CITY OF LAKE ST. CROIX BEACH
16455 20TH STREET SOUTH
WASHINGTON COUNTY, MINNESOTA

CITY COUNCIL MEETING

October 19, 2015

MEMBERS PRESENT:	Tom McCarthy, Charles W. Brown, Michelle Kline, Cindie Reiter, Jim Unker
STAFF PRESENT:	John Parotti, Kevin Sandstrom, Susan Schuler, Amy Truhlar
OTHERS PRESENT:	Jon Place, Dolly Burns, Jim Golden

CALL TO ORDER by Mayor McCarthy at 7:05 p.m.

PLEDGE OF ALLEGIANCE was said.

APPROVE AGENDA Agenda Item 3

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER KLINE, TO APPROVE THE AGENDA AS PRESENTED. MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA Agenda Item 4

Councilmember Reiter and Councilmember Unker had questions regarding item B on the Consent Agenda.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE THE CONSENT AGENDA WITH ITEM B REMOVED AND PLACED AS AGENDA ITEM 10A. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – AYE, KLINE – AYE, BROWN – AYE, MCCARTHY – AYE.

PUBLIC COMMENTS Agenda Item 5

Jim Golden, 1920 Quarry Avenue South, reported that he received a phone call from the Tribal Historic Preservation Officer of the Prairie Island Indian Community. They are very concerned at having not been included in the EAW process for the Afton Wastewater Treatment System, and they are going to request to be a party in the 106 program. Mr. Golden noted that the effigy mound in Afton is one of five sacred sites in Minnesota, making it a significant effigy mound.

Mr. Golden explained that he attended an Afton City Council worksession, and Afton still does not have their permit from the MPCA for the project. The Afton City Council is concerned that so much money has been spent on engineering fees for the project, and ground has not yet been broken on the project. The project cost has grown to $20 million, and is projected to be completed in 2017.

PUBLIC SAFETY REPORTS Agenda Item 6

Deputy Sullivan reported that there were 29 calls for law enforcement services in September. There are no major issues at this time. There were 362 calls for service in quarter three for Lake St. Croix Beach, which is similar to the same period last year.

Councilmember Unker asked why there seem to be many new officers in the area. Sargeant Van Klei reported that the scheduling depends on who is available. There are several new deputies that have started recently. The department is moving them around the county. This way they get to know various communities and can fill in as replacements as needed while already having familiarity with the area. Deputy Sullivan pointed out that there are two full-time deputies and two-part time deputies assigned to the area. After 11:30 p.m., there is no assigned deputy for the area, so available deputies respond to calls. He reported that all deputies for the area have the ordinances they need.

Councilmember Brown reported that the animal control report listed two warning letter sent. Two dogs were reported lost, and one dog was reported found.

Jim Stanley, deputy chief of the Lower St. Croix Valley Fire Department, reported there were 30 calls for the month of September, 7 of which were in Lake St. Croix Beach. Mr. Stanley explained that the fire department issues tickets for illegal burns. The city then pays the city or county attorney to prosecute the ticket, and the judge orders a fine. The city authorized the fire department to bill the residents for these unauthorized burn fees. There is a resident in Lake St. Croix Beach who is not paying the fine. Mr. Stanely asked that he be allowed to turn this over to the city to be assessed to the individual's property taxes. City Attorney Kevin Sandstrom stated this would be acceptable. Councilmember Reiter asked whether the city would then receive a portion of this fee. Mr. Stanley explained that the fees are for services rendered when the call has been received, and the city would not receive any portion of the fine.

Mr. Stanley reported that the fire department had determined that the sign that they wanted was an affordable project. The next step is to have a public hearing to make an amendment to their conditional use permit (CUP) or a variance for the LED sign they would like to have. The public hearing will be held on Wednesday, November 4, 2015 regarding this issue. Information on the sign will be done on a first-come, first-served basis if there is no fire department news. Anything not related to any of the cities would need to first be approved by the Lake St. Croix Beach City Council. The sign will be two-sided and separate messages can be placed on either side. The brightness can be turned down at night so it will be less offensive. Mr. Stanley stated that the sign will be a great piece of equipment and will prove to be very useful to all five cities. Councilmember Reiter stated that she did not feel all cities would be served equally by the sign as most Afton residents, Lakeland residents, and Lakeland Shores residents do not travel past the fire department very often. She expressed concern that it would create visual pollution. She stated she was not in favor of this sign.

CITY STAFF REPORTS Agenda Item 7

CITY ENGINEER PAROTTI (7A)

Site #1 and #2 Bluff Repair

John Parotti, City Engineer with SEH, noted that he only had prepared an update regarding Site #2 Bluff Repair. He reported that the City Council awarded the bid to Zappa Brothers for the work on South Bluff Repair Site #2. Work on the site is

scheduled to begin October 23 or 26 and is expected to take less than two weeks. This will allow the project to be completed in time for the grant deadline in November.

Mayor McCarthy stated he had asked the other items be added under the City Engineer report because he felt that the city had many ongoing projects, but nothing was getting done. He wanted to know what the next steps were on each of the projects.

Riviera Avenue Levee and 21st Street Levee

Mayor McCarthy explained that the Army Corps of Engineers (ACOE) had given the city a list of several things that needed to be done on the levees, including removing trees and stumps, grading the levees, and moving the electrical poles (city street lights). The city was given one year to complete the items. The city requested an extension as the items were expensive. The ACOE said the city needed to make progress on the goals every year. Mayor McCarthy noted that ACOE representatives have checked the levees twice and have been happy with the progress being made. He noted that more trees need to be taken down on the 21st Street Levee, and this work is being held up because the city needs to obtain one more easement. He asked if this is being worked on and stated he would no longer work with Sentenced-To-Service (STS) crews because he was frustrated that the easement had not yet been obtained. City Engineer Parotti noted that SEH is working on the survey. He added that since progress has been made, he was trying to be mindful of the city's engineering budget on non-urgent items. Mayor McCarthy stated he has been working hard to take care of these things, and now he is giving up. He wanted the city and City Engineer Parotti to know where they were on the levee projects. There was discussion regarding the easement needed.

Site #1 Bluff Repair

Mayor McCarthy stated that the grass is growing in well at Site #1. He stated that there is a lot of extra netting which seemed to pose a tripping hazard. City Engineer Parotti advised that the extra netting could be cut away.

Updates

City Engineer Parotti explained that he talks with Miller Excavating every week and asks whether they will be coming to do the cleaning. He is always told the work will be done in the next two weeks. It has still not been done. Mayor McCarthy asked when the street sweeping will be done. City Engineer Parotti reported that it is still early to perform the work as it is usually done after most of the leaves have fallen off the trees. It was suggested that the work be done on November 1. City Engineer Parotti stated he would let the contractor know the city would like the work to be done close to November 1, 2015.

Mayor McCarthy reported that he had talked with Lawn Barbers, the city's mowing contractor. They have never mowed the wetlands near the Villas as Washington County has always mowed that area. However, the county will no longer perform that work because the trees are too big. He has had STS remove trees in the wetland near the city garage. City Engineer Parotti explained that there are wetlands and there are drainage basins, which are two different things. The wetland area near the city garage is adjacent to a wooded wetland. Therefore, some species of trees are desirable in those types of wetlands. A wetlands expert could tell the city which types of trees are desirable and which should be removed. Drainage basins should be kept clear of woody vegetation.

CITY ATTORNEY SANDSTROM (7B)

City Attorney Sandstrom provided an update regarding the person living in an RV on a vacant lot. The RV has been moved off the property and into an RV park. This person's attorney is still asking permission to store items on the property. City ordinances do not allow exterior storage on a vacant lot (property without a principle structure). He is now asking for a variance to store items on the property. A variance can not be granted for something that is not permissible. The city could choose to allow the storage through a conditional use permit (CUP). This would require a two-step process as the city would first need to change the zoning ordinances to allow this type of use under a CUP. Then the property owner would need to apply for the CUP. These two steps would require separate public hearings.

CITY CLERK-ADMINISTRATOR SCHULER (7C)

City Clerk-Administrator Susan Schuler reported that she met with the Sheriff's Department regarding delivering letters to property owners with unknown mailing addresses. They suggested that Washington County could help obtain the correct addresses, but they will help deliver letters if proper addresses can not be obtained. A deputy stops in to City Hall on a weekly basis to check on any issues.

Ms. Schuler has met with Waste Management to discuss ideas for Clean-Up Day. They discussed a system where residents could purchase stickers that they could then stick on any items they wanted picked up. Pick-ups would occur on pre-scheduled days, and stickers would be pre-paid and purchased at City Hall. This could be scheduled as often as the city would like. She is setting up a meeting with Maroney's to discuss options. She will then present all options to the Environmental Advisory Commission (EAC).

Save-A-Tree provided a quote for clearing right-of-ways (ROW) and line-of-sight (LOS) issues. Valley Tree Service declined to make a quote. City Clerk-Administrator Schuler reported that Mayor McCarthy had said Tri-County Services, Inc. would like to provide a quote and he would get the documents to them, but she had not heard back whether this would be done. She did not want to make Save-A-Tree's quote public until Tri-County provided a quote if the city would like another quote. Councilmember Unker asked about whether individual property owners would be assessed for this service as they had discussed in the past. It was noted that the City Council had added a line-item to their budget for this. Ms. Schuler explained that assessments could be done for this service, but the city would need to first pay for the service and then wait for the assessment money to come back. Councilmember Reiter stated that the city could pay for it to all be done correctly once, and then residents would have a starting point to go from. It would be easier to get people to maintain if everything was cut back properly first. The City Council suggested mailing a request for a quote to Tri-County Services, Inc. for the work with a deadline for submission before the November City Council meeting.

City Clerk-Administrator Schuler reported that she had been forwarded an email from a resident who claimed that she had paid for a dog license in April and did not yet have the license. The resident also claimed that she had received several letters from the animal control officer stating that she needed to get a license. Ms. Schuler spoke with Kathi Pelnar, the city's animal control officer, who said she had only sent one letter to this resident, and it was about excessive feces in her yard. No letter was sent regarding

obtaining a dog license. City Clerk-Administrator Schuler explained that the resident has had the dog license since April and was actually only waiting for the dog tag. She also noted that this resident has lived in the city for many years, and this is the first time she has licensed her dog. Ms. Schuler responded to the email and has not heard back from the resident. It was noted that all City Councilmembers had received the email from the resident, and Councilmember Unker thanked City Clerk-Administrator Schuler for responding and addressing the issue.

STS trimmed one corner on the west side of CSAH 18 where there was an accident due to LOS issues. The Planning Commission will be holding a public hearing on November 4, 2015 for the annual renewals of the CUPs and Certificate of Compliance. City Clerk-Administrator Schuler was informed that the city's documents for the community rating system (CRS), which in part determines how much residents will pay for flood insurance, were not submitted by the Interim City Clerk-Administrator. She has been given an extension on submitting these documents until the end of October.

The November Park Commission meeting has been rescheduled for Wednesday, November 18, 2015 in order to have Paul Gladen, the city's loss control representative, give a presentation. Members of the Planning Commission will be looking through past variances to see possible patterns regarding which variances are most often requested. This could result in suggestions for changes on some of the city's ordinances in the Riverway District and floodplains. Councilmember Reiter asked whether the Park Commission meeting could be held before the City Council meeting in November. City Clerk-Administrator Schuler reported that this is the only day Mr. Gladen was available. His presentation will be about environmental safety through ordinances in parks. The Truth-In-Taxation Hearing will be held at the December City Council meeting on Monday, December 21, 2015.

City Clerk-Administrator Schuler reported that she will be out of the office on Friday, October 23, 2015 to attend a presentation at the League of Minnesota Cities (LMC). She will also be attending training on October 28, 2015 through Government Training Services (GTS) regarding the Comprehensive Plan. The training costs $110, and there is money in the city's budget for staff training. The City Council agreed this would be a good training for her to attend.

Councilmember Reiter asked whether the city had received the money from the City of Lakeland for the building permit fees for quarter two. City Clerk-Administrator Schuler noted that she had verbally requested these fees from the Lakeland City Treasurer. The City Council suggested a strongly worded letter requesting these funds.

DEPUTY CLERK-TREASURER TRUHLAR (7D)

Deputy Clerk-Treasurer Amy Truhlar presented the bills for the month of October totaling $35,506.83. This includes nearly $13,000 for fire protection services for the 4th quarter.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO PAY THE BILLS AS PRESENTED TOTALING $35,506.83. MOTION PASSED UNANIMOUSLY.

City Clerk-Administrator Schuler reported that the city has received the draft plan for the legislative policies from Metro Cities. Each city is allowed one vote. She stated

that any Councilmember interested may pick up a copy of the draft plan and one vote can be submitted. The vote must be submitted by November 18, 2015.

NEW BUSINESS Agenda Item 8

CONTRACT WITH TRI-COUNTY SERVICES, INC. TO BE CITY'S MAINTENANCE PROVIDER (8A)

Mayor McCarthy reported that the City of Lakeland has eliminated its Public Works Department. They are hiring Tri-County Services, Inc. to perform all public works services for Lakeland and Lakeland Shores. The company also performs all these services for the City of Afton. He suggested the City of Lake St. Croix Beach also hire Tri-County Services, Inc. to perform these services. He stated that City Clerk-Administrator Schuler could meet with Tri-County Services, Inc. to create a contract that mimics those that the company has with the neighboring cities.

Councilmember Reiter expressed concern that one company would be providing all services for five cities. She wondered how each city would be serviced especially in the event of a snowfall, for which the city already contracts with Tri-County Services, Inc. Mayor McCarthy stated he had the same concerns, and he was also concerned that Lake St. Croix Beach could lose Tri-County because other cities are larger as they combine for services. That was why he was making this suggestion. Councilmember Kline suggested that Tri-County Services, Inc. should put a proposal together to submit to the city. The proposal should address all concerns that Councilmember Reiter was expressing. She also stated that City Clerk-Administrator Schuler should not have to meet with him for the proposal.

City Attorney Sandstrom explained that a contract can be amended by mutual agreement between the two parties, but the city can hold Tri-County Services, Inc. to the terms in the existing contract for snowplowing. It was suggested that this be a winter project to get the proposal and costs together. It was also suggested that Tri-County Services, Inc. could bid with other companies for these services.

PETTITT PARK SIGN (8B)

The Park Commission would like to order signs for Pettitt Park that state that alcohol is not permitted in the park and all dogs must be on a leash. They would also like to order a dog bag dispenser. There was discussion regarding what kind of signs to order. These would be metal signs, not painted signs like at Riverfront Park.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO AUTHORIZE THE PURCHASE OF SIGNS FOR PETTITT PARK STATING THAT ALCOHOL IS NOT ALLOWED IN THE PARK AND NO UNLEASHED DOGS AND THE PURCHASE OF ONE DOG BAG DISPENSER.

Councilmember Unker asked what would happen if the city were to allow alcohol in the park on occasion. Councilmember Reiter pointed out that the city would need to change the ordinances if that were to occur. Councilmember Kline asked about the volleyball courts, noting that alcohol is consumed there. It was noted that the volleyball courts are not part of the park. They are on city property, but not on parkland.

MOTION PASSED, 4 AYES, 1 NAY (UNKER).

VETERANS' PARK (8C)

Mayor McCarthy explained that the Yellow Ribbon Alliance, the Afton-Bayport-Lakeland Lions' Club, and the Garden Club would like to help with the Veterans' Memorial, located at the site of the old City Hall (1919 Quebec Avenue South). Kopp Sign has painted signs that they are donating for the space. Two flagpoles are in the City Hall garage, and they will be installed on the site. They will be temporarily located to get the Veterans' Memorial started.

MOTION BY MAYOR MCCARTHY, SECONDED BY COUNCILMEMBER BROWN, TO ACCEPT THE RECOMMENDATION FROM THE PARK COMMISSION TO BE SUPPORTIVE OF THE YELLOW RIBBON ALLIANCE OF THE LOWER ST. CROIX VALLEY, THE AFTON-BAYPORT-LAKELAND LIONS' CLUB, AND THE GARDEN CLUB IN INSTALLING SIGNS, RAISING MONEY, SUBMITTING A PLAN, AND INSTALLING FLAGPOLES AT VETERANS' PARK.

Councilmember Reiter noted that the City Council had previously voted to support this idea. Mayor McCarthy stated this is just reiterating support and accepting help from the outside organizations. Councilmember Reiter noted that this was park use, not a park, and it is a Veterans' Memorial. It was explained that the city will not be raising money for the memorial, outside organizations will be raising funds. Mayor McCarthy stated that a total of six flagpoles are planned. Councilmember Unker stated that he did not think this was the proper place for Memorial. He thought the Veterans' Memorial should be outside City Hall, to the west of the building, near the bike path. He did not think this was the best use for the property.

FRIENDLY AMENDMENT BY MAYOR MCCARTHY, SECONDED BY COUNCILMEMBER BROWN, TO CALL THE SPACE THE VETERANS' MEMORIAL.

MOTION PASSED, 4 AYES, 1 NAY (UNKER).

ANIMAL HUMANE SOCIETY 2016 CONTRACT (8D)

No changes have been made to the contract for 2016.

MOTION BY COUNCILMEMBER REITER, SECONDED BY MAYOR MCCARTHY, TO APPROVE THE RENEWAL OF THE ANIMAL HUMANE SOCIETY CONTRACT FOR IMPOUND AND HOUSING SERVICES FOR 2016 AND LET THE CITY CLERK-ADMINISTRATOR SIGN IT, AND SUBMIT IT. MOTION PASSED UNANIMOUSLY.

CABLE COMMISSION CHECK (8E)

It was noted that the city receives a $300 check each quarter from the Cable Commission and an annual disbursement at the beginning of each year. Another check was sent from the Cable Commission recently for $1,681.64. The memo line on the check stated that this was for the fire sign. Councilmember Reiter noted that the Cable

Commission is only advisory as any other commission/committee. They should have only made a recommendation that this special disbursement of cable funds was to be used as a donation to the fire department for their new sign. Councilmember Brown, City Council liaison to the Cable Commission, reported that the Cable Commission has not had a meeting for several months, and this disbursement, although discussed, had not voted upon. Councilmember Unker wondered if there was a limit to what the Cable Commission could spend on the city's behalf.

Mayor McCarthy pointed out that this issue has been discussed in the past by the Cable Commission. Councilmember Brown acknowledged that the Cable Commission had discussed the fire department sign and asked the five cities to donate money to the fire department for the new sign. However, the Cable Commission had never held a vote to distribute money to the cities for this purpose. There was discussion of what to do with this check. It was suggested that the city could deposit the check and not donate it to the fire department. There was then concern that the Cable Commission would then hold back the city's quarterly or annual disbursements. Councilmember Unker suggested returning the check to the Cable Commission with a letter asking them to resend the money, and the City Council will then discuss what to do with the funds.

MOTION BY COUNCILMEMBER UNKER, SECONDED BY COUNCILMEMBER BROWN, TO RETURN THE CHECK FOR $1,681.64 TO THE CABLE COMMISSION ASKING THEM TO SEND THE CITY THE WHOLE OF ITS MONEY WITHOUT THE NOTE THAT SAYS "FOR FIRE SIGN." MOTION PASSED UNANIMOUSLY.

Councilmember Unker asked that this be added to the November City Council meeting agenda with a copy of the Joint Powers Agreement for the Cable Commission.

UNFINISHED BUSINESS Agenda Item 9

DOG LICENSES (9A)

Deputy Clerk-Treasurer Truhlar reported that the dog tags have been received. Everyone who has purchased a license up to this point has been sent their tags. These tags are good until 2017. A new policy will be developed for lifetime dog licenses, and the new policy will be implemented after these dog tags expire in 2017. It was noted that residents should purchase current licenses. The fee is $10 for a spayed/neutered pet, $25 if it is not spayed/neutered.

OTHER BUSINESS Agenda Item 10

PERSONNEL COMMITTEE APPOINTMENT (10A)

It was noted that Councilmember Unker did not accept the Personnel Committee appointment, so Mayor McCarthy would remain on the committee.

COUNCIL/STAFF REPORTS Agenda Item 11

COUNCILMEMBER BROWN (11A)

Nothing further to report.

COUNCILMEMBER KLINE (11B)

Councilmember Kline reported that the Park Commission would like to do some landscaping in the Pettitt Park parking lot. She presented a plan created by Park Commission Chair Lyle Sorenson, who was unable to attend the City Council meeting. Councilmember Reiter noted that the plan calls for the use of city funds, and requests for funds should be included in the City Council packets so they have time to review and consider the request. She suggested the plan be explained and then added to the November City Council meeting agenda.

Councilmember Kline reported the Park Commission is requesting $2,700 in funds to plant trees and install a split-rail fence. She noted that they are requesting this now because this is the best time to plant the trees. This plan was created because there were several phone calls concerning dangerous driving through the parking lot from the Beach Bar parking lot which is adjacent to the Pettitt Park parking lot. This plan would create a green space barrier to address the safety issue. She noted that a barrier was also suggested by the loss control representative.

Jon Place, owner of the Beach Bar, pointed out that this discussion is taking place without being placed on the agenda. He reminded the City Council that this road was planned by the city when the bar was built as a second entrance/exit. He asked for complaints to be validated and wondered why the police were never called for the dangerous driving. Mr. Place also questioned the budget for the project and whether the trees would block the visibility of his business from the south. Councilmember Reiter stated she could understand Mr. Place's concern regarding the visibility of his business, and she suggested just putting grass in the whole area.

It was noted that the Park Commission did not make a recommendation on this plan. Mayor McCarthy stated he had seen a truck go speeding through the parking lot and squealing his tires out onto CSAH 18. He was questioned as to why he did not call the police after witnessing this incident. Further discussion continued.

City Attorney Sandstrom pointed out that it was difficult to follow the discussion when everyone was talking at once. He suggested the City Council make a motion to take some action or table the issue.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO TABLE THIS ISSUE UNTIL THE PARK COMMISSION MAKES A RECOMMENDATION. MOTION PASSED UNANIMOUSLY.

COUNCILMEMBER REITER (11C)

Councilmember Reiter reported that the Middle St. Croix Water Management Organization (WMO) discussed MIDS changes among the communities. The LSCV Partnership Team discussed three projects in Lake St. Croix Beach in an unfavorable light. The Planning Commission discussed the Comprehensive Plan and the conditional use permits (CUPs). She asked staff to get a report on the prairie remnant burn since it was added to the budget. She asked for the report to include the reason for the burn, the effects of the burn, and whether it is doing what it is designed to do. City Clerk-Administrator Schuler stated she is waiting for a call back from Wiley Buck regarding the burn. She hoped to have more information at the next City Council meeting.

COUNCILMEMBER UNKER (11D)

Councilmember Unker stated that he had spoken with City Attorney Sandstrom before the last St. Mary's Point City Council meeting, and he found that the costs for the fight against the Afton Wastewater Treatment System had been split quite evenly. Therefore, he had not asked the St. Mary's Point City Council for more funds.

MAYOR MCCARTHY (11E)

Nothing further to report.

ADJOURNMENT Agenda Item 12

MOTION BY COUNCILMEMBER BROWN, SECONDED BY MAYOR MCCARTHY, TO ADJOURN THE CITY COUNCIL MEETING AT 9:22 P.M. MOTION PASSED UNANIMOUSLY.

Thomas McCarthy, Mayor

Susan Schuler, City Clerk-Administrator