

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING

Thursday, February 14, 2019

The meeting was called to order by Mayor Mills at 7:00pm. Miller, Pardun, and Roden present. Anderson present remotely via FaceTime audio and video stream.

Citizens Present: Joel Anez (Landmark Surveying), Jason Crotty, Ryan Goodman (Bolton and Menk), Jennifer Henry, John Goodfellow, Kitsi Vadheim, Larry Roden, Gail and Gary Balego, Mike Hermes (Edina Realty), Suzanne Lindgren (Country Messenger), Wendy Ward, Jim Maher, Larry Martin, Robin Brooksbank, Michael Tibbetts

Citizens Considerations-

Billy McLaughlin-Hall Rental Fee/Temporary Liquor License Request-Billy McLaughlin was not present, but is requesting a hall rental reduction for a Neil Young tribute concert he has planned for May 3-5. He is requesting to pay the non-resident rate the first night, and the resident rate the following two nights. He received a similar rate reduction from the Council for his concert in December of 2018. Mr. McLaughlin is also requesting a temporary liquor license for the three days of the concert. Resident Jim Maher commented that following the December concert, the library experienced some issues with the lighting upstairs, and would like staff to remind McLaughlin to ensure the hall is in the condition it was before the concerts.

*Miller moved and Roden seconded to approve the hall rental fee and temporary liquor license request for Billy McLaughlin for May 3, 4, and 5. **Motion passed unanimously.***

Planning Commission-

Minor Subdivision Request – Gary/Gail Balego -Applicants Gary and Gail Balego were present to request a three-lot minor subdivision for the approximately 16 ½ acres they own along Highway 95. They received a recommendation of approval from the Planning Commission in January. There is a conservation easement as required by the Zoning Code, which is designed to protect open space. The proposed subdivision would also continue the existing development pattern in the area of 5 acre-minimum lots with single family residences. City Attorney Dave Snyder was also present as he has worked with the applicant’s attorney on finalizing the Easement Agreement, as well as a Development Agreement to ensure details such as erosion control, engineering requirements, and payment for costs incurred by the City. Mrs. Balego informed the Council that they have no intention of developing the property themselves and that the subdivision is intended to make the lots more financially feasible for potential buyers. Snyder stated that there will be one amendment to the Easement Agreement to indicate no access by neighbors to other parts of the easement. Anderson expressed concern that the three lots would still be for upper income families and would discourage multi-generational housing.

*Miller moved and Pardun seconded to approve Planning Case 012919-01, a Minor Subdivision request by Gary and Gail Balego as recommended by the Planning Commission, with the amendment to the Conservation Easement Agreement to remove shared access to the designated open space areas. **Motion passed unanimously.***

New Member Appointments -Roden introduced the Council to the two candidates recommended by the Planning Commission to fill the two current vacancies. Jennifer Malmberg Henry lives on 2nd Street and hopes to use her project management background to serve the Marine community. Ed Sanderson lives on 3rd Street but is in the process of buying a home on Rose Street. He recently

moved from Boston and has a planning and engineering background, currently working with MNDOT on bus transit projects.

*Miller moved and Roden seconded to approve Jennifer Henry and Ed Sanderson to the two vacancies on the Planning Commission. **Motion passed unanimously.***

Fire and Rescue- Chief Dan Malmgren was not present, but Miller and Anderson recently met with him to provide his updates and discuss upcoming goals. Malmgren met with the ISO auditor in January, and the report will be available in a couple of months. A Mutual Aid Agreement between the City, Washington County, and Fire Departments of St. Croix County Wisconsin is up for approval, as it is discussed every five years. There have not been any significant changes from the last agreement, except there will now be mutual aid available to the City on hazardous materials.

*Miller moved and Anderson seconded to approve the Mutual Aid Agreement between the City of Marine, Washington County, and Fire Departments of St. Croix County, Wisconsin as presented. **Motion passed unanimously.***

Roads – City Engineer Ryan Goodman reviewed recent actions involving the 2018 Street and Trail Improvements. In November, the City sent a letter to the contractor, T.A. Schifsky, indicating the plan to pursue \$6,000 in liquidated damages for work completed past the substantial completion date of October 1st. The contractor was unwilling to accept the liquidated damages provision, stating that the City has not suffered any financial losses as a result of the project. The City has since held payment, but due to the cost of pursuing legal action, the decision was made to prepare one more letter to the contractor and then evaluate the quality of the work in the Spring. It was noted that even with the next payment, the City would be retaining \$26,000. Pardun commented that this situation will change how the City conducts its bidding process, looking not only at price, but at the proposed schedule. Snyder said he would be willing to review the letter to ensure there is nothing limiting City action. Resident Mike Tibbetts expressed that recent City road projects have been over-engineered and too expensive.

Goodman then explained the two items up for Council review tonight. First is Change Order #2, which is a result of the elimination of the storm sewer provided from Change Order #1. As a result, steps were installed at 280 Rose Street to match changed road grade elevations, earth berms were installed at 281 and 251 Rose Street to contain runoff, and turf restoration will be reviewed in the spring. There is also a contractor's request for Payment No. 5 in the amount of \$69,832.47.

*Pardun moved and Roden seconded to approve Change Order #2 by TA Schifsky as recommended by Bolton and Menk. **Motion passed unanimously.***

*Pardun moved and Roden seconded to approve the contractor pay request to TA Schifsky in the amount of \$69,832.47. **Motion passed unanimously.***

Personnel/Building Inspector- No report.

Parks & Recreation-Miller updated the Council that there will be a meeting in March regarding the Park and Gateway Trail. There is also a possible project in the very early stages regarding the Anson property, potentially using it for mountain biking in the summer and skiing in the winter. Miller then noted how resident Andy Powell has been grooming the Jackson Meadow trails, and asked other residents to be aware that there is both a traditional track and the ski track for respective uses.

Finance/LRP –Pardun shared the proposed 2018 Reserve Funds, or funds that did not use all of their budgeted monies in 2018, totaling \$63,415,000.

*Pardun moved and Miller seconded to approve the proposed 2018 Reserve Funds as presented.
Motion passed unanimously.*

Cemetery- No staff report. Tibbetts asked if it was too late to reconsider a land exchange with the Park for cemetery use, rather than the already staked City owned parcel adjacent to the Public Works building. Mills said he could ask the Park Manager but did not expect the Park to be in favor.

Wastewater and Water Systems-Pardun shared that there was a preliminary meeting today to have Bolton and Menk look at the City's sewer system, since many people were bypassed during the sewer project in the late 1980's and have had to re-do their septic. Bolton and Menk would perform studies of the flow to determine the capacity of the system and estimated costs. Goodman said Phase 1 would be simply analyzing existing data as well as potential inflow and infiltration issues. There is plenty of time to conduct these studies because the existing drainfield has multiple cells that are consistently being rotated.

Citizen Committee Reports

Village Center Task Force-No report.

MarLa-Maher provided an update of the library's activities. The last documentary of the season took place last week and was well attended like the others despite the poor weather. Oscar Night will be on Saturday, February 23rd and is sold out. There are also new art displays in the library for visitors to enjoy. Family Game Night last week was also a success, and a registration for this summer's children's programming opened last week. The library plans to approve the Council approved Memorandum of Agreement at their next meeting on Monday February 18th.

Hall/Restoration-Public Works Lead Jason Crotty reviewed that the compressor downstairs failed last month, and explained that the new compressor revealed leaks in the sprinkler system. The Fire Department responded and the system was restored. The system is now functioning properly except for the accelerator, which speeds up the water. Crotty will continue to monitor and take care of the situation.

Stormwater/Watershed –A meeting was held last night regarding Marine's Stormwater Phase 2 involving the ravine. Citizens from Pine Cone Trail were present asking questions, and the project is currently at 60% progress. Plans have been sent to MNDOT and bids will be going out in April or May.

Millsite-No report.

Green Step Cities-No report.

Holidays-Anderson will be working closely with Chief Malmgren on barrier and traffic control for future events.

School Property-

Approval of Bond-Bond Attorney Andy Pratt was present and provided information to the Council regarding the planned March 1st closing of the school. The purchase will be made through a lease revenue bond and not general obligation. On March 1, the School District will transfer the title to the Economic Development Authority (EDA), and the City will have a contractual obligation to pay the

EDA debt service (\$950,000 over 30 years), or rent. Miller said this approach gives the City more options moving forward.

There is a resolution to be approved which would authorize the City's execution of the closing documents. One of these documents is an Assignment of Purchase Agreement to be signed between the City and the EDA, which is currently comprised of the Council members.

*Pardun moved and Miller seconded to adopt the Resolution Authorizing the Execution and Delivery of a Ground Lease, Lease-Purchase Agreement, and Other Documents, Related to the Issuance and Sale of the Economic Development Authority of the City of Marine on St. Croix, Minnesota \$950,000 Lease-Revenue Bond (Marine Elementary School), Series 2019. **Motion passed unanimously.***

Mills recessed the City Council meeting at 8:10 pm.

EDA-Mills opened the EDA meeting at 8:11 pm.

There is a resolution to be approved which would authorize the EDA's execution of the closing documents for the purchase of Marine Elementary School. The Lease Agreement to the City of Marine is not yet finalized but the resolution authorizing the closing documents covers it.

*Miller moved and Pardun seconded to adopt the Resolution Authorizing the Execution and Delivery of a Ground Lease, Lease-Purchase Agreement, and Other Documents, and the Issuance and Sale of the Economic Development Authority of the City of Marine on St. Croix, Minnesota \$950,000 Lease-Revenue Bond (Marine Elementary School), Series 2019. **Motion passed unanimously.***

*Miller moved and Anderson seconded to adjourn the EDA meeting at 8:13 pm. **Motion passed unanimously.***

Mills reopened the City Council meeting at 8:14 pm.

Consent Calendar – *Pardun moved and Roden seconded to approve the Minutes of 1/10/2019, Treasurer's Report 1/19, List of Bills to be paid for 2/14/2019, Planning Commission Minutes, Zoning Administrator's Report, and Public Works Maintenance Report. **Motion passed unanimously.***

Old/New Business-

Communication Infrastructure Proposal

Anderson presented a proposal to form a Communication Infrastructure Committee, as he has received a lot of concerns from residents related to it and there is a lack of quality options. Anderson has met with some very qualified residents he feels should be part of the Committee. The Committee's goals would include: researching current cell and internet coverage, reviewing the City's current Franchise Agreement with Midcontinent in cooperation with the City Attorney, exploring potential partnering opportunities with other communities such as Scandia, and looking into grant opportunities. The Committee would then make a recommendation of options to the City Council within a one-year time frame. The Committee would meet once a month or as needed, reporting to the Council, and engage with service vendors and providers. The Committee would then disband once the work is completed. Anderson would also like to add Telecom and ISP to the City's long-term goals.

Anderson moved and Roden seconded to approve the creation of a Communications Infrastructure committee, with the following as committee members.

Charlie Anderson (Liason)

Paul Anderson

Kelli Carlson

Andy Lapos

Kim Creager

Motion passed unanimously.

Citizen of the Year/Life Time Achievement Award Nominations- There were no nominations from the Council. Miller said that since no one stood out to the Council as particularly deserving, they could skip it this year. The Council was in agreement.

Long/Short Term Goals-There was an addition of Telecom and ISP to the long-term goals.

Mayor Notes/Clerk's Report- No report.

Adjournment- *Pardun moved and Miller seconded to adjourn the meeting at 8:24 pm. **Motion passed unanimously.***