

**REGULAR MEETING OF THE CITY COUNCIL  
CITY OF LAKE ST CROIX BEACH  
16455 20<sup>th</sup> STREET SOUTH  
WASHINGTON COUNTY, MINNESOTA**

**August 15, 2016**

**AGENDA**

**7:00 P.M.**

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVE AGENDA**

4. **CONSENT AGENDA** Roll Call Vote. *(Consent Agenda items, listed on the following page, are defined as routine business, not requiring discussion and approved by a roll call vote. Councilmembers may elect to pull a Consent Agenda item(s) for discussion and/or separate action)*

5. **OPEN COMMENTS FROM THE PUBLIC**

Visitors may share their comments or concerns on **any issue** that is a responsibility or function of the City Council of Lake St. Croix Beach, not an issue as listed on this agenda. Persons who wish to address the City Council must fill out a comment card before the meeting begins and give it to the City Clerk or City staff. The mayor will ask you to come to the podium, state your name and address, and present your comments. Your presentation will be limited to no more than 3 minutes. The mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, overly argumentative, or if it is not relevant to an issue that is part of the City Council's responsibilities. The mayor may also limit the number of individual presentations.

**PUBLIC COMMENTS (Agenda Items)**

Visitors may share their comments or concerns on any **agenda item listed** that is a responsibility or function of the City Council of Lake St. Croix Beach. Persons who wish to address the City Council must fill out a comment card before the meeting begins and give it to the City Clerk or City staff. The mayor will ask you to come to the podium, state your name and address, and present your comments. Your presentation will be limited to no more than 3 minutes. The mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, overly argumentative, or if it is not relevant to an issue that is part of the City Council's responsibilities. The mayor may also limit the number of individual presentations.

6. **PUBLIC SAFETY REPORTS**

- A. Law Enforcement
  - Neighborhood Watch (Schuler)
- B. Emergency Response and Fire
- C. Animal Control

7. **CITY STAFF REPORTS**

- A. City Engineer Parotti
- B. City Attorney Sandstrom

C. City Clerk-Administrator Schuler

- August Claims: \$63,119.31

D. Deputy Clerk Andrew Brunick

8. **NEW BUSINESS**

- A. Shoreland/Park Security (Reiter)
- B. Council Meeting Consent Agenda Process (Reiter)
- C. New Candidates Bio Format – Newsletter (Reiter)
- D. Public Hearing – Wald Variance Recommendation
  - **Resolution 2016-12** – Granting Variances as Requested by David and Carol Wald to Construct Addition onto Home at 1640 Riviera Avenue South.

9. **UNFINISHED BUSINESS**

10. **OTHER BUSINESS**

11. **COUNCIL/STAFF REPORTS**

- A. Councilmember Brown
  - Cable Commission
- B. Councilmember Kline
  - Park Board
- C. Councilmember Reiter
  - Environmental Advisory Board
- D. Councilmember Unker
  - Afton Wastewater treatment System
- E. Mayor McCarthy
  - Veterans memorial
  - Sentence -To- Serve (STS)
  - Planning Commission
  - Middle St Croix Water Management Organization
  - Lower St Croix Valley Partnership Team

12. **ADJOURNMENT**

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4. **CONSENT AGENDA ITEMS**

- A. *Minutes from the July 18, 2016 City Council Meeting.*
- B. *Permission for Planning Commissioner Truax and Clerk-Admin. Schuler to attend the Land-Use Training program on October 10, 2016.*
- C. **Resolution 2016-09** – *Accepting Gambling Donations from American Legion Post 491 in the amount of \$182.16.*
- D. **Resolution 2016-10** – *Approving a 1 to 4 Liquor License for St Francis of Assisi Catholic Church to be used on October 2, 2016.*
- E. **Resolution 2016-11** – *Approving a Gambling Permit for St. Francis of Assisi Catholic Church to be used on October 2, 2016.*
- F. *Mileage for Deputy Clerk Brunick in the amount of \$76.00.*

**REGULAR MEETING OF THE CITY COUNCIL  
CITY OF LAKE ST CROIX BEACH  
16455 20<sup>th</sup> STREET SOUTH  
WASHINGTON COUNTY, MINNESOTA**

**CITY COUNCIL MEETING**

**July 18, 2016**

**MEMBERS PRESENT:** Tom McCarthy, Charles W. Brown, Michelle Kline, Cindie Reiter, Jim Unker

**STAFF PRESENT:** John Parotti, Kevin Sandstrom, Andrew Brunick, Sue Schuler

**OTHERS PRESENT:** Nick Welsh, Mary Parr, Dolly Burns, Becky Brewster, Michael Salchert, Bill Glampe, Linda O'Donnell, Patrice Curell,

**CALL TO ORDER** by Mayor McCarthy at 7:03 p.m.

**PLEDGE OF ALLEGIANCE** was said.

**APPROVE AGENDA** Agenda item 3.

Councilmember Unker requested putting "Campaign Signage" under agenda item 10.

Councilmember Reiter said that campaign signage is not something that elected officials usually deal with, that is usually the election coordinator.

Councilmember Unker said that he is just looking for information.

**MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER REITER, TO APPROVE THE AGENDA WITH THE ADDITION OF ITEM 10.C. MOTION PASSED UNANIMOUSLY.**

**CONSENT AGENDA** Agenda Item 4.

Councilmember Reiter that she already sent in her corrections for the minutes and assumes that they've been corrected.

Mayor McCarthy pointed out that in the April 18, 2016 minutes under 7.C it says, "the administrator said that they talked to the contractor who said that they were instructed to send the bill to Mayor McCarthy". Mayor McCarthy said that a bill was sent to his house but he never told the contractor to send him the bill. Mayor McCarthy said that he called the contractor and they corrected the error in their computer system. Mayor McCarthy wanted this on the record.

City Attorney Sandstrom said that he had a letter from the contractor saying that there was a clerical error in the billing and that is why the bill was sent to the mayor's home address.

Mayor McCarthy pointed out on the same page where councilmember Reiter said that, “she had addressed this several times with the mayor and got the comment, why do you have to pick on people? It’s not picking on people it’s doing what our duties are to the city”. Mayor McCarthy said that he didn’t know what this was about and it was in Admin. Schuler’s report.

Councilmember Reiter said that this was about the loss of the FEMA funding and the properties that were out of compliance. Councilmember Reiter said she was recalling conversations with the mayor more than once.

Mayor McCarthy responded by saying that he never recalled saying that during a meeting. Councilmember Reiter thought that it should be left like it is.

Mayor McCarthy then pointed to page 10 of the June 20, 2016 meeting minutes is states that, “the last flagpole was purchased by the St. Croix Foundation”. Mayor McCarthy said that he wants it on the record that it was purchased using the Veterans’ Fund. McCarthy said that the St. Croix Foundation purchased it with the finds that came out of the Veterans’ Fund. Mayor McCarthy then pointed to the minutes under “STS” on the same page where it says that the mayor had STS “do” stairs 5 and 6. The mayor requested that “do” be changed to “clean” and said that he meant to say that the stairs turned out great.

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

**OPEN COMMENTS FROM THE PUBLIC** Agenda Item 5.

Joe Bush, 1820 Quinlan Avenue South, he said that he is representing Fat Tire Trike which is across the street. Mr. Bush said that he has some issues with some items regarding our CUP that is up and coming on the next agenda. He said that some of you may be aware that we submitted an application and it was denied for the last hearing because it was an incomplete application. He said that the day after he found out that it was missing information and not in compliance he started the process multiple times with his gal to get things in position. Joe said that it appears that they are completely in position except for one item that was presented to him on July 5. He said that it was a very complicated item with many moving parts with 9 days to get it together for presentation which was impossible. Mr. Bush said that he was told on July 9<sup>th</sup> in writing from Admin. Schuler said that he needed a licensed certified engineer to verify the configuration and storm drainage water runoff on his storm garden. Joe said that his storm garden was approved many years ago when Mike Edgehill built his property and he was given a CUP with years to complete that drainage pond. Joe said that he was not able to find any as-builts of what was built versus what was there and what was approved. He said that Mike would like to testify to a couple of things like how the storm garden has not been modified since he’s been there. Joe said that when he took possession of the property there was a drainage pipe that was exposed so he put a little gravel over the top of it and that’s all he’s done to it since he got there. Joe said that he met with Engineer Parotti out at the property and John did not take out a tape measure or anything except visually look at it and say that it doesn’t look right. Joe said Parotti said that there were inspections done but Joe said that if inspections were done consecutively where is the report and photographs? Joe said that there is nothing on record saying what was there and what is there now. Joe said that he was kindly called by Sue and John before coming over to look at the garden the day that they did. Joe said that Mike and John told him that it was an inspection that happens

annually and Mike said that at no time during his operation there did he ever get notification of an inspection that was coming, verbal or otherwise. Joe said that he doubts that anyone was ever on the property because there's no physical record of an inspection sheet, sing-off, picture, anything. Joe said that for him to be handed on July 9<sup>th</sup> a request for something that will cost him \$6,000 to have done on the property in a 9 day period and that today he was told that his application was not complete and that he will not be heard again until next month. Joe said that that was unacceptable and he would like some answers. Joe said that if you look at the CUP for the boat company, that CUP says that there was a drainage plan that was to be submitted and reviewed by their engineer that doesn't seem to exist. Joe said that the reason for his pond was because of the 200 foot building dumping right on to his property. Joe said that there is not drainage plan for the property next door and no history of what was built on his property and inspections that supposedly happened but don't have any record. Joe said that there was a visual done by Engineer Parotti where he said, "oh yeah that doesn't look right".

City Attorney Sandstrom said that Mr. Bush had his 3 minutes and that the council is not going to take any action or respond to any of his comments tonight. City Attorney Sandstrom said that this is an opportunity for him or anyone from the public to talk but they are not going to address his application and that his application will be addressed with the Planning Commission in August and the Council Meeting in August. Joe asked if the City Attorney realizes that 3 months have gone by and the proper notification process of having to submit an application for a CUP is not timely.

Councilmember Unker asked Joe how not having a CUP will hurt his business. Joe said that it's costing him \$30,000 a month not having a CUP. Joe said that he has a notice on his door that says, "Not under operation, appointment only" and it's been that way since the day he moved in.

Councilmember Unker asked Admin. Schuler if there was any way to expedite the process to help Mr. Bush get back in business. Admin. Schuler responded by saying that she has been working with Mr. Bush since April to get this completed and has had several notifications stating what needs to be done including a letter written by the City Attorney.

Councilmember Reiter said that she thought that the Council took action at the June meeting to have a letter written. Joe Bush said that he got the letter on July 9<sup>th</sup>. Admin. Schuler told Mr. Bush that the information was given to him several times starting in April including the list that you're referring to and needed to be compliant with. Joe Bush said that the list did not have anything to do with the retention pond and Admin. Schuler said that it is on the checklist on the front page. Joe Bush said that it was hand written on July 9<sup>th</sup>. Admin. Schuler said that she wrote some things on there to remind Mr. Bush of the things that still needed to be done on the checklist.

Councilmember Unker asked if it could be expedited and Admin. Schuler said that it cannot. The City Attorney also said that it could not be expedited because it is a process in the normal course of business.

The City Attorney said that Staff has been requesting this information from Mr. Bush for months now. Mr. Bush said that it was not this information and had nothing to do with the retention pond until July 9<sup>th</sup>. Mr. Bush said that he feels that's unfair and the only part he has a problem with. The City Attorney responded saying it is Mr. Bush's job to get into compliance not the City's job. Mr. Bush says that it's in compliance and to be given it on July 9<sup>th</sup>, 9 days short of being pushed out another month. Mr. Bush said that it should have been given to him in a timelier manner and that it takes 30 days to get on the surveyor's and engineer's schedule along with

\$6,000. Mr. Bush said that the problem he has is that nothing has changed in the raingarden. Mr. Bush said that the survey that was used by Engineer Parotti shows the outline of the raingarden and is exactly what is currently there. Mr. Bush said that Parotti doesn't even deny that.

Engineer Parotti that that is not the case and told Mr. Bush not to speak for the engineer.

The City Attorney said that this is an issue for Staff to deal with.

Mr. Bush said that all he would like is to be able to open his doors for business. The City Attorney said that Staff told him back in April what he needed to do and the City didn't even get an application from Mr. Bush until June. Mr. Bush said that that was true but it did not have anything to do with that portion of it and that he was given it 9 days ago.

The City Attorney asked the mayor to tell Mr. Bush to sit down because this is going nowhere.

Councilmember Unker asked if someone on the Council could be a liaison to this small business owner in our community to see if we can help out here.

Councilmember Reiter said that Unker was not even on the Planning Commission. Councilmember Unker said that was true and why he would be perfect for it. Councilmember Reiter said that it's going to go by the statute and what the City Attorney and Amin. Schuler say.

Admin. Schuler told Mr. Bush that there was a notification sent out for a public hearing for the August Planning Commission meeting but his file is incomplete so it's up to the Planning Commission at that point on what they would like to recommend to Council. Admin. Schuler said that Mr. Bush was told that the notifications for his public hearing were sent out this morning. Admin. Schuler said that she told Mr. Bush this morning that it will be an incomplete file at the Planning Commission meeting as they had coffee.

Mr. Bush thanked Councilmember Unker that he appreciated his help.

Mayor McCarthy said that there's nobody here that thinks it doesn't look like and you're doing a good job and they want him to have a business over there but we just need all the paperwork done.

### **PUBLIC COMMENTS (Agenda Items)**

Becky Brewster, 1949 Ramada Avenue South, reported that on August 2<sup>nd</sup> the City will be holding their annual Heritage Day. Becky said that she has asked some young volunteers to staff the kids' games. Becky believes that it would be a nice gesture if the City would award the young volunteers with some small token of appreciation like giving them a per diem or a small gift card. Mayor McCarthy asked how many kids there are and Becky said that there are two kids. Councilmember Reiter asked how many games they have and Becky said that there are usually 3 games for sure.

**MOTION BY COUNCILMEMBER REITER, SECONDED BY MAYOR MCCARTHY, TO PROVIDE ANY VOLUNTEERS THAT STAFF ANY KIDS GAMES AT HERITAGE DAY WITH A \$10 STIPEND AND A CERTIFICATE OF APPRECIATION. MOTION PASSED UNANIMOUSLY.**

Admin. Schuler read a letter from resident Dawn Bulera at 16777 16<sup>th</sup> Street South.

Patrice Curell, 1771 Racine Avenue South, She said that she is a fairly new resident and the first meeting she went to was the Environmental Committee because she has a great love for bees and getting our water here. She said that she went because she was concerned about the City spraying here and brought that concern to the committee and then went to the Parks Committee. Patrice said it was the first Parks meeting she went to and was appalled at what happened and just needed to say that. Patrice said that she did not like the behavior of Parks Board relating to the termination of Nick and was rather shocked. Patrice said it looked like people were ganging up and it appeared that there was some conversation prior to that and did not like the way it felt. Patrice said that she had been a consultant for Stanford University, University of Minnesota, and the Government all over for almost 30 years and has a doctorate degree. Patrice said that she knows what she sees when she sees it and she didn't care for that. Patrice said one of the comments that got made was that Nick didn't have any experience. Patrice then asked the Council how many of them had prior experience before getting elected. Patrice said that whenever we go into a new position we have to learn but that became the underlying comment. Patrice said that the City has to have a heart and she thinks it does which is why she moved here but she hasn't seen it in the meetings and between some of the people which deeply concerns her. Patrice also talked about how she bought a house and can't even live in it because the man that sold it to her lied and said that the City needs to have a renter's ordinance so those properties can be inspected looked at and hold these people accountable. Patrice said that she is paying thousands of dollars to renovate a house that I was told was in solid beautiful condition because the whole thing was nothing but a lie.

Councilmember Reiter asked Patrice if she thought that a decision was made before the Parks Board meeting and Patrice said that she did. Councilmember Reiter said that one of her "hot buttons" is Open Meeting Law violations if that did occur, it would be in violation of the Open Meeting Law.

Jerry Beedle, 1470 Riviera Ave, Jerry said that he just wanted to address some of Patrice's comments but his heart goes out to her. Jerry said that not all of the cities around St. Paul and Minneapolis are big cities but most of them have what's call a "Truth in Housing Laws" and offered to present on them at a later date if the Council wanted. Jerry said that Linda O'Donnell has talked about it before but he backed away because he was too busy at the time. Jerry said that he has chaired the Truth in Housing Board for the past 36 years, he's been appointed by 5 different mayors, and he knows what it's all about. Jerry said that it helps protect the citizenry and that when a house changes hands they do an evaluation which sits in a prominent place in the house when the people come to look at the house. Jerry said that the realtors have to pay the evaluators of their choice; there are 76 of them, to do an evaluation according to the codes. Jerry said that the future homeowner can then see what's wrong with the home and approach the seller. Jerry said that some of the things are very easy to spot when doing an evaluation.

Councilmember Reiter said that she would like that information even if nobody else does.

Joe Riley, 1440 Riviera Ave, Joe commented on some of the things that were said at the meeting so far about the Parks Board meeting. Joe said that he was at the Parks Board meeting along with 3 councilmembers and it was very obvious why they made the decision they did. Joe said councilmember Reiter would have known that if she was at the meeting and that there is a process he has to follow. Joe said that the former Park Board Chair was at the Council meeting last month with a long list of things he was ready to talk about that he had not run by the Parks Board. Joe said that some of the Parks Board members happened to be there which they are allowed to do. Joe said that he feels that the right decision was made at the Parks Board meeting.

Mayor McCarthy said that Nick is still on the board but he is not the Chair.

**PUBLIC SAFETY REPORTS** Agenda Item 6.

**Law Enforcement**

Deputy Sullivan reported that he believes the rise in calls they've been receiving is mostly due to an increase in welfare calls and people playing Pokémon Go. Deputy Sullivan reported that a couple search warrants on houses were done in town and he mentioned that they will be delivering a letter tonight to a residence on Racine Ave. Sullivan also said that they are trying to handle this situation carefully and they hope that it goes smooth.

**Animal Report**

Councilmember Brown reported 62 calls to Washington County, 7 violations issued, 0 calls to animal control, 0 warning letters sent, 1 dog lost, 1 dog found, 1 cat lost, and 1 cat found.

**CITY STAFF REPORTS** Agenda Item 7

**CITY ENGINEER PAROTTI** (7A)

**Riviera Levy Culvert Televising**

Engineer Parotti said that during the last levy inspection by the Army Corps. of Engineers they commented that they would like the culvert televised via closed circuit television which is a pretty common thing to have done in sanitary sewer and bigger storm sewer lines but not quite as common in culverts but it is something that the corps. is requiring it and is giving the City just a few months to comply with that requirement. Engineer Parotti said that he received 2 quotes for televising the culvert that goes under the levy which is connected to a catch basin on the west side of Riviera at Upper 17<sup>th</sup>. Engineer Parotti said that there is also a piece of storm sewer that goes north from there on 17<sup>th</sup> street and into the ditch on the other side. Since most of the cost was just for getting the contractor there, Engineer Parotti said he included an inspection of the other pipe as well and that the cost difference is minor. Engineer Parotti presented 2 quotes, 1 for \$1,550 from Visu-Sewer and 1 for \$2,690 from HydroKlean. Engineer Parotti recommended approval of the quote for \$1,550.

Councilmember Reiter asked how often the City has to do this. Engineer Parotti said that the Corps. of Engineers does not have an increment in their policy and seem to be focused on the first inspection.

**MOTION BY COUNCILMEMBER REITER, SECONDED BY MAYOR MCCARTHY, TO APPROVE THE QUOTE FROM VISU-SEWER FOR \$1,550 FOR THE INSPECTION OF THE CULVERT. MOTION PASSED UNANIMOUSLY.**

**Street Patching Quote**

Engineer Parotti stated that back in May, the Council approved the scheduling of a meeting between the Mayor, City Engineer, and RCM Specialties who does the spray emulsion patching. Engineer Parotti said that the meeting occurred last week and RCM provided a quote broken out into 4 parts that are called "priority areas". These areas include the city's main streets

which includes 20<sup>th</sup> Street south from County Road 18 to Quinlan. Quinlan Avenue South from 20<sup>th</sup> to 13<sup>th</sup>, 13<sup>th</sup> Street South from County Road 18 to Quinlan, and 15<sup>th</sup> Street South to County Road 18 (west side of the county road), and the intersection at Racine and 15<sup>th</sup>. The quote provided to complete that work is \$13,612.50. Engineer Parotti went on to say that there are some trip hazards in front of the stairs at City Hall and that RCM provided a quote for \$537.00 to make those repairs. The third quote is for the streets included in the 2016 Streets Improvement Project to “hold these streets over” in the event that the Council does not approve the bids for the 2016 Streets Improvement Project. The price is \$4,537.50. Engineer Parotti said that the quote for the other streets not covered by the other 3 quotes is \$7,437.50. The total for all 3 quotes is \$26,124.50. Engineer Parotti said that it was a lot of money for a patching project but by looking at some of these streets you start to appreciate why and that he’s starting to see a lot of delamination and that some of this is to prevent things from getting any worse during the winter months. Engineer Parotti said that by being proactive with the spray emulsion patching it will help hold these areas together for a number of years and that’s why the prices are kind of high. Engineer Parotti said that more is being asked of the contractor with these repairs and that is reflected in the quotes. Engineer Parotti said that he provided a little bit of information on the bottom of the memo telling how much the city has spent over the past 7 years for the spray injection patching to give an idea of where this project fits in with past projects.

Councilmember Reiter asked about quote #3 for the streets included in the 2016 Street Improvements Project and if that was bid last week. Engineer Parotti said that it was the project bid last week.

### **2016 Street Improvements Bids**

Engineer Parotti presented on the 2016 Street Improvements Project bid and said that the city solicited bids that were accepted until 8 a.m. on July 15<sup>th</sup> and at that time, 4 contractors presented themselves as prime bidders but only one submitted a bid, Hard Drives, Inc. Engineer Parotti said that during this process the City advertises for about 3 weeks for a project like this and during this time contractors purchase the bidding documents with no obligation to submit a bid. Hard Drives, Inc. submitted a bid for \$435,239.55 which includes work in all 3 cities. Engineer Parotti said that he broke out the cost by City and \$323,232.55 was for Lake St. Croix Beach., the budget was \$292,000. Engineer Parotti said that the City didn’t have \$292,000 to work with anyway and the current funding level is actually \$43,000 short of the \$292,000. Engineer Parotti said that the bid was worse than expected and attributed that primarily to the fact that the contractor is swamped with work this time of year. Engineer Parotti said that the bids were also over the other 2 cities’ maximum limits as well and that he does not believe that the other 2 cities will take action to award the bids.

Councilmember Reiter asked if there was any way to cut some things to get it within budget and Engineer Parotti said that there are 3 options:

- Option #1: Award the bid as-is which Engineer Parotti does not recommend.
- Option #2: Award the base bid in the amount of **\$137,159.44** without St. Mary’s Point at this point. Engineer Parotti does not recommend this because he sees things in the quote that are not consistent with good bid prices.
- Option #3: Reject all bids and instruct staff to rebid the project in the winter months. Staff recommends this option.

**Councilmember Reiter asked if Lakeland had any projects coming up for next year and Engineer Parotti said Lakeland does not have a project scheduled until 2018 and Bayport does not have a project on the books for next year.**

**MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER UNKER, TO REJECT ALL BIDS AND DIRECT STAFF AND THE CITY ENGINEER TO REBID THE PROJECT IN FEBRUARY 2017. MOTION PASSED UNANIMOUSLY.**

**MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO ACCEPT THE #1,2, AND 4 SPRAY EMULSION BIDS FROM RCM SPECIALTIES, INC. IN THE AMOUNT OF \$21,587.00 AND GET A BID FOR THE “DUMP AND RUN” METHOD. MOTION PASSED UNANIMOUSLY.**

### **River Elevation Update**

Engineer Parotti reported that at 2:15 p.m. the elevation was at 685.2 feet with a prediction of it dropping a foot over the next week.

### **Levee Inspection**

Engineer Parotti reported that he had the levee inspection with a representative from the Army Corps. of Engineers and it went really well. Engineer Parotti that it is a good idea to have him or one of the other engineers accompany them on these inspections. Engineer Parotti said that a few things warranted a little explanation and that he thinks it will be a favorable review. Engineer Parotti said that he was assured that the report will be out in a matter of weeks and not months. Engineer Parotti said that he coordinated with Mayor McCarthy prior to the inspection to get some mowing done and had STS do some work around the stairways.

### **Xcel Energy Update**

Engineer Parotti reported that Xcel is poised and ready to relocate the light poles located on the levee but need the City to make an official request for them to do so.

**MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO ALLOW XCEL ENERGY TO RELOCATE THE LIGHT POLES LOCATED ON THE LEVEE. MOTION PASSED UNANIMOUSLY.**

### **Pond at the Villas**

Engineer Parotti reported that the last of the work on the pond at the villas had been completed and he has inspected the work. Engineer Parotti said that the grass seed is having problems growing because of the heavy rains this time of year that wash the seed away. Engineer Parotti said that he does not have a solution to that except for the residents partnering with the city to make sure that that area gets watered periodically.

Mayor McCarthy said that he’s met most of the homeowners on that side of the villas and asked the Council for permission to put a hose up there to water the seed. Councilmember Reiter requested that a letter be sent to Lakeland Water Utility for Matt Kline to water the grass.

Engineer Parotti finished saying that he felt that he owed the Council an apology after speaking during one of the public comments and felt like this person was saying things that were not true.

### **CITY ATTORNEY SANDSTROM (7B)**

City Attorney Sandstrom reported that there was a law that was recently passed by the Minnesota Legislature and approved by the Governor. As part of this law there are new requirements for cities effective September 1<sup>st</sup>. City Attorney Sandstrom said that this new law allows people with a sick or disabled relative to apply for a permit to erect a temporary dwelling on their property so that the person that owns the property can help take care of that person. City Attorney Sandstrom said that this law makes it mandatory for cities to accept applications for these types of structures and approve them if they are compliant with the law, however, cities have the ability to opt out of this law if they so choose.

Councilmember Reiter asked if cities could put limits on it based on the size of the lot and City Attorney Sandstrom said “not really” and that either you choose to be bound by the law or you don’t. City Attorney Sandstrom said that if you choose to opt out of it the City can choose to adopt your own law but you can’t pick and choose what you like out of the statute.

Councilmember Reiter asked if it just overlooks the need for a variance and City Attorney replied by saying “yes and no”, the temporary structure still has to comply with setbacks, lot lines, and things of that nature. City Attorney Sandstrom said that the temporary structure is supposed to be connected to water and sewer and doesn’t know how feasible it is for someone to bring in a 300 square foot temporary structure that has to be connected to water, sewer, and electric that would require a CUP that would be reviewed every 6 months.

Councilmember Reiter asked if the City did not allow this and someone came into the City and said that, “they passed a law and I need this”, could they apply for a variance to allow it? City Attorney Sandstrom said that he didn’t think so because generally temporary dwellings are not permissible under existing code. City Attorney Sandstrom said that this is a complex issue and the Council doesn’t have to make a decision tonight. City Attorney Sandstrom thought that it should be discussed more at the August Council meeting with a proposed resolution and the Council can vote on it at that time.

City Attorney Sandstrom said that he has not dealt with the owner of Fat Tire Trike very much yet but has been in the loop on the communications between him and the City Administrator and felt that the City Administrator has been very fair. City Attorney Sandstrom said that the City Administrator has worked with him and has given him multiple opportunities to submit the paperwork.

### **CITY CLERK-ADMINISTRATOR SCHULER (7C)**

#### **Laurel March Easement**

Clerk-Administrator Schuler reported that the City Engineer and Attorney worked diligently in preparing the easement and that she spoke to Ms. March and she will be in tomorrow or the next day to sign it. Clerk-Administrator Schuler reported that she read the easement to Ms. March over the phone and Ms. March is okay with it and said that a copy of the easement is the only thing that they are lacking to move ahead with the next phase of the dyke

project. Engineer Parotti said that there are a handful of trees down there yet to be removed in this easement area so once this easement is executed they can enter on to that property and remove the remainder of the trees and the City can then authorize a contractor to go in and remove stumps after the trees are removed on both sides of the 21<sup>st</sup> street levee. Engineer Parotti said that once the stumps are removed some areas will be regraded and seeded which will be good for future maintenance.

### **Dock Waiting List Update**

Clerk-Administrator Schuler reported that the updated list went before the Parks Board at their last meeting and then presented corrections to the waiting list.

**MOTION BY MAYOR MCCARTHY, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE THE 2016 BOAT AND MOORING WAITING LIST. MOTION PASSED UNANIMOUSLY.**

**MOTION BY MAYOR MCCARTHY, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE THE 2016 FINAL DOCK REPORT. 3 AYES, 2 NAYS (UNKER, REITER).**

### **Final Wait List Report**

Clerk-Administrator Schuler said that she was not sure if the second letter was sent out to remind people that the administrative items were due after the previous Deputy Clerk left. Clerk-Administrator Schuler presented the final wait list to the council.

**MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER REITER, TO ACCEPT THE FINAL WAIT LIST AS PRESENTED. MOTION PASSED UNANIMOUSLY.**

Clerk-Administrator Schuler stated that Resolution 2016-06 appointing election judges includes a \$1.00 an hour raise for election judges to \$10.00 per hour for election judges and \$12.00 for the head election judge.

**MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE RESOLUTION 2016-06 APPOINTING PRIMARY AND GENERAL ELECTION JUDGES FOR THE ELECTIONS OF THE AUGUST PRIMARY AND THE GENERAL ELECTION ON NOVEMBER 8, 2016. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: KLINE – AYE, UNKER – AYE, BROWN – AYE, REITER – AYE, MCCARTHY – AYE.**

### **Notice of Candidate Filing**

Clerk-Administrator Schuler presented the “Notice of Candidate Filing” that will be running in the paper. Clerk-Administrator Schuler stated that there is a 2-year term for Mayor available as well as (2) 4-year City Council seats.

### **Notice of Public Accuracy Test**

Clerk-Administrator Schuler reported that the Public Accuracy Test on the election equipment will be occurring on Tuesday, August 2, 2016 at 10 a.m. the same day filing opens. Clerk-Administrator Schuler stated that notices for both of these events will be published in the paper.

### **Pay Increase for City Hall Cleaning**

Clerk-Administrator Schuler reported that Leona Raven has been cleaning City Hall since before this building was built. Clerk-Administrator Schuler said that after speaking to Leona she found out that Leona has been paid \$60 a month since she started many years ago. Clerk-Administrator Schuler said that she does a very good job and would like to see her pay increased.

**MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER KLINE, TO INCREASE THE PAY FOR THE CLEANING PERSON TO \$100 PER MONTH. MOTION PASSED UNANIMOUSLY.**

### **Part-Time Office Assistant**

Clerk-Administrator Schuler requested permission to hire a part-time office assistant for filing and organization. Clerk-Administrator Schuler said that this person would not be doing records retention and that they would be updating property files.

**MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE UP TO \$2,000 FOR A PART-TIME OFFICE ASSISTANT TO BE PAID AT \$10-\$12 PER HOUR DEPENDING UPON EXPERIENCE. MOTION PASSED UNANIMOUSLY.**

### **Workshops**

Clerk-Administrator Schuler requested that the Council set a date for the first Budget Workshop of the year. The Council scheduled the Budget Workshop for Monday, August 22, 2016 at 5 p.m.

Clerk-Administrator Schuler requested having a workshop for the boats and docks as well. Councilmember Reiter said that she would like to see it be an open public meeting because there is a lot of stuff going on out there and that she has defended decisions for many years and is calling into question some of those decisions. Councilmember Reiter said that she thinks the public needs to know what is going on.

Mayor McCarthy recommended directing staff to put together materials for a public meeting on the boats and docks.

Clerk-Administrator Schuler said that she did not feel comfortable presenting on this subject.

Councilmember Kline said that the public is always welcome to come to a Park Board meeting and if someone can't make it to the meeting they can let the Park Board know and they can make sure that their questions get answered in another way. Mayor McCarthy said that he agreed with Councilmember Kline on this. Councilmember Kline said that the Park Board should be doing this because they can answer the public's questions at a Special Parks meeting that will be devoted to answering questions about the docks and boats.

Councilmember Reiter agreed to be in charge of organizing a public meeting to discuss the docks and boats.

Councilmember Unker asked if the Council should discuss what happened with the Chair of the Parks Board and Councilmember Reiter agreed. Councilmember Reiter said that based on comment; there was the perception that the Park Board was not being honest by at least one resident when they switched up their Chair. Councilmember Reiter then said that if there was any question that there was some kind of collusion among its members to change up the chair it would be an open meeting law violation. Councilmember Unker said that he wondered if what he read was true that the Council has final approval as to whether or not they can change the Chair and the Council has to approve that on a 4/5 vote.

Clerk-Administrator Schuler responded saying that most of the ordinances are left up to the interpretation of the reader but the Parks Board ordinances are pretty specific stating that the Council has final approval on who the Mayor recommends to place on that board. It is the board's responsibility to place their officers and they choose the members of their board which does not need Council approval. Clerk-Administrator Schuler said that Mr. Welsch was not removed from the Park Board just as Chair.

City Attorney Sandstrom stated that there has been some discussion among staff about what is going on with the Parks Board and that he and Sue would sit down and discuss the situation before the August Council meeting.

### **Downed Tree**

Clerk-Administrator Schuler stated that a tree went down on Quant Ave. in the right of way in front of the Kircher residence. Clerk-Administrator Schuler stated that she received a quote from Sav-A-Tree to remove this tree along with an ash tree in the amount of \$2,001.00.

**MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER REITER, TO HIRE SAV-A-TREE IN THE AMOUNT OF UP TO \$2,001.00 PENDING TREE INSPECTION TO REMOVE A TREE AT 1305 QUANT AVENUE AND ONE TREE AT 18<sup>TH</sup> STREET SOUTH AND RIVIERA AVENUE. MOTION PASSED UNANIMOUSLY.**

### **Vacation Time**

Clerk-Administrator Schuler stated that she had 78 hours of vacation time at the "use it or lose it" period in April and there was no way that she would be able to take that time off. Clerk-Administrator Schuler stated that she already lost the time in April and will not be able to user any this year. Clerk-Administrator Schuler proposed a one-time payout being that she has put in a lot of extra hours between the time the Deputy Clerk left and the new one was hired.

**MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER REITER, TO PAY OUT 78 HOURS OF UNUSED VACATION FROM 2016 TO CLERK-ADMINISTRATOR SCHULER IN AN AMOUNT NOT TO EXCEED \$2,230 GROSS PAY. MOTION PASSED UNANIMOUSLY.**

### **July Claims \$22,943.91**

Clerk-Admin Schuler reported the July claims; check numbers 17230 to 17265 in the amount of \$46,262.92. This includes the second half payment to the Lower St. Croix Fire District for \$13,768, City of Bayport building permit fees, \$6,348 for engineering fees, and the second half contribution to the Middle St. Croix Valley Watershed Management Organization in \$2,527. Clerk-Admin Schuler said that these were the biggest disbursements. Clerk-Admin Schuler said that she will have receipts along with complete financials showing what has been spent for next Council meeting.

**MOTION BY COUNCILMEMBER BROWN, SECONDED BY COUNCILMEMBER REITER, TO APPROVE THE JULY CLAIMS IN THE AMOUNT OF \$46,262.92 FROM CHECK NUMBER 17230 TO 17265. MOTION PASSED UNANIMOUSLY.**

**DEPUTY CLERK ANDY BRUNICK** (7D)

Deputy Clerk Brunick presented **Resolution 2016-05 accepting donations for Heritage Day.**

**MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO APPROVE RESOLUTION 2016-05 ACCEPTING DONATIONS FOR THE ANNUAL HERITAGE DAY ICE CREAM SOCIAL. MOTION PASSED UNANIMOUSLY. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: KLINE – AYE, UNKER – AYE, BROWN – AYE, REITER – AYE, MCCARTHY – AYE.**

Deputy Clerk Brunick reminded everyone that Fall Cleanup Day will be on Saturday, September 17<sup>th</sup> from 9 to noon. Deputy Clerk Brunick presented 5 pictures of street signs that need replacement and has been working with the Mayor on getting some pricing for the replacement signs and had a quote from the City of Maplewood for around \$106.00 for both street signs including the brackets and caps. Deputy Clerk Brunick said that there is \$5,000 in the sign budget and none of it has been used. Mayor McCarthy proposed doing an entire section of City along with the 5 worst signs that were identified.

Councilmember Reiter asked if Maplewood would give any tax breaks for printing multiple signs with the same street name and Mayor McCarthy said that they did not.

**MOTION BY COUNCILMEMBER BROWN, SECONDED BY MAYOR MCCARTHY, TO AUTHORIZE UP TO \$5,000 FOR THE PURCHASE OF STREET SIGNS. MOTION PASSED UNANIMOUSLY.**

**NEW BUSINESS** Agenda Item 8.

**Valley Branch Watershed Boundary Changes**

Clerk-Admin Schuler presented Resolution 2016-07 approving Valley Branch Watershed boundary changes. Clerk-Admin Schuler said that this was something that Mike Isensee presented to Council a few months ago and that this resolution gives them permission to move forward with the boundary changes shown the map. Clerk-Admin Schuler said that there was not a requirement for sending out notification letters to residents.

Engineer Parotti said that the Council does not have to approve this resolution if they don't want to. Councilmember Reiter asked what Valley Branch would do if the Council chose not to pass it and Engineer Parotti said that he remembered seeing somewhere that cities could opt out if they wanted to. Councilmember Reiter then asked if the City should approve it and Engineer Parotti said it depends on

who you ask and that from an engineering perspective it make sense to have regulatory boundaries where the best information tells us where the hydrologic boundaries are.

**MOTION BY COUNCILMEMBER REITER, SECONDED BY MAYOR MCCARTHY, TO APPROVE RESOLUTION 2016-07 SUPPORTING THE PETITION FROM VALLEY BRANCH WATERSHED DISTRICT TO THE BOARD OF SOIL AND WATER RESOURCES REQUESTING A BOUNDARY CHANGE FOR THE TRANSFER OF TERRITORY BETWEEN IT AND ITS ADJACENT WATERSHED DISTRICT MANAGEMENT ORGANIZATIONS . MOTION PASSED UNANIMOUSLY. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: KLINE – AYE, UNKER – AYE, BROWN – AYE, REITER – AYE, MCCARTHY – AYE.**

**UNFINISHED BUSINESS** Agenda Item 9.

**OTHER BUSINESS** Agenda Item 10.

**Political Signs**

Clerk-Admin Schuler clarified the rules surrounding political signage. The campaign signs can go up as soon as the caucuses are done and need to come down within 7 days after the general election. The signs cannot be in the right-of-way and there are size limitations.

**Jim Stanley, Deputy Fire Chief**

Jim Stanley Fire District Board Chair reported 48 runs, 5 of which were in LSCB for the month and that they have been very busy with the 4<sup>th</sup> of July. Jim Stanley then introduced Rob Kory, the new Deputy Chief. Jim Stanley said that there were not any burn bans in place.

Mayor McCarthy said that the river level is going to be above the “no wake” level of 683 feet for the next couple of weeks and thanked Jim Stanley for posting the water level warning. Jim Stanley thanked Joe for allowing the Fire Dept. to get their boats on the water at Afton Marina which saves about 20 minutes on water calls. Jim Stanley said that they had a boat fire just 3 days after they got it in the river. Councilmember Reiter asked what, “excluding vehicle accident with injury” meant. Jim Stanley said that it refers to “in-house medicals”. Jim Stanley said that the Fire Dept. will be at Heritage Day and that there have been complaints from residents that the Fire Dept. sign scrolls too fast and are working with the software people but have made in non-scrolling in the meantime. Jim Stanley also said that county personnel have been made aware of the locations of the stairway numbers on the beach to help out in emergency situations.

**COUNCIL/STAFF REPORTS** Agenda Item 11.

**COUNCILMEMBER BROWN** (11A)

Nothing to report.

**COUNCILMEMBER KLINE** (11B)

**Park Board**

Reported that there was a beach clean-up on July 6 and Chair Welsch said that it went very well. Also reported that Heritage Day is August 2<sup>nd</sup> and there is a resident that is offering to pay to rebuild stairway #8 which the Park Board voted to accept and will now go to the Planning Commission. Reported that the parking machine raised over \$10,000 just in the month of June which is normally around \$4,000 for June. The Park Board also heard some information on Crime Prevention through Environmental Design and agreed to send it to the Planning Commission for more discussion.

**COUNCILMEMBER REITER** (11C)

**Environmental Advisory Board**

Members from the EAC had a table with the recycling display at “Art in the Park”.

**COUNCILMEMBER UNKER** (11D)

Nothing to report.

**MAYOR MCCARTHY** (11E)

Nothing to report.

Engineer Parotti recommended putting off the public open house for the Street Improvement Project since the bids were rejected by Council. Engineer Parotti recommended scheduling it for next spring.

**ADJOURNMENT** (12)

**MOTION BY COUNCILMEMBER BROWN, SECONDED BY  
COUNCILMEMBER KLINE, TO ADJOURN THE MEETING. MOTION  
PASSED UNANIMOUSLY.**

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Tom McCarthy, Mayor

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Susan Schuler, Clerk-Administrator

**RESOLUTION NO. 2016-09**

**CITY OF LAKE ST CROIX BEACH  
WASHINGTON COUNTY, MINNESOTA**

**A RESOLUTION ACCEPTING DONATION FROM THE BAYPORT  
AMERICAN LEGION POST 491 IN THE AMOUNT OF \$182.16.**

**WHEREAS: The City of Lake St Croix Beach City Council accepts the  
monetary donation of \$182.16.**

**NOW THEREFORE BE IT RESOLVED; that the funds be placed in the  
General Fund under Donations.**

Approved

Councilmember Kline \_\_\_\_\_  
Councilmember Unker \_\_\_\_\_  
Councilmember Brown \_\_\_\_\_  
Councilmember Reiter \_\_\_\_\_  
Mayor McCarthy \_\_\_\_\_

WHEREUPON, said Resolution was declared duly passed and adopted.

This \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Mayor, Tom McCarthy

\_\_\_\_\_  
ATTEST: City Clerk-Administrator, Susan Schuler

Councilmember \_\_\_\_\_ moved the following:

**RESOLUTION NO. 2016-10**

**CITY OF LAKE ST CROIX BEACH  
WASHINGTON COUNTY, MINNESOTA**

A RESOLUTION APPROVING A 1 TO 4 DAY ON-SALE LIQUOR LICENSE FOR SAINT FRANCIS OF ASSISI THAT WILL BE USED ON OCTOBER 02, 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake St. Croix Beach, that:

The City Council approves this 1 to 4 day temporary on-sale liquor license.

The Motion for the adoption of the foregoing Resolution was duly seconded by Councilmember \_\_\_\_\_. The following vote was taken:

Councilmember Kline	_____
Councilmember Unker	_____
Councilmember Brown	_____
Councilmember Reiter	_____
Mayor McCarthy	_____

WHEREUPON, said Resolution was declared duly passed and adopted.

I certify that the City of Lake St. Croix Beach adopted the above Resolution on this 15<sup>th</sup> day of August 2016.

---

Thomas McCarthy, Mayor

---

Susan Schuler, City Clerk-Administrator

Councilmember \_\_\_\_\_ moved the following:

**RESOLUTION NO. 2016-10**

**CITY OF LAKE ST CROIX BEACH  
WASHINGTON COUNTY, MINNESOTA**

A RESOLUTION APPROVING A GAMBLING PERMIT FOR SAINT FRANCIS OF  
ASSISI TO BE USED ON OCTOBER 02, 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
Lake St. Croix Beach, that:

The City Council approves this gambling permit.

The Motion for the adoption of the foregoing Resolution was duly seconded by  
Councilmember \_\_\_\_\_. The following vote was taken:

Councilmember Kline	_____
Councilmember Unker	_____
Councilmember Brown	_____
Councilmember Reiter	_____
Mayor McCarthy	_____

WHEREUPON, said Resolution was declared duly passed and adopted.

I certify that the City of Lake St. Croix Beach adopted the above Resolution on  
this 15<sup>th</sup> day of August 2016.

---

Thomas McCarthy, Mayor

---

Susan Schuler, City Clerk-Administrator

AGN	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Street Suffix	Cross St Name	Cross St Suffix	City
WCSO	2016-07-18	820012620001	176	N. Sullivan	Citation	0	RACINE AVE S		19TH ST S		Lak St. Cro Bea
WCSO	2016-07-12	820016619401	179	N. Bradt	Citation	0	UPPER 17TH ST S		RIVIERA AVE S		Lak St. Cro Bea
WCSO	2016-07-09	820012619101	176	N. Sullivan	Citation	0	RAMADA AVE S		18TH ST S		Lak St. Cro Bea
WCSO	2016-07-04	820025618605	1281	M. Ramos	Citation	0	QUENTIN AVE N		19TH ST S		Lak St. Cro Bea
WCSO	2016-07-04	820025618604	1282	M. Ramos	Citation	0	QUENTIN AVE S		19TH ST S		Lak St. Cro Bea
WCSO	2016-07-04	820025618603	1282	M. Ramos	Citation	0	QUENTIN AVE S		19TH ST S		Lak St. Cro Bea
WCSO	2016-07-02	820025618401	1282	M. Ramos	Citation	0	REDWING AVE S		20TH ST S		Lak St. Cro Bea

8/01/16 5:33:44

Washington County Sheriff's Office

CONTRACT ICR's

Contract Report for LAKE ST CROIX BEACH

For the Period 7/01/16 To 7/31/16

Date	Time	ICR #	ID#	Street Name	Complaint
7/01/16	12:03:50	116023668		RIVIERA AV	WARRANT / WCSO / CR162181
7/01/16	21:00:25	116023751	0111	17TH ST	FAMILY DISPUTE
7/02/16	0:17:41	116023768	1204	17TH ST	DOMESTIC
7/02/16	2:59:39	116023776	1204	17TH ST	911 OPEN LINE/UNWANTED MALE
7/02/16	11:20:08	116023810	1282	REDWING AV	PARKING CITATION/EXPIRED TABS
7/02/16	12:40:28	116023817	0068	QUENTIN AV	VERBAL ARGUMENT
7/03/16	9:39:40	116023946	0088	QUENTIN AV	WELFARE CONCERN
7/03/16	14:20:38	116023977	0088	19TH ST	PARKING COMPLAINT
7/03/16	21:44:21	116024038	0078	QUENTIN AV	FIREWORKS COMPLAINT
7/04/16	1:37:44	116024078	0067	QUARRY AV	CIVIL ASSIST
7/04/16	8:02:09	116024089	0077	REDWING AV	TRESPASSING
7/04/16	14:08:48	116024123	0077	19TH ST	PARKING COMPLAINT
7/04/16	19:13:30	116024168	0084	UPPER 22ND ST	OPEN 911 CALL
7/04/16	19:21:01	116024170	0079	RACINE AV	FAMILY DISPUTE
7/05/16	17:18:20	116024356	0078	RIVIERA AV	SUSPICIOUS JUVENILES
7/06/16	18:39:11	116024526	0096	18TH ST	DRIVING COMPLAINT

7/07/16 14:04:47 116024640 0075 RACINE AV MEDICAL LEVEL 1  
7/08/16 6:56:59 116024699 0088 QUANT AV TREE DOWN  
7/09/16 16:32:25 116024924 0176 21ST ST NEIGHBOR COMPLAINT  
7/09/16 19:14:05 116024942 0176 18TH ST VIOLATION OF HRO  
7/09/16 20:06:45 116024948 0176 RAMADA AV PARKING COMPLAINT  
7/09/16 22:05:40 116024965 0078 RIVIERA AV LOUD PARTY  
7/10/16 10:45:26 116025006 1282 QUEENS AV MEDICAL \*LEVEL 1\*  
7/10/16 16:51:33 116025049 0176 QUEENS AV DRIVING COMPLAINT: SEE COMPLA  
7/10/16 17:03:01 116025057 1252 ST CROIX RIVER WATERCRAFT VIOLATION - TRANSOM  
7/10/16 21:46:44 116025085 0082 SAINT CROIX TR CAR VS DEER  
7/10/16 22:53:35 116025089 1209 RIVIERA AV NOISE COMPLAINT  
7/11/16 16:37:00 116025203 0176 18TH ST DRIVING COMPLAINT \*RSTK JUST  
7/12/16 13:43:12 116025320 0094 UPPER 17TH ST PARKING COMPLAINT  
7/13/16 11:06:26 116025457 0075 SAINT CROIX RIV FOUND BOAT  
7/13/16 16:52:02 116025516 0176 SAINT CROIX TR SUSPICIOUS VEHICLE \*\*COMP AN  
7/14/16 9:35:45 116025595 0156 RIVIERA AV STOLEN VEHICLE \*\*RSTK\*\*  
7/14/16 11:51:19 116025616 0075 21ST ST CHK WELFARE \*\*RESTACK 21/ >>  
7/14/16 12:05:33 116025619 0100 QUANT AV SUSP VEHICLE/S XTRA PATROL  
7/14/16 12:34:00 116025624 0075 QUEENS AV ASSIST  
7/14/16 15:51:11 116025660 0067 19TH ST HARASSING COMMUNICATIONS  
7/16/16 0:45:02 116025860 0089 SAINT CROIX TR WELFARE CONCERN  
7/16/16 0:45:02 116501815 0100 SAINT CROIX TR AOA/WELFARE CONCERN  
7/18/16 15:50:26 116026185 0176 RACINE AV PARKING VIOL  
7/18/16 18:25:23 116026216 0176 RIVIERA AV THREATS REPORT  
7/18/16 19:33:37 116026226 0093 RAMADA AV PARKING COMPLAINT

7/18/16 20:51:48 116026234 0176 RACINE AV ORDINANCE VIOLATION PAPERWORK  
7/18/16 21:30:19 116026239 0176 RIVIERA AV TRESSPASSING  
7/18/16 22:06:53 116026242 0093 RIVERIA DR COMPLAINT  
7/19/16 13:04:03 116026323 1202 18TH ST WELFARE CHECK  
7/19/16 18:30:43 116026378 0098 RIVIERA AV BURGLARY FROM DETACHED GARAGE  
7/20/16 14:53:46 116026532 0176 SAINT CROIX TR TRAFFIC  
7/21/16 18:09:42 116026766 0176 RIVIERA AV PUBLIC ASSIST  
7/21/16 21:07:13 116026783 0082 RIVIERA AV JUVENILE COMPLAINT  
7/22/16 11:06:14 116026842 0077 QUEBEC AV MEDICAL \*LEVEL 1\*  
7/22/16 12:40:27 116026871 0088 RIVIERA AV NEIGHBOR ISSUE  
7/22/16 19:03:19 116026943 0174 RACINE AV RESIDENCE CHECK

PRT CONTRACT ICR REPORT MTMANDT Page 2

8/01/16 5:33:44

Washington County Sheriff's Office

CONTRACT ICR's

Contract Report for LAKE ST CROIX BEACH

For the Period 7/01/16 To 7/31/16

Date Time ICR # ID# Street Name Complaint

7/24/16 12:07:57 116027112 0130 13TH ST FIRE ALARM  
7/24/16 17:05:04 116027159 0090 QUEBEC AV MISSING LICENSE PLATE  
7/24/16 18:40:26 116027174 0174 RACINE AV NOISE COMPLAINT  
7/25/16 15:40:15 116027319 0091 RIVIERA AV PARKING COMPLAINT- LAKE ST.CRO  
7/26/16 18:44:13 116027495 0176 SAINT CROIX TR TRAFFIC

7/26/16 21:55:39 116027514 0176 QUEENS AV FELONY WARRANT ARREST  
7/27/16 10:57:22 116027569 0075 17TH ST PUBLIC ASSIST  
7/27/16 14:33:45 116027617 0160 ST CROIX TR COUNTERFEIT MONEY  
7/28/16 14:54:08 116027782 0082 15TH ST SCAM REPORT  
7/28/16 17:49:42 116027806 0082 SAINT CROIX TR PUBLIC ASSIST  
7/29/16 1:08:50 116027858 0080 RIVIERA AV SUSPICIOUS ACTIVITY \*\*C  
7/29/16 11:46:01 116027913 0160 QUANT AV FOUND DRUGS  
7/30/16 20:41:31 116028155 0174 SAINT CROIX TR PUBLIC ASSIST/SUSPICIOUS ACTIV  
7/31/16 0:15:27 116028177 0070 16TH ST DISTURBANCE \*\* COMP TO BE ANO  
7/31/16 10:34:12 116028203 0130 19TH ST JUV CONCERN CALL COMP\*RESTACK  
7/31/16 20:47:45 116028263 0174 17TH ST UNK SITUATION/MEDICAL LEVEL 1

Total ICRs Processed: 68

\*\* END OF REPORT \*\*



**From:** Debra Legrid [<mailto:DebraL@tenaco.com>]  
**Sent:** Thursday, August 4, 2016 3:52 PM  
**To:** [sschulerlscb@comcast.net](mailto:sschulerlscb@comcast.net); [lscbmccarthy@gmail.com](mailto:lscbmccarthy@gmail.com)  
**Subject:** FW: MPCA Section 106 Findings-Afton Infrastructure Project

Tom and Sue,

I just received this from the State of Minnesota about the Afton Septic System.

I am very disappointed that this is going to be going through as I know my property value will be going down significantly. I am less than 100 yards of where they want to put the system and can see it out my front door.

My husband and I will now have some serious discussions as to whether plan on staying in the house that he has owned since 1999. He grew up in this area, Lakeland Shores, and we both love it, but since this will be going ahead, we do not think we are going to stay.

Sincerely,

Deb Legrid

2065 Quant Ave S

Lake St Croix Beach, MN 55043

**From:** Mathisen, Corey (MPCA) [<mailto:corey.mathisen@state.mn.us>]  
**Sent:** Thursday, August 04, 2016 3:33 PM  
**To:** Debra Legrid <[DebraL@tenaco.com](mailto:DebraL@tenaco.com)>  
**Subject:** MPCA Section 106 Findings-Afton Infrastructure Project

The Minnesota Pollution Control Agency (MPCA) is providing our Historic Properties – Section 106 Review Findings on the City of Afton’s proposed infrastructure improvement projects to you because you expressed interest and/or provided comments in December 2015. Since that time, the MPCA continued consultation on the project with the Minnesota State Historic Preservation Office, the United States Army Corps of Engineers, and several Native American Tribes who were also interested in the project.

After giving careful consideration to all available information, the MPCA has made a final determination that the project will result in no adverse effects to historic properties. The consultation process resulted in several measures being taken to avoid or minimize any impacts to historic properties as construction of the project occurs. Documentation supporting the MPCA's final determination (including responses to the comments received in December) can be found at <https://www.pca.state.mn.us/water/findings>. Paper copies of these documents can be provided as requested. This information has also been shared with all consulting parties for this project.

The MPCA appreciates your involvement in historic preservation and protection of public health and the environment.

**Corey R. Mathisen, P.E.**

Minnesota Pollution Control Agency

520 Lafayette Road North

St. Paul, MN 55155-4194

Phone Number: 651-757-2554

[Corey.Mathisen@state.mn.us](mailto:Corey.Mathisen@state.mn.us)

**IMPORTANT NOTICE:** This message is intended only for the addressee and may contain confidential, privileged information. If you are not the intended recipient, you may not use, copy or disclose any information contained in the message. If you have received this message in error, please immediately notify the sender by reply e-mail and delete the message.

Note: TENA's Compliance/Legal Division will present its rationale or reasoning behind any statutory or regulatory matter related to TENA's product lines; however the information and answers received from this process should not be construed as, nor are they intended to constitute legal advice or counsel.

**PIN** 11.028.20.13.0010  
**Address** 16561 14TH ST S  
**Owner** THRODSSEN ERIC L & NICHOLE J  
**Class** Residential





**CITY OF LAKE ST CROIX BEACH**  
 16455 20TH Street South, Lake St Croix Beach, MN 55043  
 Phone: 651-436-7031 • Fax: 651-436-8310  
 Website: www.lscb.govoffice.com

**NEW ADDRESS / ADDRESS CORRECTION FORM**

**GENERAL INFORMATION**

**New Address / Address Correction**

P.I.N:		Date:	
Property Owner:			
Mailing Address:			
Phone:			
Legal Description:			
Prepared By:			

**ADDRESS INFORMATION**

Existing Physical Address (if applicable):	
Describe Corrections / Additions (if applicable):	

**NEW ADDRESS**

<b>NEW ADDRESS:</b>	
---------------------	--

**AGENCY NOTIFICATION (Staff Use Only)**

<input checked="" type="checkbox"/>		Date Sent:
<input checked="" type="checkbox"/>	Property Owner	
<input checked="" type="checkbox"/>	Washington County Assessor	
<input checked="" type="checkbox"/>	Xcel Energy	
<input checked="" type="checkbox"/>	Comcast	
<input checked="" type="checkbox"/>	Century Link	
<input checked="" type="checkbox"/>	Waste Management	
<input checked="" type="checkbox"/>	Lakeland Water Department	
<input checked="" type="checkbox"/>	Three Lakes Water and Sanitation District	
<input checked="" type="checkbox"/>	Washington County GIS	
<input checked="" type="checkbox"/>	Washington County 911	
<input checked="" type="checkbox"/>	<b>Lower St Croix Valley Fire Protection District</b>	

Additional Information / Comments


Eric and Nicole Throndsen  
16561 14<sup>th</sup> St S  
Lake St Croix Beach, MN 55043

Re: Street address change

Dear Mr. & Mrs. Throndsen:

The City of Lake St Croix Beach updated street addresses for the City. During the review process your address (as per Washington County) was identified as needing to be changed, and should instead be **14656 Queens Ave. South effective immediately**. Washington County Assessor's Office, GIS (Mapping) and 911 have been contacted. Additionally, Comcast, Xcel Energy, Qwest, , the Lakeland Water Department, Waste Management and the Lower St Croix Valley Fire Protection District have been notified of this change.

Please change your house number to reflect this change and advise applicable door-service deliveries of the new address. The Lower Lake St Croix Valley Fire Protection District has indicated they would prefer a minimum of 4" reflective letters be placed in a location visible in some instances house numbers may need to be affixed to a tree at the entrance of a driveway (at a height above snow level).

Additionally, you will be responsible for updating your personal records with your lending institution and insurance agent. If you collect sales tax for income from a home-based business or nightly rental you will need to contact the Department of Revenue. If the ownership of your property is an LLC, etc., you should check with the Secretary of State regarding these changes. Included in this notification is a general letter you are welcome to use for verification purposes. I am personally available to discuss this matter with any individual or agency seeking greater documentation, if necessary.

I apologize for any inconvenience to you. If you have any questions, comments and/or concerns feel free to contact me at 651-436-8751 or email [sschulerlscb@comcast.net](mailto:sschulerlscb@comcast.net).

Sincerely,

Susan Schuler  
Clerk/Administrator



CITY OF BAYPORT  
294 NORTH THIRD STREET  
BAYPORT, MINNESOTA 55003  
PHONE 651-275-4404 FAX 651-275-4411

---

August 2, 2016

City of Lake St. Croix Beach  
Attn: Sue Schuler  
16455 20<sup>th</sup> St. S.  
Lake St. Croix Beach, MN 55043

Re: Termination of contract to provide building inspection services

Dear Ms. Schuler,

Thank you for taking the time to meet with me to discuss the transition of building inspection services at the City of Bayport. As you are aware, the City's building official retired as of July 31, 2016, and on August 1 the Bayport City Council approved a contract with MNSPECT, Inc. to provide this service to the City of Bayport immediately on a contractual basis. Because the City no longer has an employee able to provide services on a sub-contract to the City of Lake St. Croix Beach, it is practical to terminate the contract between the two cities and allow the City of Lake St. Croix Beach the opportunity to make its own decision on how to acquire this service.

Per the stipulations set forth in Section IV, Sub. 2, of the contract, please accept this letter as written notification of the City's intent to terminate the contract as of October 2, 2016. The City agrees to abide by the current contract during the forthcoming 60 days, and service from MNSPECT will be provided to the City of Lake St. Croix Beach under the terms of the current contract, unless directed otherwise by you.

Thank you for your understanding and cooperation during this quick transition. Please don't hesitate to reach out to me with any questions during this process.

Sincerely,

Logan Martin  
City Administrator  
City of Bayport

**CITY OF BAYPORT AND CITY OF LAKE ST. CROIX BEACH  
AGREEMENT FOR BUILDING INSPECTION SERVICES**

**THIS AGREEMENT** made and entered into as of this 1st day of September, 2015, by and between the CITY OF BAYPORT, State of Minnesota (hereinafter referred to as "Bayport"), and the CITY OF LAKE ST. CROIX BEACH, State of Minnesota, (hereinafter referred to as "St. Croix Beach").

**WITNESSETH:**

**WHEREAS**, St. Croix Beach has requested Bayport to provide building inspection services to be performed within its corporate boundaries; and,

**WHEREAS**, Bayport wishes to contract with St. Croix Beach to perform building inspection services within St. Croix Beach's corporate boundaries; and,

**NOW, THEREFORE, IT IS MUTUALLY AGREED** by and between Bayport and St. Croix Beach as follows:

**I.  
SCOPE OF SERVICES**

1. Bayport agrees to provide building inspection services for St. Croix Beach. Except as otherwise specifically set forth herein, building inspection services shall only include those types of duties and functions customarily rendered by building officials under law, and shall not include services which are normally provided by the State of Minnesota such as electrical inspections and issuances of electrical permits, nor shall it include such services which are normally provided by Washington County Department of Health including, but not limited to, hazardous property inspection for the purposes of Minnesota Statute §463.15, et. seq., nor shall it provide for septic system inspection or permit issuance therefore.
2. Services to be provided by Bayport shall include maintaining regular office hours at offices of St. Croix Beach, site and building plan review, and preparation of documentation required for the filing of State Surcharge reports and fee calculations.
3. The standards of performance, method of providing building inspection services and other matters incident to the performance of services under this Agreement, including personnel to be employed, shall be those established by the Department of Administration for the State of Minnesota.
4. Under this Agreement, Bayport will receive all applications for building permits for all projects within St. Croix Beach as required by existing laws, codes and ordinances, with such applications being received by Bayport after they have been first reviewed by St. Croix Beach for purposes of planning, zoning, subdivision and other local code regulations and requirements. All applications for permits whether or not they require variances, conditional use permits or other special permits under existing ordinances of St. Croix Beach shall first be approved by St. Croix Beach prior to submission of applications for building permits to Bayport.

The Building Official for Bayport shall examine such applications to determine compliance with the existing building code.

5. All applications for permits which require variances, conditional use permits or other special permits under existing ordinances of St. Croix Beach shall first be resolved by St. Croix Beach prior to the issuance of building permits by Bayport. No building permit shall be issued until the office of St. Croix Beach City Clerk or other St. Croix Beach designated official has executed a written consent to issuance thereon.

6. Bayport shall provide and issue all building permits as required by the existing building codes and shall maintain a duplicate record of all such permits and inspections related thereto. Bayport shall on a monthly basis submit a report to St. Croix Beach as to individual building permits issued, but shall not be required to compile statistics, data or otherwise submit reports on behalf of St. Croix Beach to the State of Minnesota, the Metropolitan Council or other state agencies and departments except as otherwise provided herein.

7. Pursuant to this Agreement, Bayport shall provide necessary site and building plan check services as required by applicable laws, regulations and ordinances.

8. Bayport shall provide all job site inspections on projects under building permit application as is required by existing building codes and City ordinances and such other reasonable inspections as may be deemed necessary by him or her in order to ensure compliance with the building code, and upon completion of each project shall issue a certificate of occupancy for said project. No certificate of occupancy shall be issued until any and all fees and charges due to St. Croix Beach have been paid in full.

9. Bayport shall collect all fees for building applications and charges to be collected incident to the administration of building inspection services contained herein according to the schedule of fees and charges agreed by both parties which is annexed hereto as Exhibit "A" and incorporated by reference herein. All such fees shall be remitted to the City Treasurer of St. Croix Beach.

10. Bayport shall collect all building permit surcharge fees, sewer availability charges and city fees as may be required by statute, regulation, or ordinance and shall remit same to the City Treasurer of St. Croix Beach pursuant to this Agreement.

11. Bayport shall not be required to routinely attend St. Croix Beach's staff, Planning Commission, City Council or review meetings except for preconstruction meetings on projects; however, the City Council may periodically require attendance at said meetings. St. Croix Beach shall provide input from its fire department(s), police department(s), zoning administrator(s) and other staff members appropriate to each building permit application to Bayport as may be reasonably required.

12. Bayport shall have the exclusive authority to determine interpretations and applications of the building code to projects within St. Croix Beach. Notwithstanding the foregoing, the Building Inspector shall confer with the City Zoning Administrator of St. Croix Beach before

issuing any such interpretations and applications of the building code on projects within St. Croix Beach. Bayport shall also have the right to issue stop orders on any project determined not to be in compliance with the terms and provisions of the building code. Enforcement of building code requirements by way of judicial action for either criminal or civil sanction shall remain the exclusive responsibility of St. Croix Beach.

13. Building inspection services shall include heating, ventilation, air conditioning inspections as well as plumbing inspections associated with building permits to be issued on residential or commercial projects.

14. Upon completion of any project, the Building Official shall issue a certificate of occupancy and forward a copy thereof to the St. Croix Beach City Clerk's office.

## II. SCHEDULE OF FEES AND CHARGES

1. Fees and charges shall be collected by the Bayport Building Official from the building applicant upon issuance of the building permit and shall be collected by the Bayport Building Official from the building applicant by either cash or check made payable to St. Croix Beach. Where building applicants submit a building permit with a cash application fee, an appropriate receipt shall be issued by Bayport to acknowledge its receipt.

2. The valuation for permit purposes shall be determined by the Bayport Building Official and shall be calculated by multiplying the square foot area of the proposed structure times the building valuation factor as published annually by the Building Codes and Standards Division of the State of Minnesota Department of Administration. The building permit fees shall be those listed in 1997 edition of the Uniform Building Code.

3. Where work for which a permit is required has been started or proceeded prior to obtaining said permit, special investigation shall be made before a permit may be issued for such work and the investigation fee shall be equal to the amount of permit fee required by the code and shall be collected whether or not a permit is subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the code nor from any penalty prescribed by law. All such investigation fees shall be treated as any other building permit fees collected under this contract.

4. The fees and charges set forth on Exhibit "A" are exclusive of fees and charges required by the State of Minnesota for electrical permits and inspections. All work on sites where building permits have been issued prior to this Agreement shall be paid in the amount of \$49.00 per inspection.

5. At the discretion of the Bayport Building Official, additional charges not to exceed actual expenses received may be made in instances where repeated violations of the building code and/or ordinances necessitate a number of compliance re-inspections. Such charges shall be payable by the building applicant prior to the issuance of the certificate of occupancy and shall remain the exclusive property of Bayport.

6. Bayport and St. Croix Beach agree that the fees for building inspection services contained herein shall be as is set forth within Exhibit "A" annexed hereto and incorporated by reference herein. Bayport shall collect all fees on behalf of St. Croix Beach for applications for building inspection services and building permits and account for same to St. Croix Beach.

7. Bayport shall also conduct plumbing, heating, ventilation and air conditioning inspections pursuant to the building code within St. Croix Beach. Fees for plumbing, heating, ventilation, and air conditioning inspections as well as fire protection systems, shall be those adopted by St. Croix Beach during the term of this Agreement. HVAC and plumbing fees shall be treated as building fees for the purpose of this Agreement.

8. During the term of this Agreement, Bayport shall receive 37% of the gross building permit fees and 100% of the site and building plan check fees annually collected within St. Croix Beach.

9. Payment to Bayport by St. Croix Beach shall be made monthly, as with all municipal bills. For purposes of administrative processing of payments, the parties shall use a reporting cutoff date as of the second Tuesday of each month. The City Treasurer of St. Croix Beach may require Bayport to provide and sign documentation as may be required by law prior to issuing any payment to him/her under the terms of this contract.

### III. GENERAL TERMS AND CONDITIONS

The parties further agree as follows:

1. St. Croix Beach shall not assume any liability for the direct payment of any salary, wage or other compensation to Bayport or any employee or assistant s/he uses to perform building inspection services pursuant to this Agreement.

2. Bayport shall not assume any liability to supervise or enforce regulations of St. Croix Beach or the State affecting zoning, planning, subdivision, wetland or surface water management. St. Croix Beach shall also be solely responsible to determine compliance with regulations of the Minnesota Department of Natural Resources, the Middle St. Croix Valley Water Management Organization, Minnesota Department of Transportation, Washington County and other regulatory bodies and political subdivisions having jurisdictional authority within St. Croix Beach affecting development of lands.

3. St. Croix Beach shall assume full responsibility for providing to Bayport a current and up-to-date copy of its zoning and subdivision regulations, zoning and subdivision maps, comprehensive plans, and other regulations on development adopted within St. Croix Beach.

4. All contractors performing construction services within St. Croix Beach shall be required to provide evidence of licensing and insurance as required by City Ordinance or State law. St. Croix Beach shall confirm with Bayport all such license and insurance compliance prior to authorizing issuance of a permit to any contractor performing work within the jurisdictional limits of St. Croix Beach.

5. St. Croix Beach shall be solely responsible for direct payment of any fees or charges to the State of Minnesota or any of its subdivisions and Washington County as may be required by law affecting development and issuance of building permits within its borders.

6. St. Croix Beach and its employees shall cooperate with Bayport in the orderly performance of services to be provided for herein.

7. All applications for building permits and building inspection forms to be utilized hereunder shall be maintained at the St. Croix Beach City offices.

8. St. Croix Beach, its officers, agents and employees shall not assume liability for any intentional or negligent act of Bayport or any of its officers, agents or employees; and Bayport herewith agrees to hold St. Croix Beach, their officers, agents and employees harmless from any intentional or negligent act of any employee of Bayport, his/her assistants and agents and further agrees to defend St. Croix Beach, its officers, agents and employees, from any claim for damages resulting from the negligent act of Bayport, its officers, agents or employees in performance of this Agreement.

9. Bayport, its officers, agents and employees shall not assume liability for any intentional or negligent act of St. Croix Beach or any of their officers, agents or employees and St. Croix Beach herewith agrees to hold Bayport, its officers, agents and employees harmless from any intentional or negligent act of any employee of St. Croix Beach, their officers, agents and further agree to defend Bayport, its officers, agents and employees, from any claim for damages resulting from the negligent act of St. Croix Beach, its officers, agents or employees in performance of this Agreement.

10. It is understood this Agreement contains the entire agreement between St. Croix Beach and Bayport and that no statement, promise or inducements have been made to any party hereto, or any officer, agent or employee of either party hereto which is not contained within this written Agreement. This Agreement may not be enlarged, modified or altered except in writing signed by the parties and endorsed herein. It is expressly understood between the parties hereto and this understanding should be considered in interpreting the provisions of this Agreement, that upon notice given by any party hereto, later negotiations may be undertaken for the purpose of revising, adding to or striking any provision or provisions of this Agreement which appear unworkable or insufficient to perfect, maintain and ensure the purpose of this Agreement, and any change to the original provisions of the Agreement mutually acceptable to both parties shall be written and attached to this Agreement as provided above and any such revision, addition or deletion shall only apply to the provision so revised, added or deleted, and the remainder of this Agreement shall remain in full force and effect.

#### IV. EFFECTIVE AND TERMINATION DATES

1. Effective Date. This Agreement shall be in effect as of September 1, 2015.
2. Termination. This Agreement shall continue unless otherwise terminated by

either party upon sixty (60) days written notice to the other.

**V.  
ADDITIONAL PROVISIONS**

1. Insurance. Bayport shall maintain insurance in the minimum amounts as specified by Minnesota Statute §466.04 and shall designate St. Croix Beach as an additional insured under any and all such policies. Bayport shall annually provide a certificate of insurance to St. Croix Beach verifying all such coverages. In the event of a notice of claim being filed with either party affecting or arising out of the operation of this Agreement for the provision of building inspection services by Bayport, copies of all notices of claim shall be provided both parties to this Agreement.

2. Storage of Closed Files. All original building records shall remain the exclusive property of St. Croix Beach. Upon the completion of building inspection services as it affects individual projects, Bayport may retain St. Croix Beach's files for temporary storage purposes for a reasonable period of time as may be determined in the discretion of St. Croix Beach. Notwithstanding the foregoing, all files shall be delivered to the office of the City Clerk of St. Croix Beach on request of St. Croix Beach. All open and closed files affecting building inspection services to be provided to St. Croix Beach pursuant to the terms and provisions of this Agreement shall remain the exclusive property of St. Croix Beach from which the file was generated, and St. Croix Beach shall remain as the exclusive and responsible authority to respond to request for public or private data as is otherwise specified and provided for within Minnesota Statute §13.01, et seq.

**THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.  
SIGNATURE PAGE FOLLOWS.**

IN WITNESS WHEREOF, the City of Bayport, Minnesota, and the City of Lake St. Croix Beach, Minnesota, have caused this Agreement for Building Inspection Services to be duly executed on the date and year first above written.

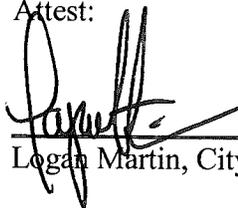
CITY OF BAYPORT

9-17-15  
Date

  
Susan St. Ores, Mayor

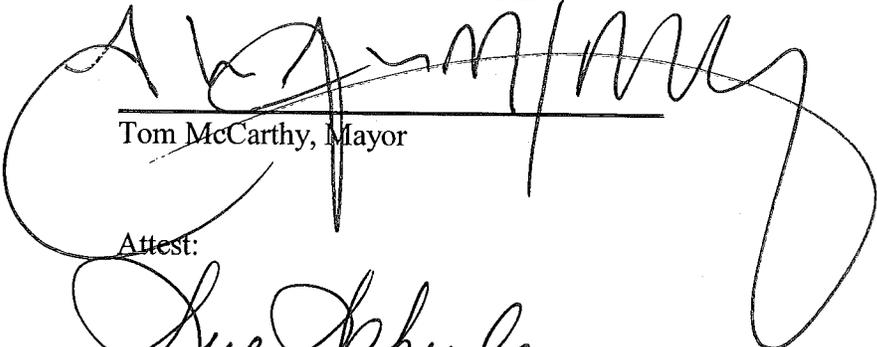
Attest:

9-17-15  
Date

  
Logan Martin, City Administrator

CITY OF LAKE ST. CROIX BEACH

8-17-15  
Date

  
Tom McCarthy, Mayor

Attest:

8-17-15  
Date

  
Sue Schuler, City Clerk/Administrator

**PERPETUAL  
EASEMENT AND AGREEMENT**

THIS INDENTURE, made this 9<sup>th</sup> day of August, 2016, by and between **LAUREL ANNE MARCH, an unmarried person**, party of the first part; and the **CITY OF LAKE ST. CROIX BEACH**, Washington County, Minnesota, party of the second part.

WITNESSETH:

WHEREAS, the above-named party of the first part is the owner in fee simple of the real estate described as follows:

**all that part of Lots 1559 thru 1563, inclusive, of the recorded plat of LAKE SAINT CROIX BEACH SECTION NO. 1, Washington County, Minnesota.**

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part has this day bargained and sold, and by these presents do bargain, sell and transfer unto the City of Lake St. Croix Beach, its successors and assigns the following:

A perpetual easement for flood protection (dike) construction and maintenance purposes with the right to enter upon real estate hereinafter described at any time that the City of Lake St. Croix Beach may see fit, and construct, maintain and repair dikes and further the right to trim, mow or remove; trees, bushes, undergrowth and other obstructions interfering in the location, construction, maintenance and repair of said dikes.

That said easement and right-of-way located in the County of Washington, State of Minnesota, is described as follows, to-wit:

A perpetual easement for dike construction and maintenance purposes in favor of the City of Lake St. Croix Beach, over, under and across all that part of Lots 1559 thru 1563 of the recorded plat of LAKE SAINT CROIX BEACH SECTION NO. 1, Washington County, Minnesota, lying southerly of the following described "Line A" to wit:

Beginning at a point in the westerly line of said Lot 1559, distant 84.42 feet northerly of the southwesterly corner thereof; thence southeasterly, in a direct line, along said "Line A" being described, 101.95 feet, more or less, to a point in the easterly line of said Lot 1563, distant 61.11 feet northerly of the southeasterly corner of said Lot 1563 and said "Line A" being described there terminate.

Said permanent easement contains 7,279 square feet, more or less.

The above easement being subject to and together with any other valid easements, reservations or restrictions.

TO HAVE AND TO HOLD, said easement and right-of-way unto the City of Lake St. Croix Beach, Washington County, Minnesota, its successors and assigns, forever.

The parties of the first part do hereby covenant with the City of Lake St. Croix Beach, that it is lawfully seized and possessed of the real estate above described.

It is further understood and agreed that party of the second part intends to maintain the property free of woody vegetation and maintain an herbaceous ground cover in accordance with US Army Corps of Engineers requirements for riverway dikes.

IN WITNESS WHEREOF, the said parties have caused this instrument to be executed the day and year first above written.

IN PRESENCE OF:

PARTY OF THE FIRST PART:

*A R*

*Laurel Anne March*  
Laurel Anne March

STATE OF MINNESOTA

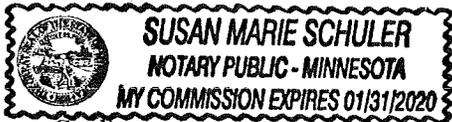
)

) ss.

COUNTY OF WASHINGTON

)

On this 9<sup>th</sup> day of August, 2016, before me a Notary Public within and for said County, personally appeared Laurel Anne March, an unmarried person, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.



(Notary Seal)

*Susan Marie Schuler*  
Notary Public

IN PRESENCE OF:

PARTY OF THE SECOND PART:

*ASB*

*ASB*

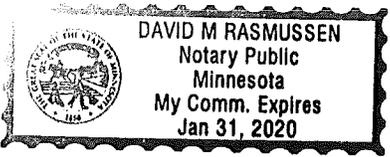
CITY OF LAKE ST. CROIX BEACH

By: *Thomas McCarthy*  
 Thomas McCarthy  
 Its Mayor

By: *Susan Schuler*  
 Susan Schuler  
 City Clerk/Administrator

STATE OF MINNESOTA )  
 ) ss.  
 COUNTY OF WASHINGTON )

On this 10<sup>th</sup> day of August, 2016, before me, a Notary Public, in and for said County and State, appeared Thomas McCarthy and Susan Schuler, to me personally known, who being by me first duly sworn, did say that they are respectively the Mayor and City Clerk/Administrator of the City of Lake St. Croix Beach, by authority of the City Council of the City of Lake St. Croix Beach, and said Mayor and City Clerk acknowledge said instrument to be the free act and deed of said City of Lake St. Croix Beach.



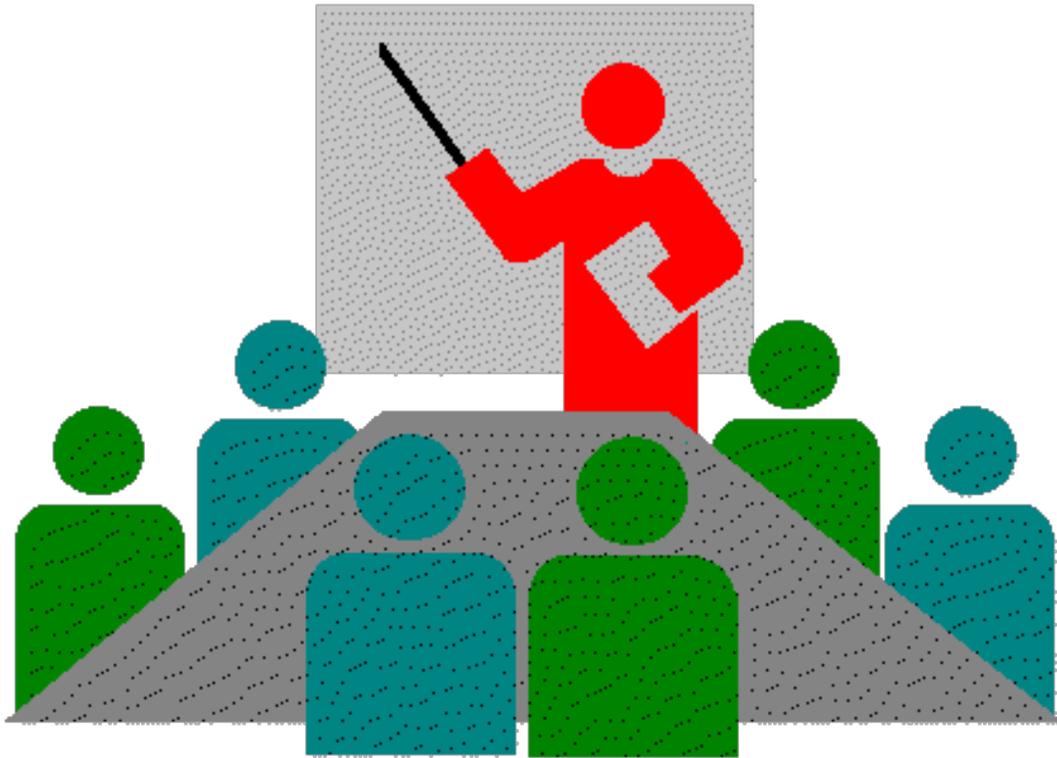
*[Signature]*  
 Notary Public

THIS INSTRUMENT DRAFTED BY:

Kevin S. Sandstrom  
 ECKBERG LAMMERS, P.C.  
 1809 Northwestern Avenue  
 Stillwater, Minnesota 55082  
 (612) 439-2878

# How Open is Your Local Government?

## Compliance with Open Meeting Laws in the Northeast Metro Twin Cities



A study by the League of Women Voters  
White Bear Lake Area

May, 2016



## Minnesota Communities Studied

Afton	Lake Elmo	Scandia
Arden Hills	Lake St. Croix Beach	Shoreview
Bayport	Lakeland	Stillwater
Baytown Township	Lakeland Shores	Stillwater Township
Birchwood Village	Lino Lakes	St. Mary's Point
Centerville	Mahtomedi	Vadnais Heights
Dellwood	Marine on St. Croix	West Lakeland Township
Forest Lake	May Township	White Bear Lake
Gem Lake	North Oaks	<i>White Bear Township</i>
Grant	Oak Park Heights	Willernie
Hugo	Pine Springs	

## Committee

Gretchen Davidson	Stephanie McNamara	Joan Sullivan
Kathy Gaylord	Gladys Ritter	Carolyn Wensman
Liz Lauder	Mary Santi	
Jeanne LeFevre	Lori Soukup	

## Volunteer Observers and Interviewers

We could not have covered as much ground without you, especially since most council meetings that were attended were held on freezing cold evenings in the winter.

Molly Anthony	Joanne Gustafson	Jan Rupert
Beverley Driscoll	Mary Johnston	Miriam Simmons
Judy Duffy	Ruth Jones	Eleanore Troxel
Carolyn Folke	Judy Ottman	Diane Wigglesworth
Karen Gochberg	Gloria Phillips	



League of Women Voters White Bear Lake Area, May, 2016

# How Open is Your Local Government?

## Compliance with Open Meeting Laws in the Northeast Metro Twin Cities

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# How Open is Your Local Government?

## Compliance with Open Meeting Laws in the Northeast Metro Twin Cities A study by the League of Women Voters White Bear Lake Area

### Foreword

In 2014 the League of Women Voters (LWV) White Bear Lake Area undertook a study of local municipalities' adherence to Minnesota's Open Meeting Law. Legal requirements for open meetings in Minnesota are minimal. After observing and interviewing in each of 27 cities and four townships in the local LWV area, the study committee found that municipalities in its jurisdiction meet legal requirements. Most municipalities go beyond legal requirements to provide citizens with meeting agendas and minutes, and many make meetings available via live stream or on cable television. Every community allowed time for public comments.

The committee also looked at other aspects of public meetings that are of interest to LWV, such as physical accommodations and how meetings were conducted. Although the Open Meeting Law does not address decorum, most meetings were conducted in a professional manner and council and board members appeared attentive and well prepared. There were several instances where observers noted decorum issues which affected the ability of the local council or board to serve its constituents effectively.

### Introduction

League of Women Voters has a longstanding commitment to open government and civic engagement. Since its founding in 1920, the League has been a champion of government transparency. LWV principles state that democratic government depends on the informed and active participation of its citizens and requires that governmental bodies protect the citizen's right to know. Prompted by these principles and a 2012 public forum on the Minnesota Open Meeting Law (OML) led by Laurie Beyer-Kropuenske of the Minnesota Department of Administration, as well as by media coverage of local government decisions, LWV White Bear Lake Area undertook a study of adherence to Minnesota's Open Meeting Law by city councils and town boards within the area served by LWV White Bear Lake Area.\* Following formal approval by the membership in April 2014, a committee

The purpose of the Minnesota Open Meeting Law is to ensure that all governmental bodies meet openly so that the public feels their government is accessible, honest, accountable and responsive.

---

\* The area served by LWV White Bear Lake Area encompasses 26 cities and 5 townships in the northeast suburban Twin Cities. Alphabetically, the municipalities are Afton, Arden Hills, Bayport, Baytown Township, Birchwood Village, Centerville, Dellwood, Forest Lake, Gem Lake, Grant, Hugo, Lake Elmo, Lake St. Croix Beach, Lakeland, Lakeland Shores, Lino Lakes, Mahtomedi, Marine on St. Croix, May

of volunteers met bi-weekly starting in June 2014 to plan and implement the study. The study surveyed and compared local governments within the local LWV membership area on their adherence to Minnesota open meeting laws and other meeting practices—both what is required by Minnesota law such as giving notice, and what cities provide that is not required, such as allowing people to speak, taking and publishing minutes, televising meetings, etc. Committee volunteers also observed certain process and protocol components of meetings as recommended by League of Women Voters of the United States, such as who was present, the physical environment of the meeting venue and how the meeting was conducted.

According to the LWVUS observer handbook *Observing Your Government in Action*, ([http://lww.org/files/LWVEF\\_ObservingYourGovernment.pdf](http://lww.org/files/LWVEF_ObservingYourGovernment.pdf)) open meeting laws serve three vital purposes:

- Ensure the public’s right to be informed
- Give the public an opportunity to present its views
- Prohibit actions from being taken at a secret meeting where the interested public cannot be fully informed of the decisions of public bodies or detect improper influences.

## Summary of Minnesota’s Open Meeting Law

The Minnesota Open Meeting Law, first enacted in 1957, was later amended and re-codified in MN Statutes chapter 13D.

### Purposes of Open Meeting Law

According to the Minnesota Supreme Court, the Open Meeting Law has three purposes: preventing governmental bodies from taking actions in secret meetings which prevents the public from being fully informed about a public body’s decisions, insuring the public’s right to be informed and allowing the public an opportunity to present its views to the public body. (Note that while the courts consistently mention the opportunity for members of the public to present their views as a purpose of the Open Meeting Law, the law itself does not create a general right for members of the public to speak at meetings.)

### Entities Covered by the Law

The law applies to state and local multimember governmental bodies including committees and subcommittees as well as nonprofits created by political subdivisions. A separate law applies to the state legislature.

### Situations in Which the Law Applies

A “meeting” for purposes of the law occurs when a quorum or more of the governmental body is gathered either in person or electronically, whether or not action is taken or considered. Minnesota’s Open Meeting Law does not address whether a governmental body must keep or publish meeting minutes, hold a meeting for a particular purpose or allow members of the public to address the

Approval to survey local governments about their adherence to Minnesota’s Open Meeting Law came from the membership at the League of Women Voters White Bear Lake Area’s Annual Meeting April 24, 2014.

Actions taken at a meeting held in violation of the Open Meeting Law are still valid. However the law provides for penalties and possible removal from office for violators.

---

Township, North Oaks, Oak Park Heights, Pine Springs, Scandia, Shoreview, Stillwater, Stillwater Township, St. Mary’s Point, Vadnais Heights, West Lakeland Township, White Bear Lake, White Bear Township and Willernie.

body. (Note that for particular governmental bodies there may be other laws or charter provisions that do require these actions.)

Court cases have established that open meetings must take place in a public place within municipal borders and that no business can be conducted before the announced meeting time.

### **What Constitutes an “Open Meeting?”**

A meeting is open when proper notice is given in advance of the meeting, the public may attend and observe and relevant materials are available to the public.

### **Exceptions to the Law**

A meeting may be closed based on a limited attorney-client privilege and for the purposes of labor negotiations, employee evaluations and discussion of security issues and property transactions. The law does not apply to a public body conducting quasi-judicial proceedings such as disciplinary hearings. Meetings held in private pursuant to this exception are subject to a requirement that a recording be made of the meeting.

### **Violations of the Law**

Actions taken at a meeting held in violation of the law are still valid. However the law provides for penalties and possible removal from office for violators.

## **Selection of Study Subjects**

While many possible governmental bodies are subject to the Open Meeting Law, such as county boards, school boards, state and local agencies, their committees, and more, the study committee determined that regular city council meetings or township board meetings would be the focus of the study. Local boards have regularly scheduled meetings and are more geographically accessible to constituents. In addition, local municipalities have similar agendas and would be comparable in determining compliance with the Open Meeting Law.

With a limited number of League volunteers, and the number of council/board meetings needed to be covered, the committee limited its initial observations to one in each community. Some volunteers were able to observe in two or three municipalities and some municipalities were observed more than once.

Members of the study committee also interviewed clerks or administrators in each municipality. Observers completed report forms and took note of the physical spaces and amenities.

## **Study Procedures**

Approval to survey local governments about their adherence to Minnesota’s Open Meeting Law came from the membership at the League of Women Voters White Bear Lake Area’s Annual Meeting April 24, 2014.

### **Gathering Preliminary Information**

A “meeting” occurs when a quorum or more of the governmental body is gathered, either in person or electronically, and whether or not action is taken or considered.

To gain a working understanding of the Minnesota Open Meeting Law, the study committee researched a variety of sources. Stacie Christensen (Administrator) of the Minnesota Department of Administration's Information Policy Administration Division (IPAD) met with committee members early on and shared an overview of the law's history, strengths, weaknesses and current state of enforcement. She provided written information, including their Open Meeting Law Checklist, which is a detailed listing of what is required and not required by Minnesota's Open Meeting Law. Christensen also met with the committee a second time to review the survey draft and discuss the study's progress.

Committee members became familiar with the text of the Open Meeting Law and *The Minnesota Open Meeting Law Information Brief*, by Deborah A. Dyson of the Minnesota House Research Department. They did online research for information on open meeting laws in other states and how their laws compare with ours. State comparisons are too complex to be included in this report. Committee members interviewed Press Publications' publisher and editors concerning their experiences observing municipal meetings in the northeast metro area.

### **Designing the Forms**

The committee decided one-page forms should be used to compile the desired information and report it in a concise manner. Guided by the Open Meeting Law Checklist provided by the Minnesota Department of Administration and a how-to publication, *Observing Your Government in Action*, from the national League of Women Voters, the committee developed checklists for volunteers. One form was used for observing meetings, another for interviewing administrators.

### **Determining Whom to Contact in each City or Township, and Why**

The committee decided that administrators would be the most knowledgeable source of information about city/township meeting practices. City/township clerks or websites were good sources for the municipalities' contact information.

### **Gathering Information through Observations and Interviews**

After the committee planned, designed and developed the survey process and materials, several committee members conducted pilot interviews and observed meetings to test the survey tools they developed.

The committee developed a training session using what they learned from observing and interviewing pilot communities. Coordinated by committee members, volunteers researched and interviewed staff at each municipality within the study area and observed one or more meetings of each council or board. All findings were collected for review and analysis.

Forms used in the study can be found in Appendix A. They include Minnesota Open Meeting Law Observation Report and Minnesota Open Meeting Law Interview Report.

League of Women Voters volunteer observers attended at least one regularly scheduled meeting in each of the municipalities in the area covered by LWV White Bear Lake Area.

## **Findings**

### **Legal Requirements**

Minnesota law regarding open meetings is not demanding. The law requires that

regular meeting dates must be on file and special meetings must be posted. If there is an agenda it must be available to the public. One copy of materials that are made available to council members must be made available to the public. Not included in the law but generally observed because of case law is the requirement that meetings be held within municipal boundaries.

LWV volunteer observers attended at least one regularly scheduled meeting in each of the municipalities in the area covered by League of Women Voters White Bear Lake Area. Volunteers observing public meetings were encouraged to introduce themselves to the council as a matter of courtesy and League visibility. Follow-up visits were made to a few municipalities to verify findings. Volunteers conducted interviews with city or town administrators in each community to audit other requirements of the law. The committee was unable to visit Pine Springs.

Observers reported on other components of municipal meetings as recommended by League of Women Voters. These items included who was present at meetings and where and how the meeting was conducted.

All meetings were held in public places, most within municipal borders. City of Dellwood council meets in a neighboring City Hall. Municipal annual meetings are occasionally held in another, larger location not within municipal borders. Both Gem Lake City Council and White Bear Township Board hold their meetings in Heritage Hall, which was built on a site in the township that abuts the City of Gem Lake. Through joint powers agreements the township provided the site and utilities and Gem Lake constructed the building. They share use of the building with Ramsey County Sheriff's Office.

All of the observed meetings opened on time or within a few minutes after the announced starting time.

All municipalities had a quorum of council and board members present at meetings that were observed. Observers noted several instances of members attending meetings via video conferencing, which is allowed by law. A Hugo City Council member participated through video conferencing while in Florida. Also the White Bear Press reported that at one White Bear Lake meeting, Council Member Doug Biehn cast the deciding vote via Skype to override Mayor Emerson's veto on a variance request by a business owner.

Most communities had at least one meeting agenda available to the public in the meeting room. Some observers had to ask for this. Only one agenda for the public is required by law to be made available. A number of municipalities posted the agenda on their website or displayed it on a screen during the meeting.

At least one copy of materials supporting the agenda that are provided to council members is required to be available to the public in the meeting room. Observers in a number of communities were unable to locate these printed materials. The observer in White Bear Lake and White Bear Township made a point of asking to see the materials. In a number of municipalities the supporting materials were displayed on a screen.

Schedules of regular meetings were kept on file in all municipalities and meetings

Observers noted several instances of council members attending meetings via video conferencing which is allowed by law.

It pays to ask. If you don't see the agenda in the meeting room (which is required by law) or any supporting documents, you may have to ask a staff member. While all of the municipalities in our study made meeting minutes available to the public, in two communities the minutes are kept in the City Clerk's home. To see them you need to make an appointment.

are generally posted on websites.

Twenty-four of the municipalities studied reported having held at least one non-regular meeting during the past twelve months. According to interviewers, advance written notice of special meetings was provided in all cases where applicable except in Shoreview. This community had an emergency meeting in 2014 involving an issue on Snail Lake. The meeting was held on short notice and no notification was possible. A sign was placed on the front door of the meeting room at the time of the meeting.

The Open Meeting Law requires that votes taken at a meeting be recorded and kept in a journal available to the public during regular business hours. All cities and townships surveyed complied with this requirement.

Although only a journal of votes taken is required to be kept, all municipalities took meeting minutes and kept archived copies of them. Paper copies are typically kept in the office. Some communities also make minutes available on their websites. Marine on St. Croix maintains archived minutes on microfiche. Interviewers were not instructed to inquire how long minutes were kept. Some communities volunteered that information. The length of time ranged from three years to forever (Oak Park Heights).

### **Physical Accommodations**

Except for the need for a meeting place to be handicapped-accessible and open to the public, state law does not have requirements for the physical space where a meeting is held. Observers noted that all meeting places were clean and well lit. Most, but not all, have restrooms. Observers reported not being able to hear the proceedings at several meetings (Gem Lake, Mahtomedi, North Oaks and Stillwater Township). Either there was no public address system or council members did not speak into their microphones. It was not always easy to hear what speakers from the floor had to say. Proceedings could not be seen in two communities (North Oaks where a speaker's lectern blocked view and Stillwater Township where the meeting had an overflow crowd.) Scandia did not have adequate seating for everyone who attended its annual meeting. City of Grant's meeting hall had a handicapped ramp but there was a 2-3 inch step up to the doorway.

### **Who Attends Meetings**

The number of staff present ranged from a high of 11 in Scandia (it was an annual meeting where staff were being recognized) to two staff present in three cities. A City Clerk, City Administrator/Manager and City Attorney were the staff most commonly present.

LWV observers reported that students were present at seven council meetings. Eleven meetings had people present representing special interests. Frequently those people left the meeting once their business was conducted.

Members of the local press attended at least ten meetings. Note that it is possible for press to cover meetings using live or recorded cable coverage.

### **Interactions**

None of the communities surveyed opened their council proceedings with prayer. A number of municipalities opened their meetings with the Pledge of Allegiance.

The Open Meeting Law does not address specific etiquette or require that municipalities follow *Robert's Rules of Order*. All followed preset agendas.

None of the communities surveyed opened their council proceedings with prayer unlike Minnesota's state legislature, which does. A number of municipalities opened their meetings with the Pledge of Allegiance.

Observers found that the vast majority of council meetings were under control and conducted in a professional manner. Two exceptions were the Cities of Grant and Lake Elmo. Observers at several Grant meetings found council members speaking over each other, name calling and accusing each other of wrongdoing. One observer felt in her opinion that all parties were equally at fault for the disorder at the Grant City Council meeting.

Lake Elmo has a history of rude and divisive behavior. Their insurance carrier (League of Minnesota Cities) told council members in 2015 to treat each other with respect or risk higher insurance payments from costly legal settlements.<sup>1</sup> The council is now run by an outside, paid parliamentarian.

Observers found that all of the council members appeared attentive to city business. In the reporters' opinions the public was treated with respect at all observed meetings.

All of the cities and townships in our area allowed time for public comment.

### **Going Over and Above**

The Open Meeting Law gives the public the right to attend meetings of public bodies in order to watch and listen to the proceedings. It does not guarantee the right to speak at a public meeting. All of the cities and townships in our area allowed time for public comment. However if a public body chooses to allow public comments it can set parameters for comments. A common parameter is the amount of time allowed for each comment or the requirement to sign up ahead of time to speak. Time for public comment is usually placed early in the agenda so the commenter need not stay for the entire meeting.

The City of Shoreview has a statute that insures time at meetings for public comment.

A city council or township board has the ability to add and/or subtract items from its agenda before its regular meeting begins (with the exception of a special meeting, which is limited to the items identified in the notice of the meeting). There is no corresponding ability for the public to add or subtract agenda items. However all surveyed meetings except Oak Park Heights had provisions for the public to put an item on the agenda. Placing an item on an agenda was typically done by contacting the clerk or a council member before the meeting. (The method for placing an item on the agenda by the public varied by community.)

The Open Meeting Law does not require regular meetings to be recorded or aired. However, minutes were taken (and archived) and many meetings were streamed live and/or placed on cable television or on the municipal website for viewing. All communities in the study record meeting minutes and make them available to the

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<sup>1</sup> St Paul Pioneer Press, October 24, 2015. "Lake Elmo warned to be nice or risk paying a price.

public either in print format (available in the office) or online or both. Many also provide archived tapings of their meetings on municipal websites.

Some communities add specific requirements by local ordinance that affect their meetings. For instance the City of Shoreview has a statute that insures time at meetings for public comment.

### **Keeping in Touch with Residents**

Most municipalities use local newspapers, city newsletters and their own websites as primary tools for communicating with the public in general. Other methods include email, U.S. Postal Service, bulletin boards, cable television, and Facebook. One community (Lake Elmo) mentioned that they have a code red telephone system to notify residents in the case of emergencies.

### **Looking Ahead**

The Illinois-based Citizen Advocacy Center, through its Midwest Open Government Project, has proposed model statute changes to Minnesota's Open Meeting Law. Among the things they recommend are requirements for public comment at meetings, posted agendas and detailed, written minutes for all meetings, better meeting notice requirements and increased remedies for violations of the law. The proposed changes would remove the option to close meetings based on attorney-client privilege.

LWV White Bear Lake Area encourages its members and others to attend city council and township board meetings regularly, not just to carry out personal business, but to be "watchdogs" of the public's interest in government that is accessible, honest, accountable and responsive.

### **Sharing the Information**

Study results will be made available to the LWV White Bear Lake Area membership for presentation at unit meetings and/or for distribution with our monthly newsletter *The Bear Facts*. Results will be provided to cities and townships included in the study either by paper or electronic copies. Results will be submitted to LWV Minnesota with the request that they be made available to other local Leagues to use as a template for similar studies in their own local area. Additionally, results of the study will be submitted to the LWVUS Clearinghouse for use by other state and local Leagues, and for availability nationally to the general public. The clearinghouse can be found on Google at <https://sites.google.com/a/leagueofwomenvoters.org/clearinghouse/home>. Visitors can search by topic or for studies by LWV White Bear Lake.

**Minnesota Open Meeting Law Report Forms for  
Observing Meetings and Interviewing Staff of Public Bodies  
LWV WBLA 2014**

**Public Bodies**

The Minnesota Open Meeting Law (OML), Minnesota Statutes, Chapter 13D, says that all meetings of public bodies must be open for the public to attend and observe. According to Minn. Stat. section 13D.01, the following public bodies are subject to the OML:

- State Government – agencies, boards, commissions and departments
- Local Government – school districts, unorganized territories, counties, cities (statutory or home rule) towns, committees, subcommittees, boards (includes joint powers boards), departments, commissions
- Pension Plans – governing body or committee of a statewide or local public pension plan
- Meetings not subject to the OML – Commissioner of Corrections; state agency, board or commission exercising a quasi-judicial function involving disciplinary proceedings; and public bodies exempted by another law

**Meeting Types and Public Notice Requirements**

Meeting Type	Public Notice Type	Advance Notice
Regular	A schedule of the public body's regular meetings must be kept on file at its primary offices.	No advance notice is required.
Special	Three days prior to meeting: post written notice on principal bulletin board or usual meeting room door and notify those who made a written request to be notified, or publish notice in an official newspaper.	Give notice three days prior to the meeting.
Emergency	Notice must be given to members of the public body, and news media who have filed written request including their phone number.	Emergency meetings occur in situations where it is not feasible to wait three days to meet. Public notice given through limited news media.
Closed	When closing a meeting for labor negotiations strategy, among other permitted reasons, closed meeting time and date must be announced at a prior public meeting.	Statement on the record prior to closing a meeting is required
Electronic	If a telephone or another electronic means is used to conduct any meeting, the public body must give notice of the regular meeting location and any location where a member of the public body will be participating electronically.	Timing and method of notice depend on the type of meeting: regular, special or emergency.

**Social Media** – The 2014 legislature enacted a new provision permitting discussions between a member of the public body and all members of the general public. Email is specifically excluded.

**Not Required under the OML** – Public bodies are not required to provide advance, posted notice of regular meetings. The OML does not give the public a right to speak at an open meeting. An action by a public body taken in violation of the OML cannot be reversed or voided due to the violation. No agenda is required.



**Minnesota Open Meeting Law  
Interview Report  
LWV WBLA 2014**

NAME OF PERSON INTERVIEWED \_\_\_\_\_ POSITION \_\_\_\_\_

Term ends (M/Y) \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

1. Is a schedule of regular meetings kept on file in the primary office? \*  Yes  No
2. Have there been any non-regular (special, emergency, or closed) meetings during the past year? (Ask for type, number of and reason for all non-regular meetings.)  Yes  No
3. Was written notice of special meetings posted on the principal bulletin board or door of the meeting room; or public notice mailed or published 3 days in advance of the meeting? \*  Yes  No
4. Was public notice given in advance of any emergency or electronic meeting? \*  Yes  No How?
5. Is at least one copy of any printed materials relating to agenda items and given to all members, also routinely available in the meeting room for inspection by the public during the meeting? \*  Yes  No How?
6. Do meetings routinely open with prayer?  Yes  No Who?
7. If so, is there planned rotation of affiliations of those giving prayer?  Yes  No
8. Does the public have an opportunity to comment at meetings?  Yes  No How?
9. Is there opportunity for the public to put an item on the agenda?  Yes  No How?
10. Are regular meetings recorded? (Required for most closed meetings) \*  Yes  No How?
11. Is a journal of votes open to the public during all normal business hours where public body's records are kept? \*  Yes  No
12. Are meeting minutes available to the public?  Yes  No How?
13. Are meeting minutes archived?  Yes  No How?
14. Do other requirements including, but not limited to, ordinance, bylaws or charter affect your meetings?  Yes  No How?
15. What other methods do you use to communicate with the public about meetings?
16. Other comments? Please use the back of the sheet if needed.

Interviewer name \_\_\_\_\_ Date submitted \_\_\_\_\_

\* Minnesota Open Meeting Law Requirement

## OML STUDY TIMELINE – April 2014 to May 2015

### APRIL

- Members at the Annual Meeting discuss and approve local study proposed by Mary Santi.
- Members volunteer for the study committee.
- Laurie Beyer-Kropuenske (Community Services Division Director) and Stacie Christensen (Administrator) of the MN Department of Administration's Information Policy Administration Division (IPAD) have previously offered to put together a checklist to survey cities within our area.
- The focus will be on local governments, specifically township/city councils.
- The number of volunteers available will determine how many communities will be studied. Mary Santi will convene the committee.

### MAY

- Stacie Christensen of IPAD provides a checklist of the requirements of the Open Meeting Law (OML)

### JUNE

- Committee comes together and begins meeting twice a month. Researches OML and cities to cover.

### JULY

- Develops meeting study work plan. Begins draft processes for interviewing staff, observing meetings and researching contact information for township/city councils and their elected officials.

### AUGUST

- Meets with IPAD staff to review survey and study.
- Presents status report to the WBLA board
- At the Annual Picnic, reports to members and recruits volunteers to research, interview and observe.
- Develops interviewer/observer processes.
- Completes forms for researching interviewing and observing.

### SEPTEMBER

- Bear Facts article explains study and recruits volunteers.
- Five minutes during unit meetings for signing up volunteers.
- Researchers begin gathering contact information.

### OCTOBER

- Completes pilot interviews in West Lakeland Township, Gem Lake and Centerville.
- Bear Facts "interesting fact" features fact about OML

OML STUDY TIMELINE – April 2014 to May 2015, page 2

**NOVEMBER**

- Refines survey and interview process. Forms are in final version.
- Presents training session for interviewers and observers.
- Bear Facts continues “interesting fact.”

**DECEMBER**

- Holiday party, remaining volunteers recruited.
- Develops a table listing volunteers for each community.
- Unit coordinators will activate volunteers, provide survey forms and statement that may be read to the council, and collect forward surveys to database developer.
- Volunteers conduct research, observations and interviews

**JANUARY and FEBRUARY**

- Volunteers complete and report the balance of research, observations and interviews.
- Interview conducted with Press Publications concerning their experience with OML.
- Bear Facts “interesting fact”

**MARCH**

- Uploads survey information to DropBox.
- Collates surveys into database, begins analysis
- Bear Facts “interesting fact”

**APRIL**

- Continues analysis, interpretation and develops executive summary for use as talking points in May unit meetings.
- Presents brief update at Annual Meeting.
- Annual Meeting attendees approve continuing study for a second year

**MAY**

- Study is the discussion topic at May unit meetings

**Lower St. Croix Valley  
2017 Estimated Budget  
3.0 FTE Deputies**

<u>WAGES</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
Regular Pay	6,391	\$34.34	\$219,423.54
Holiday Pay	264	\$34.34	\$9,064.44
Vacation Pay	360	\$34.34	\$12,360.60
Sick Pay	120	\$34.34	\$4,120.20
Shift Differential	3,195	\$0.85	\$2,716.03
Estimated Overtime	224	\$51.50	\$11,553.73
<b>Total Annual Wages</b>			<b>\$259,238.54</b>

<u>BENEFITS</u>			
PERA		16.20%	\$41,996.64
Medicare		1.45%	\$3,758.96
Employer Liability		8.00%	\$17,553.88
Life Insurance			\$57.00
Medical Insurance			\$25,683.00
Long Term Disability			\$333.00
Flex Credits			\$2,520.00
Uniform Allowance			\$2,190.00
Cell Phone Allowance @ 50%		\$35/mo	\$630.00
<b>Total Annual Benefits</b>			<b>\$94,722.49</b>

<u>OTHER EXPENSES</u>			
Cost of Clerical Support			\$10,770.00
Cost of Supervision			\$27,498.00
Mileage	71,546	\$0.54	\$38,634.84
<b>Total Annual Other Expenses</b>			<b>\$76,902.84</b>

<u>CREDITS</u>		
State Aid Credit		(\$41,996.64)
<b>Total Annual Credits</b>		<b>(\$41,996.64)</b>

**Total Annual Contract Cost \$388,867.22**

Afton	45.01%	\$175,029.14
Lakeland	28.01%	\$108,921.71
Lake St. Croix Beach	16.39%	\$63,735.34
St. Mary's Point	5.74%	\$22,320.98
Lakeland Shores	4.85%	\$18,860.06

**\*Percentages based on 2010 Census population data**

This is an estimate only. Factors that may cause the actual amount billed to differ from this estimate include: Change in deputies assigned to the contract, employees' choice of medical insurance plan, bargaining unit settlements related to pay and county contribution to benefits package, actual hours worked and overtime incurred, change in the federal mileage reimbursement rate.

**SCHEDULE 2**

As of 12/31/2016

**100: General Fund - Routine Op**

## Receipts:

## Taxes

General Property Taxes	\$253,967.52	
Total		\$253,967.52

## Licenses and Permits

Business Licenses and Permits	\$272.00	
Animal Licenses and Fees	\$60.00	
Total		\$332.00

## Intergovernmental Revenues

State Grants and Aids	\$124.00	
Local Government Aid	\$36,867.50	
Cable Commission Aids	\$9,398.91	
Total		\$46,390.41

## Charges for Services

Zoning Applications	\$4,098.60	
Building Permit Fees	\$12,512.67	
Rental Registration Fees	\$50.00	
Watercraft Permit Fees	\$6,439.00	
Beach Parking Permit Fees	\$24,973.08	
Total		\$48,073.35

## Fines

Court Fines and Fees	\$1,296.59	
Total		\$1,296.59

## Miscellaneous

Interest Earnings	\$391.98	
Newsletter Sponsors	\$1,575.00	
Miscellaneous Revenues	\$100.00	
Reimbursements	\$3,497.83	
Insurance Dividends	\$1,384.00	
Donations	\$270.00	
Gaming Donations	\$1,253.27	
Total		\$8,472.08

**Total Receipts****\$358,531.95**

Date range: 07/18/2016 to 08/15/2016

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
07/22/2016	QUILL OFFICE SUPPLIES	Office Supplies	10106	\$136.92	100-41570-200 100-41570-200	\$114.94 \$21.98
07/22/2016	TRI-COUNTY SERVICES, INC	Levy construction	10107	\$2,420.83	100-45205-310	\$2,420.83
07/22/2016	SHORT ELLIOTT HENDRICKSON	Engineering Services INV. 318404	10108	\$10,510.64	100-43122-300 100-43122-300 100-43122-300 100-45205-300 100-43122-300 100-43122-300 100-46320-300 100-43120-300 100-43120-300 100-43122-300 100-43122-300 410-43280-300	\$304.64 \$193.64 \$487.48 \$148.00 \$37.00 \$74.00 \$148.00 \$961.08 \$7,476.76 \$74.00 \$450.48 \$155.56
07/22/2016	On Site Sanitation Inc	Portable Restrooms & Service to those restrooms	10109	\$641.00		
07/22/2016	River Valley Printing	Newsletter- July & August	10111	\$496.00	100-45201-310 100-45201-310	\$154.00 \$487.00
07/23/2016	HIGHLAND SANITATION	City Garage Trash	10119	\$655.99	100-41920-350 100-41920-350	\$248.00 \$248.00
07/24/2016	COMCAST	Phone Lines	10117	\$171.64	100-41940-310 100-41940-310 100-41940-310	\$205.49 \$205.49 \$245.01
07/27/2016	CENTERPOINT	Monthly Service - Acct 7711653-1&7711657-2 & 7711658-0	10115	\$52.94	100-41575-380	\$171.64
07/27/2016	Skidata Inc.	Parking Machine Maintenance	10123	\$3,757.66	100-41940-380 100-41940-380 100-41940-380	\$17.98 \$16.98 \$17.98
07/29/2016	ECM Publishers, Inc.	July Publications	10118	\$292.30	100-45201-220 100-45201-220	\$1,873.33 \$1,884.33
07/29/2016	Praire Restorations, Inc.	Bluffland Restoration Project	10121	\$21.43	100-41930-351 100-41930-351 100-41930-351 100-41930-351 100-41930-351	\$63.20 \$79.00 \$55.30 \$47.40 \$47.40
07/29/2016	Shred-It USA-Minneapolis	Shred service	10122	\$102.13	410-43280-220	\$21.43

## Claims List for Approval

08/12/2016

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
07/29/2016	Washington County Sheriff	Jan-Jun 2016 Police Services	10127	\$30,705.76	100-41570-310	\$102.13
07/29/2016	Clifton Larson Allen	Weekly processing & Financial stmt. inv 1321869	10131	\$1,010.00	100-42100-310	\$30,705.76
07/31/2016	City Of Bayport	Building Permit Fees	10116	\$3,524.37	100-41510-300	\$1,010.00
07/31/2016	Minuteman Press	Boat doc labels	10120	\$292.76	100-46101-520	\$3,524.37
07/31/2016	Susan Schuler	Reimbursements - Elections, Postal, & Mileage	10124	\$370.88	100-41930-350	\$292.76
07/31/2016	T2 Systems Canada Inc.	Digital Iris/EMS Services	10125	\$192.50	100-41590-331 100-41410-210 100-41580-322	\$233.93 \$117.54 \$19.41
07/31/2016	U.S. Bank	Office Supplies & Interest on Charge Card	10126	\$327.21	100-45201-220 100-45201-220 100-45201-220	\$55.00 \$55.00 \$82.50
07/31/2016	DON FIXMER	Video Taping Services	10132	\$105.00	100-41570-200	\$6.85
07/31/2016	ECKBERG LAMMERS BRIGGS	City Attorney Fees	10133	\$832.00	100-41960-610	\$6.74
07/31/2016	MENARDS	Summary	10135	\$127.55	100-41570-200	\$68.44
07/31/2016	LEONA RAVEN	Cleaning - July	10136	\$100.00	100-41570-200	\$166.99
07/31/2016	Out Back Nursery, INC	Bluffland Plants	10137	\$863.20	100-41570-200	\$78.19
07/31/2016	PIONEER PRESS	Advertisement for Bids - Inv 0716409538	10139	\$86.52	100-41575-300	\$105.00
07/31/2016	XCEL ENERGY	Electricity for accounts 51-0011291859- 6, 51-5580426-7 & 51-6544553-6	10140	\$723.90	100-41600-300	\$832.00
07/31/2016	Andrew Brunick	Mileage reimbursement	10141	\$76.09	100-45201-210 100-45201-210 100-45201-210	\$17.67 \$75.91 \$33.97
07/31/2016	Nancy White	Boat permit	10142	\$110.00	100-41940-310	\$100.00
08/01/2016	WASTE MANAGEMENT OF MINNESOTA	Monthly Recycling Bill	10128	\$2,021.38	410-43280-310	\$863.20
08/01/2016	LAWN BARBERS LAWN CARE	Lawn Care	10134	\$2,118.75	100-41930-351	\$86.52
08/01/2016	LAWN BARBERS LAWN CARE	Lawn Care	10134	\$2,118.75	410-43280-380 100-43160-380	\$13.53 \$710.37
08/01/2016	LAWN BARBERS LAWN CARE	Lawn Care	10134	\$2,118.75	100-41590-331	\$76.09
08/01/2016	LAWN BARBERS LAWN CARE	Lawn Care	10134	\$2,118.75	100-49250-810	\$110.00

**LAKE ST CROIX BEACH**

**Claims List for Approval**

**08/12/2016**

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
08/04/2016	Chris Amdahl Locksmith, Inc	Open door and make key	10138	\$114.00	100-45206-310	\$2,118.75
08/08/2016	MARONEYS SANITATION INC	Sanitation Services	10143	\$27.96	100-41570-300	\$114.00
08/12/2016	MUNICIPAL CLERKS & FINANCE OFFICERS	MCFOA - Membership fee Andrew Brunick	10129	\$35.00	100-43245-380	\$27.96
08/12/2016	International Institute of Mun Cler	Annual Dues - Andrew	10130	\$95.00	100-41911-430	\$35.00
				<b>\$63,119.31</b>		<b>\$63,119.31</b>

**Total For Selected Claims**

Approved \_\_\_\_\_ Date \_\_\_\_\_

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**State of Minnesota  
County of Washington  
City of Lake St. Croix Beach  
Resolution No. 2016 – 12**

**RESOLUTION GRANTING VARIANCES AS REQUESTED BY DAVID & CAROL WALD TO  
CONSTRUCT ADDITION ONTO HOME AT 1640 RIVIERA AVENUE SOUTH**

Councilmember \_\_\_\_\_ offered the following Resolution, Seconded by \_\_\_\_\_, and moved its adoption:

WHEREAS, the City of Lake St. Croix Beach received an application from David & Carol Wald (“Applicants”) to build an 12 foot x 25 foot addition onto his home and seeking variances from the provisions of Section 602.01 of the Lake St. Croix Beach Model Zoning Code and Section 402.01(9) of the Bluffland/Shoreland Code, said property being located within the R-3 zone and Riverway District of the City of Lake St. Croix Beach; and

WHEREAS, the real property impacted by the application is located at 1640 Riviera Avenue, Lake St. Croix Beach, MN 55043 and is legally described as:

**Lots 2815 thru 2819 inclusive, Lake St. Croix Beach, Section No. 2, according to the recorded plat thereof, Washington County, MN; and**

WHEREAS, the applicant desire to build an addition onto the rear of the existing home, toward the southwest corner, to add additional living space, including a bedroom and bathroom onto their main level, in order to better accommodate their limited mobility and limited ability to climb stairs; and

WHEREAS, Applicants propose to remove a portion of the existing driveway; and

WHEREAS, Applicants have received official comments from the City Engineer, Department of Natural Resources, and Middle St. Croix Watershed Management Organization on the Application;

WHEREAS, the existing site is nonconforming to impervious surface requirements, and the proposed plan for the property will continue to exceed the impervious surface requirements; and

WHEREAS, the proposed addition will not meet side yard setback requirement from the street frontage on this corner lot; and

WHEREAS, the Applicant's property is nonconforming to lot size requirements, but the Property already has a past variance granted in 1990 for the lot size nonconformity; and

WHEREAS, upon proper legal notice, the Planning Commission for the City of Lake St. Croix Beach held a public hearing on August 3, 2016, heard comments from the Applicants and the public, and considered the Application during its regular meeting, and with five members present, the Planning Commission voted and approved a recommendation to the City Council to approve the Application, subject to the following conditions;

1. All conditions as recommended by the City Engineer and Administrator's staff report; and
2. All conditions as recommended by the Middle St. Croix Water Management Organization; and
3. Standard variance conditions for a property in the riverway district.

WHEREAS, the application did not receive any negative comments from the public; and

WHEREAS, the riverway variance standards from Section 807.01 of the Bluffland/Shoreland Management Ordinance are satisfied or can be accommodated with appropriate conditions, which standards include:

1. The variance will preserve the scenic and recreational resources of the St. Croix Riverway, especially in regard to the view from and use of the river
2. The variance will ensure the maintenance of safe and healthful conditions
3. The variance will ensure the prevention and control of water pollution, including sedimentation, with appropriate erosion control during construction
4. The location of the site with respect to floodways, floodplains, slopes, and blufflines is appropriate.
5. The erosion potential of the site based on degree and direction of slope, soil type, and vegetative cover is appropriate.
6. There is little to no potential impact on game and fish habitat
7. Location of the site with respect to existing or future access roads is appropriate.
8. The updated septic system will account for the amount of wastes to be generated and the adequacy of the proposed disposal.
9. The anticipated demand for police, fire, medical, and school services and facilities
10. The proposed development is compatible with uses on adjacent lands.

WHEREAS, the Application was considered by the City Council at its meeting on August 15, 2016 and the City Council found that the proposed addition is compatible with the City of Lake St. Croix Beach's stated intent for the R-3 District and the St. Croix River Shoreland/Bluffland District; and

WHEREAS, the proposed addition is generally facing away from and is screened from view from the river; and

WHEREAS, the DNR and Middle St. Croix Watershed provided written comments on Applicant's plan, and do not object to the addition,

WHEREAS, Applicant's plan includes removing some of the existing impervious driving surface, such that even with the proposed addition, the total impervious surface will be reduced from 38% to 36.1%, thus decreasing the preexisting nonconformity in this regard, and

WHEREAS, the essential character of the surrounding neighborhood would not be changed by constructing the addition as proposed; and

WHEREAS, the construction of the addition as proposed is consistent with the City's comprehensive plan; and

WHEREAS, because the lot is substandard, there is no reasonable opportunity for the applicant to avoid variances in order to build an addition; and

WHEREAS, the proposed house plan is in harmony with the general purpose and intent of City's Code of Ordinances; and

WHEREAS, the City Council has determined that "practical difficulties" as defined by statute and the variance code exist, in that:

1. The Applicants proposed to use the property in a reasonable manner not otherwise permitted by the zoning code;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variances will not alter the essential character of the locality,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF LAKE ST. CROIX BEACH, MINNESOTA, AS FOLLOWS:**

1. Based upon the above findings and conclusions, which are incorporated herein by reference, the Application for variances as submitted by David and Carol Wald for the property located at 1640 Riviera Avenue South be, and the same are hereby, granted, as follows:

- a. For building of a 12 foot x 25 foot addition as set forth in the site plan submitted by Applicants, with a 5.5 foot variance granted to the 25 foot lot line setback from 17<sup>th</sup> Street as set forth in Model Zoning Code § 602.01.
  - b. Variance from Bluffland/Shoreland Code § 402.01(9) regarding impervious surface requirements of not greater than 20%, and Applicants shall be granted a variance to allow up to 36.1% total impervious surface, and subject to the condition that Applicants must remove the existing impervious surface as set forth on their application and site plan in order to achieve an overall reduction from 38% to 36.1% impervious surface.
2. That the variances granted herein are subject to the following conditions:
- a. Applicants shall follow all erosion and sediment control plans, requirements and recommendations as set forth by MSCWMO, including but not limited to:
    - i. At least 55 feet of silt fence will be placed downgradient before any land disturbing activities occur, and maintained throughout the project duration
    - ii. Vehicle tracking practice will be used to prevent tracking of sediment offsite and streets will be cleaned if any sediment is tracked into the street despite those practices.
    - iii. J.G. Hause Construction will inspect all erosion prevention and sediment control practices at least once every 7 days or after a ½” rain event or larger to ensure integrity and effectiveness. Any violations will be repaired, enhanced, or replaced by the next business day.
    - iv. Applicant shall enact any supplemental/additional erosion and sediment control measures deemed necessary by the WMO during the course of the project.
    - v. Solid waste will be stored, collected and disposed of as provided by state law.
    - vi. Effective containment of all liquid and solid waste generated (concrete, stucco, paint, oils, curing compounds) will be provided, and appropriate weather covering over any material that could leach into the soil; and
    - vii. All exposed soil will be stabilized with turf seed and straw within 7 days after construction activities have ceased;
    - viii. Soils will be tilled to a minimum depth of 8” before final seeding.
  - b. Applicant shall be responsible for any cost to repair any damage occurring to city streets as a result of the project. City shall conduct the repairs, and Applicants shall be responsible to pay the same, plus any incidental fees incurred such as engineering or legal fees or costs.
  - c. Grading shall conform to the site plan as provided;
  - d. The drain field area shall be protected from compaction during the construction activities;
  - e. Low-reflective glass shall be used for windows on the east (river) side of the home;
  - f. Applicants shall strictly adhere to the vegetation management standards of the Riverway District to preserve the visual screening from the river;

- g. The color of all siding, trim, soffits, roofing and other exterior construction materials shall consist of earth tones or summer vegetation tones and be consistent with the remainder of the existing home.
- h. No additional driveways, sheds, decks or patios (even so-called permeable pavers), or any other impervious surface may be built or placed without additional variances;
- i. Soil stockpiles shall be placed in a manner that minimizes disruption to existing drainage patterns.
- j. Applicant’s engineer must verify the grading is done according to the site plan, and City Engineer will then confirm verification and overall accuracy;
- k. The water curb stop shall be added to the Applicant’s site survey;
- l. Any changes to the project or site plan occurring after approval of the application or during construction shall be noted on the site plan, and a revised site plan resubmitted to the City for review and approval.

Adopted by the City Council on this **15th day of August, 2016** by the following vote:

Brown: \_\_\_\_\_  
 Unker: \_\_\_\_\_  
 Reiter: \_\_\_\_\_  
 Kline: \_\_\_\_\_  
 McCarthy: \_\_\_\_\_

Approved:

\_\_\_\_\_  
 Thomas McCarthy, Mayor

Attested:

\_\_\_\_\_  
 Susan Schuler, City Administrator

**Instrument drafted by:**  
 Kevin S. Sandstrom, Esq.  
**Eckberg Lammers, P.C.**  
 1809 Northwestern Avenue  
 Stillwater, MN 55082