle Repairs

Stryker	\$330.60	PS		Maintenance
T-Mobile	\$54.31	RDS		Cell Phones
Universal Truck Services	\$838.67	RDS		Vehicle Repairs
U.S. Bank	\$125.00	GEN		Copier
Vital Systems	\$49.35	GEN		Services
Washington County Prop Records	\$110.00	GEN		Services
Washington County Prop Records	\$5.01	GEN		Services
Xcel Energy	\$3,665.30	HLL	\$356.23	Electricity and Gas
		PS	\$194.44	"
		P&R	\$73.84	"
		RDS	\$279.59	"
		WWT	\$614.55	"
		WAT	\$286.89	"
		CEM	\$11.99	"
		SCHOOL	\$1,847.77	
Xcel Energy	\$647.62	RDS		Street Lights
TOTAL	\$73,312.79			



PIN 06.031.19.32.0008
Address 17520 ST CROIX TRL N
Owner SANDAGER ERIK T & BRIGID A
Class Residential



May, 2020 - MAINTENANCE REPORT

WASTEWATER

- P1 samples submitted.
- 1.10 million gallons pumped.
- Avg Daily flow 36k gallons, (Permit allows for 49,500 avg)
- Monthly max flow 43k gallons (Permit allows for 74k max)
- NPDES 5yr permit – Is being currently under review by the MPCA
- We both will be attending CE in March for Type 4 and Class D licensing.
MPCA is working on alternative training options to keep licensing current.
- STEP station needs total rebuild and is currently no running on Judd St *Done*
- New MPCA enforcement contact for our permit is Hailey Gorman.
- Working with Xcel & Tri-State Pump on plans for P1 Lift Station upgrade.
- Drain field switched to new beds, all applicable filters also changed on ISTS systems.
- Working on I&I inspection program to be discussed later this summer.
- Work with resident on possible sewer connection. (Hwy 95)

WATER

- Submit fluoride report.
- Well Inspections completed; no deficiencies noted. Planning to add School well to well inspections for 2021.
- Water main flushing completed for spring. No issues noted.

PARKS / TRAILS

- Bike trails have had their initial sweeping completed.
- Moving power panel in “Flag Pole” park to accommodate street project. *Completed waiting for Xcel on reconnect.*
- Mowing has slowly started as needed.

ROADS

- Streets have been swept
- Identified failure in Holmes St, referred to Ryan. Working with Ryan and Ta Schifskey to make corrections under project street warranty.
- Possible purchase of Elgin Sweeper, \$25k.
- Equip repairs of Lg dump truck (check engine light & DOT), small dump truck (exhaust manifold, trailer wiring), pick-up (tires) & Trailer DOT along with tires for one mower.
- Most likely we will be doing annual dust control on Quant, W-Maher, Old Marine Trl.
- Shouldering getting done started in JM.
- Grade gravel roads as needed.

CEMETERY

- Cleaned up brush.

- Cemetery cleaned ready for summer.
- Replaced valve on well, work repaired by PW
- Mark for burial and stone placement.
- Most likely we will be removing two large Oak trees from the SE portion of the cemetery.

Miscellaneous

- Respond to Fire/EMS calls as needed.
- Replace ballast in light at Fire Hall
- Open museum for spring, start dehumidifiers.
- Replace pump seal on Ranger pump, in house repair.
- JM HOA made repairs to their sewer system. Good communication between contractor and City.
- Compost site open
- Request for community service hours, most likely have some painting done.

School property:

- RTU #11 (Roof top unit) Computer has failed, cost for repair is \$7212.00-*Repaired*
- RTU #11 Exhaust fan VFD and actuator has failed cost is \$1983.00, there is a \$400.00 rebate from Xcel for the VFD.
- Miscellaneous vandalism at school lately. Seems to be kids type vandalism.
- Flushing water system
- Furnace filters due to be replaced. (by PW)