

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

CITY COUNCIL MEETING

July 20, 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: S. Storm, Nigel Parry, Kathy Golden, Barb Kopp, Dolly Burns, Jim Golden, Jon Place, Mary Parr, Jim Stanley

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

PLEDGE OF ALLEGIANCE was said.

APPROVE AGENDA Agenda Item 3

Councilmember Reiter asked to add Item 10B, City Signage, to the agenda.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE THE AGENDA AS AMENDED, WITH THE ADDITION OF ITEM 10B, CITY SIGNAGE. MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA Agenda Item 4

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER KLINE, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – AYE, KLINE – AYE, BROWN – AYE, MCCARTHY – AYE.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER KLINE, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON JUNE 15, 2015 AS PRESENTED. MOTION PASSED UNANIMOUSLY.

PUBLIC COMMENTS Agenda Item 5

Kathy Golden, 1920 Quarry Avenue South, thanked Councilmember Unker and City Attorney Kevin Sandstrom for their presentations at the Minnesota Pollution Control Agency (MPCA) Citizen's Board Meeting. She stated that City Attorney Sandstrom's presentation was very well done, and she was very impressed. Councilmember Brown noted that the link to watch the meeting is on the city's website.

Jim Golden, 1920 Quarry Avenue South, reported that he was very impressed with City Attorney Sandstrom's work and presentation at the Citizen's Board Meeting. He noted that there

were many questions asked by the Citizen's Board, and he felt Lake St. Croix Beach representatives had good answers while Afton and MPCA representatives did not have good answers. He urged everyone to watch the meeting and pointed out that the meeting lasted 9 hours. He reported that the Environmental Impact Statement (EIS) was not required, and the contested case hearing was denied. The permit has not yet been issued, and archaeological stipulations were put in place. Mr. Golden asked the City Council to authorize City Attorney Sandstrom to continue to monitor the situation to keep the city up-to-date. He stated that the city should continue the fight against the system. He also asked whether the meeting with Washington County, St. Mary's Point, and Afton had been set up. He suggested a regional solution should be discussed.

Councilmember Unker asked if Agenda Item 10A, Afton Wastewater Treatment System, could be moved and discussed earlier in the meeting. City Attorney Sandstrom advised that the City Council could discuss agenda items in a different order than listed on the agenda. After discussing where to place the item, it was decided the discussion would take place after Public Safety Reports and before the City Engineer's Report.

MOTION BY COUNCILMEMBER UNKER, SECONDED BY MAYOR MCCARTHY, TO MOVE AGENDA ITEM 10A, AFTON WASTEWATER TREATMENT SYSTEM, TO AGENDA ITEM 6.5. MOTION PASSED UNANIMOUSLY.

Jon Place, Box 302, Lakeland, had a comment regarding the League of Minnesota Cities (LMC) Loss Control Issues. He noted that the City had talked with him about the issue of the parking lot that is shared by Pettitt Park and The Beach Bar. He pointed out that with the Dram Shop Laws, he, as a third party, could be held responsible if something were to happen after a patron left his establishment and hurt someone. Because of this, he is concerned about safety in the area. However, he does not see speed and carelessness in the parking lot as a big problem. He added that he wanted to work with the City in coming up with a solution.

PUBLIC SAFETY REPORTS Agenda Item 6

Councilmember Brown reported there were 44 calls to law enforcement in the month of June, and one citation was issued. The animal control report for June listed no warning letters sent, 1 dog was reported lost, 1 dog was reported found, and one banded pigeon was found. Councilmember Reiter noted there was an armed robbery in Lake St. Croix Beach on July 6, 2015. She stated that Deputy Sullivan issued a cautionary notice that if people are selling something on the internet, transactions should take place in a public place.

Jim Stanley, Deputy Chief of the Lower St. Croix Valley (LSCV) Fire Protection District, reported 25 calls in the month of June, 3 of which were in Lake St. Croix Beach. He noted that there are some line-of-sight issues in the city, and it was pointed out that this item was on the agenda.

AFTON WASTEWATER TREATMENT SYSTEM Agenda Item 6.5

City Attorney Kevin Sandstrom reported that the MPCA Citizen's Board Meeting started at about 9:45 a.m. and went until 6:00 p.m. with a short break for lunch. He thought the board was a well-educated group of people who paid close attention to the issue and asked intelligent questions. These people had scientific and farming operations backgrounds. Mr. Sandstrom felt that it was a fair hearing as all comments were heard, including the environmental aspects of this site and archaeological issues of the project as a whole. MPCA and the City of Afton stated this

was a state-of-the-art system, the best possible system, technologically advanced, and that this is the ideal site. He argued that it was the opposite of ideal citing the many drinking wells nearby. The Citizen's Board unanimously voted to deny the request for the Environmental Impact Statement (EIS) and to deny the request for the Contested Case Hearing. City Attorney Sandstrom noted that the environmental issues they raised were not of major concern to the Citizen's Board. They focused more on the archaeological aspects as it was clear that those issues were not well-studied. Conditions were placed on the permit requiring archaeological issues to be resolved, and if any archaeological issue were to arise, the project must be immediately halted to address the issue.

Attorney Sandstrom explained that now that the permit has been approved, the issuance of the permit is an administrative function of the government agency. The denial of the EIS can be appealed to the court system within 30 days. He cautioned that it would be an uphill battle to win the appeal. There would need to be something obvious and glaringly wrong with the MPCA decision in order for the Court of Appeals to overturn a decision by a government agency. The St. Mary's Point City Council was disinclined to pursue an appeal at this point.

Mr. Sandstrom also noted that environmental justice, the idea that shifting environmental burdens of one group onto another group is wrong, was discussed at the Citizen's Board Meeting. He argued that the environmental burdens of the residents and businesses in downtown Afton were being shifted onto residents of Lake St. Croix Beach and St. Mary's Point. The MPCA has a policy that states that they follow environmental justice, so he argued that the MPCA was violating their own policy by approving this permit. The Citizen's Board also asked the City of Afton whether they discussed a regional solution with Lake St. Croix Beach and St. Mary's Point. Representatives from Afton said they had tried, but the other two cities showed no interest. City Attorney Sandstrom refuted this, noting that a Joint Powers Agreement (JPA) had been drafted as a way to try to work together on the issue, but Afton declined to consider it.

There was discussion regarding how originally, it was thought that there was more room for this system on this site. As project planning went further, it was discovered that there were many more wells nearby that prohibited where on the property the system could be placed due to well setback requirements. It was noted that the system must be 600 feet from wells.

Councilmember Unker asked whether there was any money left over from what was already approved for preparation and attendance at the Citizen's Board Meeting for City Attorney Sandstrom to continue working on this issue. City Attorney Sandstrom stated that there was not, and he had discounted some of his time at the hearing trying to be mindful of the budgeted amount. Councilmember Unker asked whether the city still owed Stu Grubb, the environmental engineer, any money. City Clerk-Administrator Sue Schuler explained that the City did not owe him any money outside of the signed contract. She pointed out that this had been discussed at a previous City Council meeting. Jim Golden explained that some of the money they raised at the fundraiser went to Mr. Grubb to speak at the Citizen's Board Meeting.

Councilmember Unker stated that he was not interested in pursuing an appeal, and he did not think the rest of the City Council was interested in that option. If the homeowners in the area near where they system is to be placed were to start a class action lawsuit because the system would devalue their homes, Councilmember Unker wondered if the City could join that. City Attorney Sandstrom pointed out that the City did not own any property that could be directly affected, so they would have a hard time saying they were negatively affected. He noted that it may be possible to join the lawsuit by arguing that the system would harm the entire city, but the further a property is from the system, the less the property would be affected.

There was discussion regarding potential outcomes of a meeting with Afton, Lake St. Croix Beach, and St. Mary's Point hosted by Washington County. There was also discussion regarding artifacts that could be found in the project location that could stop any progress. Councilmember Reiter asked if the process for archaeological monitoring had been set up. City Attorney Sandstrom stated that the process was not explained, but MPCA or the City of Afton was to get in contact with Native American groups to determine whether they had any thoughts on the issue. If any artifacts are found, the work was to stop immediately. Councilmember Reiter noted that anyone could make a data request for information on the site from the State Archaeological Office, the MPCA, or the City of Afton. City Attorney Sandstrom pointed out that although Mr. Golden had suggested the City keep Attorney Sandstrom working on this issue, it would be better to save that money and for residents to submit those data requests.

City Clerk-Administrator Schuler asked whether a devaluation of property resulting in lower net tax capacity would be a way for the city to join a class action lawsuit. City Attorney Sandstrom explained that the City's budget would remain the same. Although the tax burden would be shifted to others in the city if any devaluation were to occur, that would not affect the City.

There was discussion regarding the fiscally responsible way to keep fighting against the project. Councilmember Kline suggested that the meeting with the three cities and Washington County may be the fiscally responsible thing to do at this time. When it was again suggested that money be appropriated for City Attorney Sandstrom's time to monitor the situation, he pointed out that monitoring the situation is not a legal function, so his services were not necessary for that. He stated that residents should monitor the situation and submit data requests for information. Ms. Golden stated that the City Council could also monitor the progress and could show up to other meetings in support of their efforts to stop the project. Mr. Golden suggested that City Attorney Sandstrom should continue by verifying the stipulations put on the contested case hearing. Attorney Sandstrom stated that any resident could make a data request to the MPCA to get a copy of the final permit, which would show the language of the approval and all stipulations. Councilmember Reiter stated that city staff could also submit a data request for any information. The City Council asked City Clerk-Administrator Schuler to try to schedule a meeting between the three cities and hosted by Washington County.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER UNKER, TO DIRECT STAFF TO SUBMIT A DATA PRACTICE REQUEST TO THE STATE ARCHAEOLOGIST FOR INFORMATION ON THE AFTON WASTEWATER TREATMENT SYSTEM SITE. MOTION PASSED UNANIMOUSLY.

Mr. Place stated he would provide City Clerk-Administrator Schuler with some information she may find helpful in making the data practice request.

CITY ENGINEER REPORT Agenda Item 7

John Parotti, City Engineer with SEH, reminded the City Council that there are two sites scheduled for repair on the bluff in 2015. The City Council awarded the contract for work on Site #1 (on Riviera Avenue South and 19th Street South) to Zappa Brothers. They are scheduled to start on Wednesday, July 22, 2015. The work should only take 2-3 days.

Site #2 (on the bluff south of the swimming beach) has a different history from Site #1. A technical meeting was held a few weeks ago where different solutions for this site were

discussed. He stated he would like to hold a meeting with the two City Council representatives in charge of physical development (Councilmembers Reiter and Brown), City Clerk-Administrator Schuler, Mike Isensee, Brad Wozniak (SEH), and him to further discuss the options.

Mayor McCarthy asked whether the split-rail fence would need to be removed to perform the work on Site #1. If so, Park Manager Bob Shearer wanted it known that the fence had been screwed together so it would hold better. He also offered to take the screws out so the pieces easily come apart if they are not easily seen.

Since budgeting season is starting, City Engineer Parotti also wanted to remind the City Council of street projects scheduled and estimated costs for those projects. Projects estimated to cost over \$130,000 were scheduled for 2015, but were delayed. Projects scheduled for 2017 are estimated to cost \$154,000. If funds will not be available, the City Council should look at when/how to reschedule them. These projects were to reconstruct all streets south of 20th Street South, west of Queens Avenue South, and east of St. Croix Trail South (CSAH 18) in 2016-2017 in coordination with St. Mary's Point, as they own portions of those streets.

City Engineer Parotti reported that the Middle St. Croix Draft Water Management Plan was recently sent out for review. The review period is an opportunity for member communities and others to submit comments on the plan. The comments were due today, and SEH submitted comments on behalf of the City.

NEW BUSINESS Agenda Item 8

RIGHT-OF-WAY (ROW) CONCERNS/ISSUES (8A)

City Clerk-Administrator Schuler noted that as Mr. Stanley pointed out, there are many right-of-way (ROW) and line-of-sight (LOS) issues in the city, especially on the west side of St. Croix Trail South (CSAH 18). She has been working on this issue for the past week. She spoke with Dave Witzel, City Tree Inspector, about the issue, and he went out to look and take pictures of the areas. Concerns noted included overgrowth, low wires, and trees intertwined with wires. Vegetation is blocking street signs and views of oncoming traffic, creating public safety issues. She presented the pictures taken by Mr. Witzel. She noted that the ordinances clearly state that maintaining vegetation is the resident's responsibility. She asked the City Council for input on how to proceed. Mr. Witzel provided a list of 150 addresses that are in violation of the ROW ordinances.

It was noted that in the past Sentence-To-Serve (STS) crews have helped with trimming of vegetation in the ROW. Some residents are in favor of this while others are not. Councilmember Reiter noted that Washington County had been involved in the past helping to maintain clearance and canopies. She suggested asking them if would be willing to clean the areas over the roadway so fire trucks, ambulances, utility vehicles, garbage/recycling trucks, etc. can safely drive through the area. City Clerk-Administrator Schuler noted that several of the low hanging wires are Comcast lines. As noted by other cities, Comcast is hard to work with on this issue. Xcel maintains trees interfering with their lines, but they do this on their schedule every few years. It was suggested that a letter be sent or a phone call made to Comcast stating that there is a potential franchise agreement violation.

There was discussion that perhaps a deal could be made with a tree trimming company to perform the service for residents at a reduced rate on certain days. It was noted that the ordinances do state the residents are responsible for this. If the residents do

not perform the work, the city can do it and charge the resident or assess the costs to the property. City Attorney Sandstrom noted that the City could send out requests for proposals (RFP) for the work charged on a per foot frontage. The costs could then be assessed to the properties based on their frontage. Councilmember Kline suggested letters be sent to all residents including the ordinance language and parameters for trimming. Mayor McCarthy suggested including an article in the newsletter in August similar to what was included in July.

Mary Parr, a resident, noted that some trees should only be cut during certain times of the year so as not to spread disease. Councilmember Unker suggested only cutting shrubs and vegetation at this time. It was noted that some trees can be trimmed now if they are treated. City Clerk-Administrator Schuler noted that it is largely shrubs and bushes blocking street signs.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO DIRECT STAFF TO ISSUE LETTERS OF NOTICE OF VIOLATION OF ORDINANCE NUMBERS 1500 AND 1800 (VEGETATION AND TREE ORDINANCES) AS TIME PERMITS, SUBMIT RFPs OVER THE COURSE OF THE WINTER FOR LARGER PRUNING, CUTTING, AND TRIMMING, SEND LETTERS IN ORDER OF SEVERITY, AND INCLUDE AN ARTICLES REGARDING THIS ISSUE IN THE NEWSLETTER. MOTION PASSED UNANIMOUSLY.

City Clerk-Administrator Schuler reported that on the northeast corner of 19th Street South and Quarry Avenue South, there is a dead elm tree. It has been verified by Mr. Witzel. Ms. Schuler also went to the intersection with City Engineer Parotti to determine whether the tree was in the ROW or on private property. It seems that part of the tree is on private property and part of the tree is in the ROW. She noted that the homeowner expects the City to pay for the removal of the tree and has gotten two bids for the removal. One bid was for approximately \$980, and the other bid was over \$1,000. Engineer Parotti explained that although he does not do boundary or lot surveys, with electronic ROW and lot maps that they overlay on the surveys, he can be assured of a reasonable estimate of where the ROW lies. This method shows that the tree sits right on the ROW line. Mr. Parotti noted that if the homeowner had a survey that said otherwise, he would defer to that survey.

City Attorney Sandstrom pointed out that ordinance 1505.08 requires residents to prune trees that are in the ROW, but 1505.09 states that homeowners shall not remove trees from the ROW. He noted that this was presumably put in place to stop residents from removing otherwise healthy trees in the ROW. Attorney Sandstrom stated that the ordinances are silent on whose responsibility this is.

MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER REITER, TO OFFER TO PAY HALF OF THE COST TO REMOVE THE DEAD ELM TREE ON THE NORTHEAST CORNER OF 19TH STREET SOUTH AND QUARRY AVENUE SOUTH AT A MAXIMUM OF \$500. MOTION PASSED UNANIMOUSLY.

Councilmember Reiter noted that several years ago, many trees were cut from the bluff. The solution had been to replant the area with trees growing in the nursery. She asked if the trees were still growing in the nursery and when they could be transplanted.

Councilmember Unker asked staff to follow-up on the agreement with Tom Johnson as some of the trees he planted have died. He noted that he thought the agreement included language about the trees being maintained and kept alive. City Clerk-Administrator Schuler stated she would check on the agreement and ensure that it was being followed.

Councilmember Reiter asked about some street signs that appear to be twisted. She asked whether signs should have two poles. City Engineer Parotti explained that the number of poles per sign is determined by the size of the sign. The signs are usually predrilled showing the number of posts to be used. He stated that signs larger than 36 inches require two posts, and smaller ones only require one post. If signs are being twisted, he stated that two posts could be used. He pointed out that sometimes if a sign is too high, that could cause the problem as well.

RESOLUTION 2015-19, A RESOLUTION ACCEPTING DONATIONS FOR THE ANNUAL HERITAGE DAY ICE CREAM SOCIAL (8B)

MOTION BY COUNCILMEMBER BROWN, SECONDED BY MAYOR MCCARTHY, TO APPROVE RESOLUTION 2015-19, A RESOLUTION ACCEPTING DONATIONS FOR THE ANNUAL HERITAGE DAY ICE CREAM SOCIAL. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – AYE, KLINE – AYE, BROWN – AYE, MCCARTHY – AYE.

RESOLUTION 2015-20, A RESOLUTION ACCEPTING DONATION OF TWO WOOD TABLES AND EIGHT WOOD CHAIRS (8C)

Mayor McCarthy described the tables and chairs and noted that they were in the garage at City Hall if anyone wanted to see them.

MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER REITER, TO APPROVE RESOLUTION 2015-20, A RESOLUTION ACCEPTING THE DONATION OF TWO WOOD TABLES AND EIGHT WOOD CHAIRS. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – AYE, KLINE – AYE, BROWN – AYE, MCCARTHY – AYE.

ESCROW ACCOUNT AT WASHINGTON COUNTY RECORDER'S OFFICE (8D)

City Clerk-Administrator Schuler explained that in order to register City documents with Washington County Recorder's Office, an account needed to be set up. The escrow account must be a minimum of \$250. Every time something is recorded the money will be taken out of the account. Every month, the City will be billed to replenish the account. The escrow account is in order to ensure that things are recorded in a timely manner.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO AUTHORIZE THE EXPENDITURE OF \$250 TO ESTABLISH AN ESCROW ACCOUNT AT THE WASHINGTON COUNTY RECORDER'S OFFICE. MOTION PASSED UNANIMOUSLY.

SCRA-LSCB GRANT CONTRACT (8E)

City Clerk-Administrator Schuler stated that this grant was written by her and Mike Isensee, Middle St. Croix Water Management Organization. The grant is from the St. Croix River Association (SCRA) and is for the city's portion of work on Site #2 of the bluff restoration. City Attorney Sandstrom explained that he had reviewed the grant and changed some provisions. He had requested other provisions be changed (such as making the indemnity clause a mutual provision and changing the dispute resolution location to Washington County rather than Ramsey County), but the SCRA declined those changes. He advised that the grant agreement should still be signed.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER UNKER, TO APPROVE THE GRANT CONTRACT. MOTION PASSED UNANIMOUSLY.

PURCHASING POLICY (8F)

City Clerk-Administrator Schuler reported that the City's auditors suggested the City establish a Purchasing Policy. She drafted one and asked the City Council to review and provide comments to her for the August City Council meeting. Councilmember Reiter noted that purchasing is addressed in the Personnel Policy on page 65, and the policies should match.

UNFINISHED BUSINESS Agenda Item 9

LEAGUE OF MINNESOTA CITIES LOSS CONTROL ISSUES (9A)

City Clerk-Administrator Schuler reported that the League of Minnesota Cities Loss Control Representative came to the City and made some recommendations. There were no mandates at this time. The Park Commission recommended purchasing speed bumps for the parking lot at Pettitt Park to slow vehicles. These are portable speed bumps like the ones on Riviera Avenue South at Riverfront Park. It was reported that Park Manager Shearer would put them in and take them out.

Jon Place, owner of The Beach Bar, whose parking lot adjoins the Pettitt Park parking lot, stated that he also is concerned about safety. However, he believes the speed bumps could create more problems than they solve. He noted that the parking lot at Pettitt Park is a very different place than the swimming beach/Riverfront Park area. Councilmember Unker stated he was against the speed bumps, and he thought it was an insurance agent playing "what if."

MOTION BY MAYOR MCCARTHY TO APPROVE THE EXPENDITURE OF \$750 FOR SPEED BUMPS AT PETTITT PARK BECAUSE OF SAFETY CONCERNS AND AS RECOMMENDED BY THE LEAGUE OF MINNESOTA CITIES LOSS CONTROL REPRESENTATIVE. MOTION FAILED FOR LACK OF SECOND.

CODE OF CONDUCT FOR CITY COUNCIL (9B)

Councilmember Reiter explained that she had asked for this item to be added to the agenda because some of the conduct of City Councilmembers toward staff and each other had been egregious. She stated this could be discussed at a worksession.

PERSONNEL POICY (9C)

Councilmember Reiter noted that she asked for this to be given to all City Councilmembers for their review.

MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER KLINE, TO TABLE THE CODE OF CONDUCT FOR CITY COUNCIL AND THE PERSONNEL POLICY UNTIL THE AUGUST 10, 2015 CITY COUNCIL WORKSESSION. MOTION PASSED UNANIMOUSLY.

CODE ENFORCEMENT (9D)

MOTION BY COUNCILMEMBER UNKER, SECONDED BY MAYOR MCCARTHY, TO TABLE THIS ISSUE UNTIL THE AUGUST 10, 2015 CITY COUNCIL WORKSESSION. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS Agenda Item 10

AFTON WASTEWATER TREATMENT SYSTEM (10A)

This issue was discussed earlier in the meeting.

CITY SIGNAGE (10B)

Councilmember Reiter noted that there used to be small stop signs along the bike path at each intersection. The stops signs are along the bike path in Lakeland and Lakeland Shores. Mayor McCarthy stated that he thought they came from the Snowmobile Association.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO DIRECT STAFF TO OBTAIN QUOTES FOR 6 LITTLE STOPS SIGNS FOR THE BIKE PATH. MOTION PASSED UNANIMOUSLY.

Councilmember Reiter pointed out that at the July City Council Meeting, Deputy Sullivan reported problems with issuing parking tickets even though the restrictions are posted because the squads did not have the ordinance number. That issue has been resolved, but several of the signs noting the parking prohibition have faded. She thought they should be replaced.

City Clerk-Administrator Schuler noted that there are two places in the ordinances where parking is referenced. City Attorney Sandstrom further explained that one issue is that the court requires city ordinances to be listed in its system. One of the parking ordinances had been in the court's system, and the other one had not. This created a problem for prosecuting these tickets. His office has submitted the second ordinance to the court system for input. He stated that the ordinance number did not need to be included on the signs.

Councilmember Unker wanted to go on record that he was against adding more signs on the city streets, especially ones that were repeating. There was discussion regarding how many signs should be posted.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO DIRECT STAFF TO OBTAIN QUOTES FOR THE SUMMER NO PARKING SIGNS. MOTION PASSED UNANIMOUSLY.

COUNCIL/STAFF REPORTS Agenda Item 11

COUNCILMEMBER BROWN (11A)

Councilmember Brown reported that there was no Cable Commission meeting this month. He is trying to schedule a Personnel Committee Meeting. He has obtained a quote for two new office computers.

Mary Parr reported that she has been unable to attend the Yellow Ribbon Alliance meetings recently, but the next meeting will be at Heritage Day on August 4, 2015 where they will have a booth.

COUNCILMEMBER KLINE (11B)

Nothing further to discuss.

COUNCILMEMBER REITER (11C)

Councilmember Reiter reported that she attended the League of Minnesota Cities Annual Conference. She gave staff some information that she would like included in the August 10, 2015 worksession. The Environmental Advisory Commission meets Tuesday, July 21, 2015 at 7:00 p.m. St. Mary's Point Art In The Park is on August 22, 2015.

COUNCILMEMBER UNKER (11D)

Councilmember Unker noted that included in the Receipts list was a check from St. Mary's Point for \$3,000. He asked whether they had considered half of all costs. City Attorney Sandstrom noted that in general, St. Mary's Point City Council had been splitting the attorney costs for his work on the project. Councilmember Unker stated he would like staff to send a letter asking St. Mary's Point to split more of the costs. City Attorney Sandstrom stated that other than the last \$2,000 authorized by Lake St. Croix Beach City Council for the Citizen's Board Meeting, he split the costs for his services between the two cities. Councilmember Unker explained that he understood St. Mary's Point City Council did not commit to anything, but he wanted to politely ask if they would like to help by paying half of the costs. There was discussion of what Councilmember Unker was asking for.

MOTION BY COUNCILMEMBER UNKER, SECONDED BY COUNCILMEMBER KLINE, TO DIRECT STAFF TO SEND A LETTER TO THE ST. MARY'S POINT CITY COUNCIL DETAILING WHAT HAS BEEN SPENT BY LAKE ST. CROIX BEACH ON THE AFTON WASTEWATER TREATMENT SYSTEM OPPOSITION AND ASKING

THEM TO PAY HALF OF THE ADDITIONAL COSTS. MOTION PASSED, 3 AYES, 2 NAYS (BROWN, REITER).

MAYOR MCCARTHY (11E)

Mayor McCarthy reported that members of a youth group at St. Francis of Assisi Catholic Church will be painting fire hydrants in the city as a service project.

Heritage Day Ice Cream Social is Tuesday, August 4, 2015, 5:00 - 8:00 p.m.

MOTION BY MAYOR MCCARTHY, SECONDED BY COUNCILMEMBER BROWN, TO AUTHORIZE THE EXPENDITURE OF \$300 TO CRAIG COLBURN FOR THE YARD DOGS TO PLAY AT HERITAGE DAY. MOTION PASSED UNANIMOUSLY.

CITY ATTORNEY KEVIN SANDSTROM (11F)

City Attorney Sandstrom presented two Release Agreements relating to two vacant lots in the St. Croix Villas Development. The attorney for the property owners is trying to clear the titles to those two lots as there are currently some restrictions recorded against them including the Development Agreement. These documents are for the City to release those two lots from the Developer's Agreement.

Mary Parr, one of the owners of the properties, asked who was asking for this. City Attorney Sandstrom explained that John Kingstad, attorney on behalf of Mary Parr and Bob Swenson asked for these Release Agreements. Ms. Parr asked why this was being requested. City Attorney Sandstrom advised her to talk to her attorney about the issue.

MOTION BY MAYOR MCCARTHY, SECONDED BY COUNCILMEMBER BROWN, TO TABLE THIS ISSUE UNTIL THE AUGUST CITY COUNCIL MEETING. MOTION PASSED UNANIMOUSLY.

CITY CLERK-ADMINISTRATOR SUSAN SCHULER (11G)

City Clerk-Administrator Schuler reported that she had a NFIP meeting on June 25, 2015 with John Devine from FEMA and Ceil Strauss from the DNR. Several documents were presented for verification. The City currently has a rating of 6, which is a high rating. There is a possibility for the rating to be increased. This will allow the residents in the floodplain to get a discount of 25% on flood insurance. With the current rating of 6, residents get a 20% discount on flood insurance. The State Legislature passed a law designating money for streets and roads for small cities. The City of Lake St. Croix Beach will receive \$21,844, which must be set up in a fund designated for that purpose.

Ms. Schuler is in conversation with the City of Bayport to contract directly with them for building inspector services. This will help the city obtain the higher NFIP rating and allow the City to keep more of the building permit fees.

City Clerk-Administrator Schuler has been working with the Sheriff's Deputies to ensure they have all ordinances needed to issue citations for violations. American Legal, the company contracted to recodify the city's ordinances sent the draft copy of ordinances, and she discovered the company had not been given all the codes. She will be working to ensure they receive the complete code of ordinances. The Planning

Commission codebooks will hopefully be ready soon. She has been working with two homeowners who are considering projects on their homes which are in the floodplain and Riverway Districts.

She asked City Councilmembers to get any information they would like included in the budget.

DEPUTY CLERK-TREASURER AMY TRUHLAR (11H)

Deputy Clerk-Treasurer Truhlar presented the bills for the month of July totaling \$45,852.52. She noted that this included the money for the fire protection for quarter three. She reported that the money for the first half of the property taxes had been received.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE THE BILLS AS PRESENTED FOR A TOTAL OF \$45,852.52. MOTION PASSED UNANIMOUSLY.

ADJOURNMENT Agenda Item 12

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO ADJOURN THE CITY COUNCIL MEETING AT 9:51 P.M. MOTION PASSED UNANIMOUSLY.

Thomas McCarthy, Mayor

Susan Schuler, City Clerk-Administrator