



City of Lake St. Croix Beach  
 City Hall  
 16455 20<sup>th</sup> Street South  
 Lake St. Croix Beach, MN 55043

Staff:  
 City Clerk-Administrator  
 Angel Smith  
 Deputy Clerk-Treasurer  
 Amy Truhlar

City Hall Hours:  
 9:30 – 1:30 Monday, Tuesday, Thursday  
 Call for an appointment at other times  
 Phone Number: (651) 436-7031  
 Fax: (651) 436-8310  
 Email: [lscb@comcast.net](mailto:lscb@comcast.net)  
 Website: [www.lscb.govoffice.com](http://www.lscb.govoffice.com)

June, 2014  
 Issue No. 498

# Lake St. Croix Beach

The official posting place for Lake St. Croix Beach city meetings is at the posting board near the front door at City Hall. A majority of the City Council may be in attendance at any city meeting.

**June Calendar**

*Note: All city meetings start at 7:00 p.m. and are held at the City Hall except as noted otherwise.*

Wednesday, June 4  
 Planning Commission

Thursday, June 5  
 Recycle Day

Tuesday, June 10  
 Park Commission

Wednesday, June 11  
 LSCV Fire District at Fire Hall

Thursday, June 12  
 Middle SCV WMO meeting at Washington Conservation District Office

Monday, June 16  
 Regular City Council Meeting

Thursday, June 19  
 Recycle Day

Monday, June 23  
 LSCV Alliance – 4:30 p.m. at Fire Hall

**Boats-Docks-Buoys**

The date for all boats, docks, buoys in Shoreland Park to be in compliance is June 15<sup>th</sup>. If you are a permitted user and have difficulty in meeting this date – PLEASE CONTACT CITY STAFF AT 436-7031.

**Ordinance 724.04 Outdoor Implements** . . . any power lawn mower, snowblower, power hedge clipper, power saw, or such other implement designed primarily for outdoor use, shall be operated only between the hours of 7:30 a.m. to 9:00 p.m. on weekdays, or between the hours of 9:00 a.m. to 9:30 p.m. on Saturdays, Sundays, and State and Federal Holidays. . .

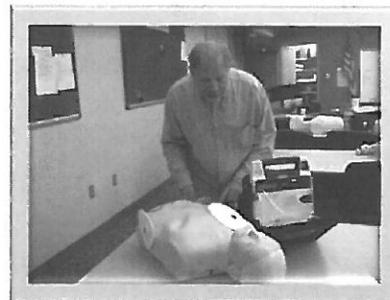
**Reminder:**

Ordinance 1801.010 . . . **Curfew for Minors** . . . Between the hours of 9:00 p.m. and 5:00 a.m. during the months of September through May and between the hours of 10:00 p.m. and 5:00 a.m. during the months of June through August, it shall be unlawful for any minor under the age of 16 years to idle, loiter, or be upon the public streets, boulevards, sidewalks, alleys, parks, beach, or other public places in the City of Lake St. Croix Beach.

*On May 12<sup>th</sup>, 2014 City of Lake St Croix Beach City Council and Staff received CPR and AED Training.*



Councilmembers Unker (left) and Kopp (right)



Mayor McCarthy

*The Councilmembers pictured above are practicing various exercises learned during the training session.*

**Summer Parking Restrictions . .**

On-street parking is prohibited  
 - Between 10:00 a.m. and 8:00 p.m. May 20 through September 15 on the east side of County Road 18.  
 - Where Posted "No Parking"

Parking tickets will be issued for vehicles parked on the streets

Summer has arrived and will officially be here on June 21<sup>st</sup>, the Summer Solstice, our longest day of the year. The river has risen with the rain we received in May, but it is now dropping fast. And yes, the swimming beach is open!

The pavilion at Riverfront Park is ready for use. This is a great location and facility for your summer gathering with the playground, beach, restrooms, grills, and tables available. Reservations can be made to use the pavilion for your event through City Hall. Pettitt Park is also available this year. Call City Hall for details.

Flag Day is June 14, the day Americans celebrate and show respect to our flag, so raise your flag on Flag Day and show your American Spirit!

Fathers do not ask for directions, and they are not supposed to shed tears, but they sure do like to get a hug. Father's Day is June 15<sup>th</sup>, and it is a perfect day to honor your father with that hug, phone call, or visit.

Other things to remember: school will be out soon, so slow down and watch for our kids to keep them safe!  
Every day is Clean-Up Day in Lake St. Croix Beach - RSI in Bayport is only 6 miles away!

Mayor Tom

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Hello LSCB'ers,

Remember how a year ago I made it my crusade to get the trash houses cleaned up? Then I found we couldn't have trash-house-listening-sessions at City Hall because citizens (including council members) who wanted to use the building needed full council approval, with subject matter known in advance. Got that changed, now fill out a form at the front desk, if available it's yours to use. Then our administrator resigned. Then we got overwhelmed with lawsuits and legal data practices requests (While without an administrator!).

Then, before proceeding, we needed a fine/enforcement structure so that we could tighten the financial screws on trash-house people who simply pay the first and subsequent fines and don't clean up their yards/trash. We also hired a well-experienced-independent consultant to levy fines, enforce our codes and ordinances in anticipation of resident charges of retaliation and favoritism.

So a year after I am elected, and after years and years of certain homes in our community growing trashier and uglier, (Thus lowering the values of those who have been trying to increase their homes 'values'.), it is my hope that the trash houses will now begin to clean up! I hope that my spearheaded efforts will now start showing results. I hope.

I encourage anyone who is also concerned about a potential code violation situation in town to come forward with their concern. I am reachable at the numbers and addresses on the back of this newsletter.

Sincerely,

Jim Unker

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### Help Keep Our City Clean

City ordinance requires you to pick up after your dog when on public streets, parks, and land. Please carry a plastic bag with you when walking your dog and help keep our city clean!

## Washington County Needs You to be an election judge

During the November 2014 general election, approximately 2,000 election judges will be needed to staff polling locations throughout Washington County. Election judges and election judge trainees are the officials who staff the polling location and ensure that the rights of voters are protected on Election Day. Election judges must be at least 18 years old, and trainees must be at least 16 years old and in good standing at school.

Required qualifications for election judges are to:

- Be a United States citizen
- Be a Minnesota resident
- Not have had their voting rights revoked
- Be able to read, write, and speak English
- Complete a minimum two-hour training

Election judges need to be able to:

- Communicate clearly with voters
- Enjoy helping others
- Be available to work long hours
- Pay attention to detail

Election judges are essential to our democracy. Serving as an election judge or trainee provides an opportunity to learn more about the election process and serve the community. For additional information or questions, contact your local City office or Washington County Elections at [elections@co.washington.mn.us](mailto:elections@co.washington.mn.us) or (651) 430-6175

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## Calendar of Events for Valley Library in Lakeland – May 2014

Valley Library

380 St. Croix Trail South

Website: [www.washington.lib.mn.us](http://www.washington.lib.mn.us)

Phone: (651) 436-5882

Monday, Friday, Saturday 10 a.m. – 2 p.m.

Tuesday - Thursday 2 p.m. – 6 p.m.

### **Storytime**

June 2, 16, 23, and 30 at 10:30 a.m.

### **Take Elephant and Piggie Home**

An ongoing summer activity for preschoolers and beginning readers

Sign up to take Elephant and Piggie (Elephant and Piggie stories by Mo Willems) home with you for a week's stay. Enter notes, photos, or other items in the the journal that is in their travel bag. Share all of the fun things you do together. At the end of the summer, attend a special Elephant & Piggie Storytime, play games, participate in a craft activity, and hear about all of Elephant and Piggie's excellent adventures. Signup begins May 24; call 651-436-5882.

### **Get Started With Summer Reading**

Saturday, June 7, 10:00 am – 2:00 p.m.

Come in and pick up your Summer Reading Program materials and make a bookmark to take home. Show your creativity! Have fun! All ages welcome. No registration.

### **Special Llama Storytime**

Monday, June 9, 10:30 – 11:30 a.m.

Join us for a special storytime featuring "Llama Llama" books by Anna Dewdney. Enjoy songs and stories. Meet story character Llama Llama. Bring you camera and take a photo! No registration.

### **Lego Mania!**

Friday, June 13, 10:00 a.m. – 2:00 p.m.

Join us for an open Lego build-a-thon. Who can build the biggest tower? Who can make the fastest Lego car? Best for kids ages 6 and up, but younger siblings welcome with a parent. No registration.

### **Bookachalky**

Monday, June 16, 10:00 a.m. – 2:00 p.m.

Draw a picture, leave a message, sign your name or play a chalk-art game to celebrate summer reading. All ages welcome. No registration.

### **RAD Zoo**

Tuesday, June 17, 4:00 p.m.

RAD Zoo (Reptile & Amphibian Discovery Zoo) will bring 12 or 13 animals to the library. Frogs, turtles, lizards, snakes, a small alligator, oh my! Children will have an opportunity to touch one or two of the animals. Parents must accompany small children. No registration.

### **Dog Gone Reading**

Tuesday, June 24, 4:00 p.m. – 6:00 p.m.

Children in grades K-7 practice reading by reading aloud to a certified therapy dog and its owner. Reading sessions are 15 minutes in length. Sign up to read at the Information Desk or call the library.

### **Valley Library Book Club**

Thursday, June 26, 5:00 p.m.

Book selected for discussion at this meeting is "The Guernsey Literary and Potato Peel Pie Society" by Mary Ann Shaffer. Just read the book, come, and discuss.

### **Pete the Cat Book Party**

Monday, June 30, 11:15 a.m.

Join everyone's favorite groovy cat for games and activities that prove "It's all good!" For kids ages 3-8 and a parent or caregiver. No registration.

## Public Safety

(Including Reports)



### Law Enforcement Report

April, 2014

#### Complaints Investigated

5 Medical	1 Fraud Report
3 Officer Information	1 Burn Complaint
2 Loose Dogs	1 Fire
2 Unwanted Male/Female	1 Squad Damage
2 Alarm Sounding	1 Public Works Concern
1 Suspicious Person	1 Internet Scam
1 Damage to Property	1 Neighbor Complaint
	1 Extra Patrol Request
	<u>Citations Issued: 0</u>

#### • Sheriff's TIPLine

A quick, simple way to forward information to Washington County Investigators anonymously.

E-mail: [sheriff@co.washington.mn.us](mailto:sheriff@co.washington.mn.us)

Or Phone 651-430-7850

*Crime in progress – call 911*

### Fire Department Report



The Fire Department reported 34 runs in April, 7 of which were in Lake St. Croix Beach.

The Fire Department's Website is [www.lscvfd.com](http://www.lscvfd.com).



### Animal Control

In the month of April, 3 dogs and 1 cat were reported lost, and 1 dog was reported found. There was one call to Animal Control regarding a dog at large molesting pedestrians.

Reminder: Animal License Renewals are now due. All dogs and cats over 6 months of age must be licensed. Licenses can be purchased at City Hall during normal business hours or by mail. **Application, payment, and proof of current rabies vaccination required.**

## Building Permits



**Remember to Contact the Building Inspector  
before you start a project!**

The Building Inspector, is located at  
Lakeland Water Department Plant No. 2  
1190 St. Croix Trail South

Mailing Address: P. O. Box 321, Lakeland, MN 55043,  
Phone: 651-436-1405

**Please note: The Building Department Office  
Hours**

**Mondays 8:00 – 10:00 a.m.**

**Thursdays 8:00 - 10:00 a.m.**

## Parks Department



### Picnic Pavilion Reservations

The pavilion at the Riverfront Park is available for reservation on weekends and holidays from Memorial Day weekend through Labor Day weekend. The pavilion can be reserved from 10:00 a.m. until 10:00 p.m. No alcohol is permitted in any City Park. Call the City Hall at 651-436-7031 to reserve the Riverfront Park pavilion for your special gatherings this summer.

### Seasonal Parking Permits

Seasonal parking permits are available to LSCB residents. This permit allows City residents to park in a designated area of the Redwing parking lot. The fee for the permit is \$10. No charge if a member of the household is over 65 years old.

## Solid Waste and Recycling

### Garbage Service



The City of Lake St. Croix Beach currently has three garbage haulers who are licensed to collect garbage on **Wednesdays and Thursdays** only:

Highland Sanitation	651-458-0043
Maroney Service Inc.	651-439-7279
Waste Management	651-437-9201

Residents may choose a garbage hauler from those who are licensed with the City. All residents must have a contract with a garbage hauler or be able to prove that their garbage is taken to a proper collection site.

### Recycle Service

We use a single-sort recycle service. Only certain materials can be recycled. These items are listed on the lid of the cart. Please set your recycle cart at the curb by 7:00 a.m. every other **Thursday**.

Recycle Hauler is Waste Management 877-969-2783

## Yard Waste Dropoff & Compost Site

Bayport: RSI

Location: 201 2<sup>nd</sup> Ave. S.

Also accept appliances and household junk

Phone: 651-430-2809

Woodbury: Compost Concepts

Location: 4600 Cottage Grove Drive

Phone: 651-436-1213

Cottage Grove: Cottage Grove Compost Site

9600 Glendenning Rd.

Phone: 651-459-1556

# Hazardous Waste Site

## General Information

Did you know that residents can drop-off household hazardous waste, electronics, and recyclables for free at the new Washington County Environmental Center? The Center is located at 4039 Cottage Grove Drive in Woodbury, near the intersection of Manning and Bailey Road, just 4 miles south of I-94. The Center replaces the Hazardous Materials Collection Site in Oakdale, which permanently closed in 2009.

The Environmental Center is open:

Tuesdays Noon – 7:00 p.m.  
Thursdays 9:00 a.m. – 2:00 p.m.  
Saturdays 9:00 a.m. – 2:00 p.m.

## Free Product Room

Don't need it? Someone might! Did you know that some of the items you drop-off at the Environmental Center might be stocked in the *Free Product Room* for other residents to pick up, free of charge? The *Free Product Room* is located inside of the Washington County Environmental Center at 4039 Cottage Grove Drive in Woodbury. Products set out in the *Free Product Room* are first screened for quality. Some of the more popular items are paint and stain. If you are on a tight budget, you might just find the color you were looking for, and there's no cost to you. Other popular products set out in the *Free Product Room* are lawn & garden products and automotive fluids.

For materials collected and more information go to [www.co.washington.mn.us/envirocenter](http://www.co.washington.mn.us/envirocenter) or call 430-6655.

## Brush Site

Thanks to Aggregate Industries who has agreed to provide a disposal site for brush from Lake St. Croix Beach residents again this year.

Aggregate Industries does not accept any construction materials. They will accept only brush such as limbs, trees, and shrub trimmings. No leaves or grass.

The site will be open from 8:00 to 11:00 am on the following Saturdays (first Saturday of the month, excluding holidays):  
June 7

## Community News

### XYZ Club (Extra Years of Zest)

XYZ Club, for seniors 55 years and older, meets every Tuesday morning at Memorial Lutheran Church in Afton. Cards will be played at 9:00 a.m. with a coffee break at 10:00 a.m., followed by more card playing until noon. Programs will be announced as they develop. For information, registration, or cancellation, call Marian Glasbergenner at 651-436-7742 on Mondays.



The Lake St. Croix Beach City Council Meetings  
may be viewed on Channel 16.

Schedule:

June 12 at 9 a.m.
June 4 at 4 p.m. and midnight
June 5 at 7 a.m.
June 11 at 1 p.m. and 9 p.m.
June 26 at 9 a.m.
June 18 at 4 p.m. and midnight
June 19 at 7 a.m.
June 25 at 1 p.m. and 9 p.m.

Upon occasion, the transmission of these meetings may be delayed or not available due to technical difficulties. Check their website for more information [www.vactv.org](http://www.vactv.org)



## HIGHLIGHTS REGULAR CITY COUNCIL

The following are unapproved minutes from the April 21, 2014 City Council meeting. *Minutes may at times be condensed to fit space.*  
(Complete minutes on file at City Hall.)

**Members Present** Tom McCarthy, Charles W. Brown, Cheryl Kopp, Cindie Reiter, Jim Unker

**Staff Present** John Parotti, Kevin Sandstrom, Angel Smith, Amy Truhlar

**Others Present** Mary Ashby, Craig Anders, Nancy Anders, Jerry Beedle, Mary Parr, Jon Place, Bill Clapp, Gina Allen, David Beaudet, Scott Prater, Brian Zeller, Mike Isensee, James Golden, Pete Geare, Linda Geare, Jim Stanley, Kris Peterson, Deputy Sullivan

**Call To Order** by Mayor McCarthy at 7:05 p.m.

**Pledge of Allegiance** was said.

### • **Approve Agenda**

Councilmember Unker asked that Item 9F, Afton Septic System, be added to the agenda. Councilmember Reiter asked that Item 4C, the approval of the boat waiting list and the boat permit list, be removed from the Consent Agenda and moved to Item A under Other Business.

M/S/P (Brown, Kopp) TO APPROVE THE AGENDA AS AMENDED. MOTION PASSED UNANIMOUSLY.

### • **Consent Agenda**

M/S/P (Reiter, Brown) TO APPROVE THE CONSENT AGENDA AS AMENDED. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – AYE, KOPP – AYE, BROWN – AYE, MCCARTHY – AYE.

M/S/P (Reiter, Brown) TO APPROVE THE MINUTES OF THE CITY COUNCIL WORKSESSION ON APRIL 21, 2014 AS PRESENTED. MOTION PASSED UNANIMOUSLY.

M/S/P (Reiter, Brown) TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON APRIL 21, 2014 AS PRESENTED. MOTION PASSED UNANIMOUSLY.

M/S/P (Reiter, Brown) TO APPROVE THE 2013 AUDIT PREPARED BY CLIFTONLARSONALLEN AS PRESENTED AT THE APRIL 21, 2014 CITY COUNCIL MEETING. MOTION PASSED UNANIMOUSLY.

### • **COMMENTS FROM THE PUBLIC**

Mayor McCarthy stated that if residents would like to speak about any issue on the agenda, this was the portion of the meeting for them to do that. Public comments would not be allowed during City Council discussion of agenda items.

City Clerk-Administrator Angel Smith reported that she had received two written comments. One comment was from Mr. Triemert complaining about the city's data practice procedure. It was too lengthy to read at this time, but the comment would be available at City Hall for anyone interested in reading it. The other comment was from Molly Shodeen of the Department of Natural Resources (DNR) asking that the City Council delay making a final decision regarding the variance request for 1483 Riviera Avenue South so that legal staff at the DNR could review City Attorney Sandstrom's memo regarding ownership of the property. If a delay was not possible, Ms. Shodeen asked that the record reflect that the statute concerning the division of non-conforming lots was modified by the legislature after 2003.

Jerry Beedle, 1470 Riviera Avenue South, was unable to attend the Planning Commission meeting due to a family medical emergency. He noted that he has seen a family raise their two children in the house at 1483 Riviera Avenue South as it exists. He could see no reason to

allow the enlargement of the house, and pointed out that three variances were given to the property just so they could install the septic system. Adding the extra height to the structure will take away his view of the St. Croix River as well as his neighbor's view. Mr. Beedle urged the City Council to require the current vegetative screening to remain or replanted if it should die or be removed for some other reason. Jon Place, owner of the Beach Bar, stated he wanted to continue Mr. Beedle's objection to the project. He expressed concern regarding the title of the property and suggested that if the city's administration was being called into question, the City Council should wait for comment from the DNR regarding ownership of the property.

Gina Allen, 16811 18<sup>th</sup> Street South, stated that some variances for the property at 1483 Riviera Avenue South would not be necessary or required if the deck on the east side of the house was removed. She also expressed concern regarding the impervious surface percentage and felt the percentage could be reduced with a decreased garage size as well as he removal of the deck.

David Beaudet, 6400 Lookout Trail North in Oak Park Heights, urged the City Council to thoroughly review each variance requested. He noted that the septic system was installed in 2000, and ordinances regarding septic systems have changed a lot in the years since. He questioned whether the septic system was adequate, an idea very important to him due to the proximity of this property to the St. Croix River. Mr. Beaudet suggested that the City Council require the septic system to be upgraded to current requirements. He reminded the City Council that they are part of the large community that protects the St. Croix River.

Jim Golden, 1920 Quarry Avenue South, reported that there is a monitoring station near the creek that runs near the location of the proposed Afton cluster septic system. There are three monitoring stations on the creek because it is one of the nicest trout streams in the state. The people in the monitoring station had not heard about the proposal for the septic system and expressed concern. He noted that the water in the creek is of drinkable quality and wondered if the quality would be decreased with this system. Mr. Golden asked for additional resources to look into the issue a little further. Councilmember Reiter asked who was performing the monitoring. Mr. Golden stated the monitors are from the watershed district and ultimately funded by the Met Council. He noted that the flow is monitored because the flow affects the quality of the water.

Jon Place reported that the hydrology study showed that water does not just flow downhill. Water first flows into the aquifer under the city. Mr. Place pointed out that the trout stream is very important and reported that the University of Minnesota filmed the trout and the stream a few years ago due to its beauty and importance in the area. He expressed concern that the City of Afton is withholding information in order to keep the project moving forward.

Kevin Wall, 15975 Putnam in Afton, suggested that Afton possibly violated the due process of law in their procedure for applying for grant money. When Afton made their initial community assessment report, they filed with the Minnesota Facilities Authority an application for money from the clean water revolving grant. That grant looks at several different factors to place the project on a priority list. Part of the application process, by state statute, requires them to notify every municipal and government agency within a 10 miles radius of the project, of their intent to pursue a project of that type. This notification would have had to come when the City of Afton applied for public funds. City Attorney Sandstrom stated a data request could be made to the City of Afton for their proof that they provided notification as required.

Scott Prater, 1454 Ramada Avenue South, explained that he had attended the Planning Commission meeting when they discussed the project at 1483 Riviera Avenue South. The Planning Commission recommended approving all variance requests. He suggested that Washington County Property Records Division should have questioned this if ownership were an issue. To him, the proposed enhancements to the property seemed reasonable.

## • **PUBLIC SAFETY REPORTS**

### Law Enforcement

- 34 calls, 0 citations issued

### Animal Control

- 3 dogs, 1 cat reported lost; 1 dog reported found

Jim Stanley, deputy chief of the Lower St. Croix Valley Fire Department, reported there were 34 runs in the month of April, 7 of which were in Lake St. Croix Beach. The budget will be finalized in June and then forwarded to the 5 cities. Five members of the fire department are now certified to teach CPR. They are still discussing offering free CPR training to residents. A burn permit has been issued for the City

of Lake St. Croix Beach and will be delivered to City Hall on Tuesday, May 20, 2014.

Mr. Stanley reported that Tom Johnson has applied for a burn permit for his property. Councilmember Reiter asked if there was a limit to how high the flames could go. Mr. Stanley explained that he could put a limit on it by limiting the size of the pile and noted that residents are not allowed to haul brush in and burn it on property in the city. Councilmember Unker expressed concern regarding issuing a burn permit to someone who had not paid an administrative fine and suggested a moratorium on anything for this property until the issue of unauthorized tree clearing was resolved. City Attorney Sandstrom noted that no moratorium had been decided upon by the City Council, but the issue of the unauthorized tree clearing was on the agenda. The City Council will make a decision at that time whether to oppose this burn permit. Mr. Stanley will talk with City staff on Tuesday, May 20, 2014 to learn of the City Council's decision.

Deputy Chief Stanley reported that 35 city officials were invited to an educational training event, only 1 attended, and the drill was cancelled. Councilmember Unker thanked the fire department for setting up the event and expressed his disappointment at being unable to attend as he has to work early on Saturday mornings.

## • **CITY ENGINEER'S REPORT**

### ○ **Street Patching Quote**

John Parotti, City Engineer from SEH, reported that the pot holes needing immediate attention were filled. He presented a quote for larger patching needs in the amount of \$3,125. This is under the budgeted amount for this project of \$5,000.

M/S/P (Reiter, McCarthy) TO APPROVE THE QUOTE FOR STREET PATCHING BY RCM SPECIALTIES INC. IN THE AMOUNT OF \$3,125. MOTION PASSED UNANIMOUSLY.

### ○ **Sign Maintenance Plan**

Mr. Parotti presented a Draft Retroreflectivity Sign Maintenance Plan. He reported that the city must adopt a plan by June 13, 2014. This is the last City Council meeting before that date. The sign inventory must be completed either by an adequately trained volunteer or by the city engineer. The Retroreflectivity Sign Maintenance Plan should be changed to state the sign inventory will be completed by December 31, 2014, but City Engineer Parotti suggested completing the inventory as soon as possible for better budget planning.

According to the plan, signs will be divided into two categories: street name signs and non-street name signs. Street name signs will be replaced with the correct retroreflectivity standards on an as-needed basis. Non-street name signs purchased before 2010 will be replaced 2014 – 2017.

Councilmember Unker noted that he has seen sign inventories completed by other municipalities, and recommendations were made regarding missing signs, how close signs are to each other, and incorrect or unnecessary signs. City Engineer Parotti explained that when the sign inventory is complete, he could make recommendations regarding signs that could be removed and not replaced.

Councilmember Unker asked whether there were requirements regarding color of signs. Engineer Parotti reported that the Minnesota Manual of Uniform Traffic Control Devices (MN MUTCD) designates colors of street signs and type and size of lettering on signs. Mr. Parotti stated that there is significant effort to determine additional stop signs needed, and he would not recommend adding any.

M/S/P (Reiter, McCarthy) TO APPROVE RESOLUTION 2014-04, A RESOLUTION ADOPTING A RETROREFLECTIVITY SIGN MAINTENANCE PLAN AND WAIVE THE READING OF THE RESOLUTION. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – AYE, KOPP – AYE, BROWN – AYE, MCCARTHY – AYE.

City Engineer Parotti reported that road restrictions were lifted earlier in May. The river was predicted to keep dropping, but with the rain during the day, it may rise again.

## • **NEW BUSINESS**

### ○ **Voluntary Conservation Project – 1454 Ramada Avenue South**

Mike Isensee, administrator of the Middle St. Croix Water Management Organization (WMO), explained that the property at 1454 Ramada Avenue recently underwent a construction project, which was approved through the variance process by the city in 2013. The homeowners asked the WMO for assistance in creating voluntary conserva-

tion projects. The plan does not increase the impervious surface percentage, but it does make changes to the plans approved by the City Council in 2013. The plans call for native plants along the slope, a raingarden in the northwest corner of the property, a turf swale in the center of the slope to control flow to the dense vegetation on the slope, and a raingarden in the northeast corner. The two raingardens will help control runoff from the street.

Councilmember Reiter noted that there was concern regarding secondary bluffs on this property when the project came before the City Council. She asked if the new grading to accomplish this would change the original approvals on the project. City Engineer Parotti stated that in his opinion, this new plan would affect the original approvals on this property. He felt that these new plans would help control surface water and runoff even more than the original approved plans.

M/S/P (Reiter, McCarthy) TO APPROVE THE AMENDMENTS TO THE LANDSCAPE PLAN AT 1454 RAMADA AVENUE SOUTH BY INTEGRATING ADDITIONAL CONSERVATION PRACTICES TO FURTHER PROTECT THE ST. CROIX RIVER. MOTION PASSED UNANIMOUSLY.

#### o City Hall Garage – Use of Space

City Clerk-Administrator Smith explained that she was asked to place this item on the agenda to determine how to move forward in terms of advertisement. Councilmember Unker stated that he has found a party interested in renting the garage space at City Hall. A proposal has been made to pre-pay on a 4-year lease. He noted that the city can rent up to 43% of the building. Councilmember Reiter had asked for a market analysis, and he asked what kind of information she was looking for in that report. Councilmember Reiter explained that she wanted to know what going-rate for renting out that type of space was on a per square foot basis. She suggested that a commercial real estate agent could determine the rate.

Councilmember Unker explained that he has close to 25 years of experience as a real estate broker and all properties are unique. He stated that the going rate is whatever amount can be obtained for the space. The city has not had a renter in that space before and noted that some questions would need to be answered such as whether the city would be allowed to use some the space if flood fighting needs required it. He pointed out that there was an offer on the table, and he would prefer to go from there rather than having a market analysis prepared.

Councilmember Reiter noted that adjustments would need to be made to restrict access to City Hall. Mayor McCarthy stated he wanted to ensure the city did their due diligence regarding the cost for the space. Councilmember Unker stated he would like to proceed with the offer he has received. Councilmember Brown stated he would prefer having a market analysis performed to determine how much the space is worth. The rumors of dollar amounts he has heard seem low. Councilmember Unker noted that the city could use the lease agreement drawn up for the Washington County Sheriff's Office as a basis for the lease with different numbers input into the agreement.

M/S/P (Unker, Brown) TO CONTACT THE POTENTIAL LEASEE AND HAVE A LEASE DOCUMENT DRAWN UP BY THE ATTORNEY.

Councilmember Unker noted that some items in the lease, such as the amount of the lease payment and other items that may be negotiated, will be left blank in the beginning.

MOTION PASSED UNANIMOUSLY.

#### o Relocation of Jersey Barriers

Councilmember Reiter explained that there are seven jersey barriers located behind City Hall just to the south of the rear parking lot running parallel to Quebec Avenue South. These jersey barriers were left in the city in 2011 after flood fighting efforts were completed. She has received a complaint from a resident that the jersey barriers are right in the line of sight of their front yard. Mayor McCarthy noted that these barriers remained in the city for easier access if they were needed. There was discussion regarding where these barriers could be relocated. Suggestions for storage locations were the south side of the city hall building, just east of the loading dock in the rear parking lot at city hall, the beach parking lot areas, and the off-site storage location of the city's other jersey barriers. A quote was provided to move the barriers to the off-site storage location, with the city's other jersey barriers. There was discussion regarding the other items behind City Hall.

MOTION BY COUNCILMEMBER UNKER, SECONDED BY COUNCILMEMBER REITER, TO FIND SOMEONE TO MOVE THE JERSEY BARRIERS TO THE SOUTH SIDE OF THE CITY HALL

BUILDING PROVIDED THAT THE PERSON WHO COMMENTED ABOUT THE CURRENT LOCATION IS SATISFIED WITH MOVING THEM TO THAT LOCATION.

City Clerk-Administrator Smith asked for clarification regarding what should be done with the other items located behind City Hall. MOTION WITHDRAWN.

M/S/P (McCarthy, Brown) TO ACCEPT THE QUOTE FROM TRI-COUNTY TO MOVE THE JERSEY BARRIERS TO THE OFF-SITE STORAGE LOCATION WITH THE CITY'S OTHER JERSEY BARRIERS FOR \$450 AND REMOVE ALL OTHER ITEMS BEHIND CITY HALL. MOTION PASSED UNANIMOUSLY.

#### o Frozen Water Line

City Clerk-Administrator Smith reported that she had been contacted by the resident at 16830 21<sup>st</sup> Street South regarding an invoice from Lakeland Water Utility. Ms. Smith further explained that the water service line at 16830 21<sup>st</sup> Street South froze twice over the winter. The first time the line froze it was due to the service line freezing. The second time the line froze it was due to the water main freezing. This resident is asking the city to cover the cost of the service charge generated by the second attempt to thaw the line, because this was unsuccessful due to the frozen main.

Mayor McCarthy pointed out that the city has not paid any other residents' fees for thawing lines, and Councilmember Brown expressed concern that this could set a precedent. Councilmember Reiter noted that other residents only had to pay once for the contractor to come thaw lines. No other resident had to have their pipes thawed a second time. She also noted that the second time the water main was frozen. This resident hired a contractor before the water utility had determined that the water main was frozen. At the time she hired the contractor, it was not known that the water main was frozen.

There was a question regarding whether the second thaw attempt was twice the cost of the first attempt. City Engineer Parotti noted that the amount listed on the invoice, \$393.10, was the total of the two attempts, each one costing \$196.55. There was agreement among the City Council that this resident was requesting \$196.55 be covered by the city, not the entire amount of \$393.10. Mayor McCarthy stated he was against the city paying the cost, and Councilmember Brown agreed. Councilmember Unker suggested that if the water main was frozen, that could have caused the service line to freeze. In that case, the city could be considered liable if the water were not kept on. Mayor McCarthy noted that a hose was run from a neighbor's house to the house at 16830 21<sup>st</sup> Street South to keep water running to the home.

Councilmember Reiter expressed conflicting thoughts, noting that the water main is the city's responsibility, but the memo from Lakeland Water Utility points out that the contractor was called before the water department could investigate the situation and determine that the main was frozen. There was discussion regarding when the contractor was called the second time, when the hose was being run from the neighbor's house, and when the water main was determined to be frozen.

M/S/P (Brown, Kopp) TO NOT REIMBURSE THE AMOUNT OF \$196.55 TO THE RESIDENT AT 16830 21<sup>ST</sup> STREET SOUTH. MOTION PASSED, 4 AYES, 1 ABSTAIN (UNKER).

#### • UNFINISHED BUSINESS

##### o Variance Application – Craig and Nancy Anders, 1483 Riviera Avenue South

Councilmember Reiter asked whether the City Council should ask Mr. Anders to once again extend the date based on the request from the DNR. City Attorney Sandstrom referred to his opinion on this matter, which was included in the City Council packets. He noted that the DNR is requesting a delay for more time to review the information included in his memo regarding the topic of legal ownership of the property at 1483 Riviera Avenue South. Mr. Sandstrom stated that, in his opinion, this was not an issue. The DNR, in a written comment for the April City Council meeting, asserted that Lake St. Croix Beach Bluffland/Shoreland City Code 602.02 applied in this case. The code, in essence, states that when adjacent/contiguous non-conforming lots are owned by the same owner, they cannot be considered as separate parcels for the purposes of development or sale, and must be combined together to form a single parcel. Since the property at 1483 Riviera Avenue South was once owned by the same owners of the property directly to the north (1477 Riviera Avenue South), the DNR argued that the sale of 1483 Riviera Avenue South constituted an illegal sale. City Attorney Sandstrom stated that the code speaks only of lots and parcels and does not mention developed properties. Addi-

tionally, the statute of limitations to bring a lawsuit for an ordinance violation is six years. Because the two properties were last owned by the same people in 2003, it would be unreasonable for the courts to try to find a remedy to correct the situation since the property has changed many times during the last 11 years. City Attorney Sandstrom pointed out that the DNR has had his opinion since Wednesday, May 14, 2014, and although they could give a counter argument, they could not be able to force the city to try to bring about a lawsuit regarding the issue.

Craig Anders, owner of 1483 Riviera Avenue South, gave a short presentation. He referred to the city's Comprehensive Plan noting the mission statement, Comprehensive Plan goal #10, and Comprehensive Plan policy #10, which he felt were noticeable and important features of the plan that were applicable to his situation. The Comprehensive Plan makes note of nonconforming structures and properties in the city.

In his project description, he noted that the major features of his improvements included improving the structure to current building codes, adding a single-wide garage (in the existing driveway footprint), re-roofing the home with room-in-attic trusses, adding roofline gutters to collect and control runoff, and reducing the impervious surface. The garage will be single-car wide, but will run the length of the home. He stated it will not be deep enough for two cars, but will allow for one car and storage space. His proposal is to increase the height of the structure by 10 feet, which will result in a total height of 27 feet. He noted that from 13<sup>th</sup> Street South to 16<sup>th</sup> Street South, there are 18 homes and an adobe-style church. 16 of those homes are 1 ½ - 2 stories from the river view. He pointed out that their home is in the middle of that section of the city.

Councilmember Reiter suggested taking each variance request separately. City Attorney Sandstrom pointed out that the resolution included in the City Council packets was drafted based on the Planning Commission recommendations. Therefore, the resolution may need some changes after the City Council's decisions. City Attorney Sandstrom noted that item 1a-1ai on page 3 of the resolution, although listed first, would be a reworked section if items 1b - 1i did not match up with what is currently written in 1a-1ai.

M/S/P (Reiter, McCarthy) TO GRANT A VARIANCE FROM BLUFFLAND/ShORELAND CITY CODE 402.01(1) REQUIRING A MINIMUM LOT SIZE OF ONE ACRE, BECAUSE THE EXISTING LOT IS LESS THAN ONE ACRE AND THERE IS NO REASONABLE OPPORTUNITY FOR THE APPLICANTS TO ACQUIRE ADDITIONAL LAND TO MAKE THE LOT CONFORMING.

City Attorney Sandstrom advised that when voting on each variance individually, the City Council did not need a roll call vote. Eventually, the City Council would vote on a final resolution, which would require a roll call vote.

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

M/S/P (Reiter, McCarthy) TO GRANT A VARIANCE FROM BLUFFLAND/ShORELAND CODE 402.01(2) REQUIRING A MINIMUM LOT WIDTH OF 150 FEET AT THE BUILDING SETBACK LINE, BECAUSE THE LOT IS LESS THAN 150 FEET WIDE AND THERE IS NO REASONABLE OPPORTUNITY FOR THE APPLICANTS TO ACQUIRE ADDITIONAL LAND TO MAKE THE LOT WIDTH CONFORMING. MOTION PASSED, 3 AYES, 2 NAYS (UNKER, KOPP).

Councilmember Reiter noted that item d of the resolution, regarding a variance to the lot width at the water line, was inapplicable as the property owner did not own the property at the water line. City Attorney Sandstrom advised that the City Council did not need to deny this item, it could just be ignored and not voted upon. That item will not be included in the final resolution.

MOTION BY COUNCILMEMBER REITER, SECONDED BY COUNCILMEMBER BROWN, TO DENY A VARIANCE FROM BLUFFLAND/ShORELAND CODE 402.01(5) REQUIRING A 40 FOOT SETBACK FROM THE BLUFFLINE, TO ALLOW THE APPLICANTS TO BUILD WITHIN 28 FEET OF THE BLUFFLINE SETBACKS, NOTING THE EXISTING STRUCTURES ARE WITHIN 26 FEET OF THE BLUFFLINE.

Councilmember Reiter noted that the deck on the home was within the setback. City Engineer Parotti pointed out that without the deck, the property would still need a variance to the 40 foot setback requirement, but it would be less of a variance. Without the deck, the closest point appears to be approximately 23 feet from the bluff.

MOTION WITHDRAWN.

M/S/P (Reiter, McCarthy) TO GRANT A VARIANCE FROM BLUFFLAND/ShORELAND CODE 402.01(5) REQUIRING A 40 FOOT SETBACK FROM THE BLUFFLINE, TO ALLOW THE APPLICANTS TO BUILD WITHIN 17 FEET OF THE BLUFFLINE SETBACK AND REMOVE THE EXISTING STRUCTURES THAT ARE WITHIN 26 FEET. MOTION PASSED, 3 AYES, 2 NAYS (UNKER, KOPP).

Councilmember Reiter noted that by passing a variance which eliminated the deck from the back of the home, the impervious surface would be decreased. Engineer Parotti reported that the deck is 224 square feet, and the impervious surface percentage as the property currently exists, without the deck, is 37.3%. Mr. Anders noted that their current proposal reduces the impervious surface percentage to 32% as recommended by the Planning Commission. There was discussion regarding impervious surface percentages with/without the deck and/or driveway.

M/S/P (Reiter, McCarthy) TO GRANT A VARIANCE FROM BLUFFLAND/ShORELAND CODE 402.01(9) PROHIBITING IMPERVIOUS SURFACE IN EXCESS OF 20% OF THE LOT AREA, AND ALLOWING THE APPLICANT TO HAVE IMPERVIOUS SURFACE OF UP TO 31% NOTING THAT THE EXISTING STRUCTURES AND DRIVEWAYS ON THE PROPERTY RESULT IN TOTAL IMPERVIOUS SURFACE OF 42%. MOTION PASSED, 3 AYES, 2 NAYS (UNKER, KOPP).

Councilmember Unker noted that he is pleased that the impervious surface percentage is decreased by that amount even though he did not vote to approve the variance.

Councilmember Reiter stated that item g from the resolution, a variance from Bluffland/Shoreland Code 402.01(10) requiring a 100 foot setback from the ordinary high water mark was unnecessary. This variance was initially needed due to the existence of the deck on the rear of the home. However, due to previous motions, the deck will be removed, eliminating the need for this variance.

It was noted that the proposed garage will be 14.5 feet wide.

M/S/P (Reiter, McCarthy) TO GRANT A VARIANCE FROM BLUFFLAND/ShORELAND CODE 602.01 REQUIRING A MINIMUM SIDE LOT LINE SETBACK OF SEVEN FEET, BECAUSE THE APPLICANTS' PROPOSED ADDITION OF A GARAGE REQUIRES THAT GARAGE TO BE BUILT WITHIN 4.5 FEET OF THE SIDE LOT LINE AND THERE IS NO OTHER REASONABLE AREA ON THE PROPERTY ON WHICH TO BUILD A GARAGE. MOTION PASSED, 3 AYES, 2 NAYS (UNKER, KOPP).

M/S/P (Reiter, Unker) TO DENY A VARIANCE FROM BLUFFLAND/ShORELAND CODE 601.03(4) PROHIBITING THE HEIGHT OF AN EXISTING NONCONFORMING STRUCTURE FROM BEING INCREASED.

Councilmember Reiter clarified that her motion was to not approve the height increase. She added that other applicants in the past have been denied variance requests for much less than adding a ½ story to their home along the river. Councilmember Reiter acknowledged the small size of the house and understood the need for more space, but she felt that she could not in good conscience approve the additional height. Councilmember Kopp stated that she felt that this variance did not seem to meet the practical difficulty standards and that the homeowners knew what they were buying.

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

City Attorney Sandstrom stated he would rework sections 1a-1ai to reflect the City Council's decisions.

Attorney Sandstrom read through the conditions listed on the resolution, as recommended by the Planning Commission. Councilmember Reiter stated that she would like to add a condition to prevent trucks and construction materials from blocking the road, noting that there is no parking allowed on the street May 20 - September. City Engineer Parotti made note of a memo he had written dated March 18, 2014, which contained conditions he felt should be added but did not seem to be considered by the Planning Commission. There was discussion regarding several of the conditions listed in the memo from Engineer Parotti.

M/S/P (Reiter, McCarthy) THAT THE VARIANCES GRANTED ARE SUBJECT TO THE FOLLOWING CONDITIONS: IMPERVIOUS SURFACE ON THE PROPERTY MUST BE NO MORE THAN 31%, THE ENTIRE NORTHERLY WALL/STRUCTURE OF THE GARAGE MUST BE FIREPROOFED, ROOF AND SIDING

ON THE PROPERTY MUST BE MAINTAINED IN EARTHTONES OR SUMMER VEGETATION TONES, LOW REFLECTIVE GLASS MUST BE USED FOR WINDOWS ON THE EAST SIDE OF THE HOME, NO NEW DECKS OR PATIOS (EVEN SO-CALLED PERMEABLE PAVERS) MAY BE BUILT OR PLACED WITHOUT ADDITIONAL VARIANCES BEING GRANTED, SOIL STOCKPILES SHALL BE PLACED IN A MANNER THAT MINIMIZES DISRUPTION TO EXISTING DRAINAGE PATTERNS, CONSTRUCTION VEHICLES SHALL NOT BLOCK OR IMPEDE THE FLOW OF TRAFFIC, AND ALL CONDITIONS LISTED IN THE CITY ENGINEER MEMORANDUM DATED MARCH 18, 2014. MOTION PASSED, 3 AYES, 1 NAY (UNKER), 1 ABSTAIN (KOPP).

It was noted that Councilmember Kopp left the meeting due to health reasons.

M/S/P (Reiter, Brown) TO APPROVE RESOLUTION 2014-05, A RESOLUTION GRANTING VARIANCES AS APPROVED BY THE CITY COUNCIL FOR THE ANDERS TO REMODEL HOME AND BUILD NEW GARAGE AT 1483 RIVIERA AVENUE SOUTH. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – NAY, REITER – AYE, KOPP – ABSENT, BROWN – AYE, MCCARTHY – AYE.

#### o Data Practices Overview/Policy

City Clerk-Administrator Smith explained that the City Council had asked for this policy to be tabled in April for further review. Councilmember Reiter asked if a log would be developed to keep track of requests and time used on those requests. Ms. Smith noted that she currently keeps track of it herself, but she could develop a log for public viewing. It was noted that there was a statement in the policy that if there was a conflict with charges in the policy and the city's fee schedule, the fee current fee schedule will prevail.

M/S/P (Reiter, Brown) TO APPROVE THE DATA PRACTICES POLICY AS PRESENTED. MOTION PASSED, 4 AYES, 1 ABSENT.

#### o Administrative Enforcement Schedule of Fines

M/S/P (Unker, Brown) TO APPROVE RESOLUTION 2014-06, A RESOLUTION ESTABLISHING ADMINISTRATIVE CITATION FINE SCHEDULE, WITH THE REMOVAL OF THE CITY CODES 1100, 1102, AND 1200 FROM THE LEVEL THREE VIOLATIONS, MAKING THEM LEVEL TWO VIOLATIONS.

Councilmember Reiter expressed her opinion that she felt this ordinance/resolution was more than the city needed and that houses with ordinance violations could have been cleaned up with the processes previously in place.

THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – NAY, KOPP – ABSENT, BROWN – AYE, MCCARTHY – AYE.

#### o Unauthorized Tree Clearing

City Attorney Sandstrom presented emails that been between him and Tom Johnson's attorney. Attorney Sandstrom reminded the City Council that Tom Johnson had cut down a number of trees on the city's right-of-way (ROW) on an unimproved street. Mr. Johnson's attorney has argued that Mr. Johnson could go onto the city's ROW and remove any trees he wanted in order to gain access to his property. Mr. Sandstrom agreed that a person has the right to access their property, but does not have the right to clear trees from the city's ROW without receiving permission in advance. City Attorney Sandstrom pointed out that the City Council could allow Mr. Johnson to build a private driveway through the city ROW or they could require him to build a city street on the city ROW to access his property, a common practice when someone wants to develop a property that has no road leading to the property. Mr. Sandstrom noted that either of these options would require an application to the city. He suggested to Mr. Johnson's attorney that if that is the desired outcome, he should plant the trees as he agreed to in the fall and pay the fine. The City Council could be more receptive to an application once this has been done. Discussions are still ongoing between Mr. Johnson's attorney and City Attorney Sandstrom. No counteroffer has been made at this time. Mr. Johnson's attorney has stated that he does not want to replant any trees or pay any fine, but wants to proceed with his project as he plans without city approval. Mr. Sandstrom asked for general consensus regarding how the City Council wants him to proceed, and reminded them that Mr. Johnson has requested a burn permit to burn on his

property. City Attorney Sandstrom estimated that his fees for this matter are near \$2,000 at this time.

Councilmember Unker felt that the city should not move an inch. He also did not think the City Council should allow a burn permit as the last time Mr. Johnson had a burn permit the flames were higher than most of the houses and trees nearby. Councilmember Unker also felt that the city should try to collect the fine through the courts. Mayor McCarthy noted that he heard Mr. Johnson would be selling the property. Councilmember Reiter noted that it is not a buildable lot, so he would need to sell it to an adjoining property owner, in which case there was no reason to clean it up. City Attorney Sandstrom also noted that if he intended to sell the property to an adjoining property owner, his attorney would not be asserting that he was entitled to a driveway to the property.

Mayor McCarthy asked the City Council if they wanted Mr. Stanley to determine whether there was anything on the property to burn. Councilmember Brown thought that might suggest that a burn permit would be issued, and he was against that. It was suggested that city staff ask Deputy Fire Chief Stanley not to issue a burn permit until the matter of the unauthorized tree clearing is resolved.

Mr. Sandstrom explained that city staff sent a letter to Mr. Johnson asking when he would be planting the trees he had agreed to plant in the fall. His attorney then sent a letter to Mr. Sandstrom stating that Mr. Johnson would not be planting any trees. City Attorney Sandstrom advised that he could send a letter informing Mr. Johnson's attorney that the City Council is not inclined to allow Mr. Johnson to do anything on his property at this time and agrees with the City Attorney's opinion that if wants to do anything on the ROW or to his property, an application should be submitted to the city.

Councilmember Reiter asked what would be the next step if Mr. Johnson still did plant the trees as agreed. City Attorney Sandstrom advised that the only way to enforce that would be to start a lawsuit to enforce what was a verbally-agreed upon settlement during a City Council meeting in fall 2013. Mr. Johnson never signed the agreement, but Mr. Sandstrom stated that there is no doubt in his mind that an agreement was reached. Councilmember Reiter noted that at a minimum, there was an agreement to plant the trees. Mayor McCarthy stated he thought the agreement was made that the trees would be planted, maintained for a minimum of five years, and Mr. Johnson would pay up to \$1,000 staff and attorney time. City Attorney Sandstrom noted that at that time, there was much less staff and attorney time involved, which totaled approximately \$1,200. Councilmember Unker pointed out that the City Council then passed a motion to fine Mr. Johnson \$3,500 or attorney and staff time, whichever was larger. Mayor McCarthy wondered if Mr. Johnson knew about that new motion. Councilmember Reiter noted that city staff sent a letter to Mr. Johnson informing him of the City Council's decision.

Mayor McCarthy wanted it stated on record that Mr. Johnson had attended a City Council meeting, an agreement was made, and then he felt the City Council changed the rules of that agreement. Councilmember Unker noted that a final amount for the fine was not agreed upon until a later date. Councilmember Reiter pointed out that at a minimum, Mr. Johnson agreed to replace the trees. Mayor McCarthy felt that an agreement had been made, and the City Council changed the rules of the agreement without Mr. Johnson being present. Councilmember Unker stated that the City Council had agreed to the higher fine.

City Clerk-Administrator Smith clarified that city staff should ask Mr. Stanley not to issue a burn permit for Mr. Johnson.

#### o Water Machine For City Hall

Mayor McCarthy noted that the water pipes to City Hall are no longer frozen and bottled water is available. He asked if any City Councilmember wanted to purchase a water machine. The City Council agreed to not pursue this matter.

#### o Afton Septic System

Councilmember Unker reported that and Councilmember Kopp had hosted a listening session regarding the Afton Septic System, which was attended by approximately 15 people. The Afton City Administrator and the Project Engineer attended to answer questions and provide information. Councilmember Unker felt that many misconceptions were cleared up, and those who were in attendance learned about the aquifers, directional flow, and drinkable water. He expressed a sympathetic tilt to the residents close to the area, and suggested a program where funds were donated from the residents and then matched by the city, up to a certain amount, to be put towards legal fees to look into the matter.

Jim Golden stated that he as a citizen wanted to look into the environmental impacts of this project, and asked if the city could ensure that proper procedures were followed. Councilmember Reiter noted that people can ask for documentation showing that proper notification was given, which should include the letter and the list addresses the letter was mailed to. She noted that most of the notifications were coming from the engineering company and not from the City of Afton, so letters could have been mistaken for junk mail and not inspected closely. She also stated that she remembered reading in Afton's newsletter that they were applying for grants to help floodproof the downtown (Old Village) area.

Mayor McCarthy asked what would happen if it was discovered that notices were not properly sent. City Attorney Sandstrom stated that the most that could happen would be that the City of Afton would have to start the process over, which would only delay the project, not stop it entirely. They could also be penalized.

Mr. Golden reported that at the informational meeting, they learned that all governmental agencies had given their approval, and they were ready to move forward. He urged the City Council to find a way to fight this legally, noting that if something were to go wrong, it will affect most residents of Lake St. Croix Beach and St. Mary's Point.

There was discussion regarding what the City Attorney could do. He suggested he could gather information from Kevin Wall, review the statutes, and send a letter to the correct agencies.

M/S/P (Reiter, McCarthy) TO APPROVE THE EXPENDITURE FOR THE CITY ATTORNEY TO RESEARCH AND REVIEW THE COMMUNITY ASSESSMENT REPORT COMPLETED BY THE CITY OF AFTON. MOTION PASSED, 4 AYES, 1 ABSENT.

- **OTHER BUSINESS**

- **Boat Permit List and Boat Waiting List**

Councilmember Reiter asked whether Jerry Griffin lived in the city and when he was issued his boat permit. Mayor McCarthy noted that he been issued his boat permit last and been given one year to become compliant. He pointed out that Mr. Griffin is aware that he must reside in the city June 1- September 1. There are many people who will be watching to ensure he lives in his home in Lake St. Croix Beach.

Councilmember Reiter noted that she will not have a boat this year as they are currently looking for a new boat. She asked whether she still had to put her buoy out. Mayor McCarthy told her she did not.

Councilmember Unker stated he still thought the whole process needed to looked into.

M/S/P (McCarthy, Brown) TO APPROVE THE BOAT PERMIT LIST AND THE BOAT WAITING LISTS AS PRESENTED.

Councilmember Unker noted that he still would like to see the whole boat permitting process reviewed and revised and stated that he has voiced his concerns in the past.

MOTION PASSED, 3 AYES, 1 NAY (UNKER), 1 ABSENT.

- **COUNCIL/STAFF REPORTS**

- **Councilmember Brown's Report**

Councilmember Brown reported that he was unable to attend the Park Commission meeting, and the Cable Commission meeting was cancelled.

- **Councilmember Kopp's Report**

Councilmember Kopp had left a report for Mary Parr regarding what happened at the Yellow Ribbon Alliance (YRA) meeting. The YRA provided several services to in the past month, including yardwork, raking, gardening, transportation, and donation of food during surgery recovery. The YRA banner was hung at Pettitt Park ball field. The YRA will offering scholarships, and will be setting up criteria and the process for this. The YRA will have a presence at Afton Art in the Park, the Strawberry Festival, and 4<sup>th</sup> of July. YRA recently received \$1,000 from the Bayport Legion from the proceeds from the meat raffles. The meetings are always the 1<sup>st</sup> Tuesday of month at Sail Away Café at 7:30 p.m.

- **Councilmember Unker's Report**

Nothing further to report.

- **Councilmember Reiter's Report**

Councilmember Reiter reported that she asked for copies of the section of the Afton newsletter to be sent to residents along Quant Avenue South regarding the cluster septic system. They also sent a

notice of the meeting on May 19, 2014 at Afton City Hall. She asked Afton city staff to continue to send cluster septic system information to those residents.

The Middle St. Croix Watershed Management Organization (WMO) is working with MnDOT to mitigate particles into ponds near the St. Croix River bridge construction site. Grants were awarded to 19 people to install raingardens at their homes, and four of those grant recipients live in Lake St. Croix Beach.

The Environmental Advisory Commission is still looking for additional members and is asking the City Council to consider another Clean-Up Day.

There was discussion regarding all five cities joining together for recycling services contracts.

- **Mayor McCarthy's Report**

Swim buoys will be put out in the beach area soon. The banners have all been put up at Pettitt Park. The city has obtained a burn permit to burn brush on the 22<sup>nd</sup> Street Levee. Sentenced-To-Service (STS) crews will be in the city on Thursday, May 22 and will be working on the levee. They will be doing the burn at the south end of Ramada Avenue South.

- **City Attorney's Report**

City Attorney Sandstrom reported that at the end of the April City Council meeting, the City Council went into closed session to discuss the lawsuit of Wells Fargo versus Nancy Harris and the City of Lake St. Croix Beach. An update was provided to the City Council on the lawsuit. No action was taken by the City Council.

Mayor McCarthy reminded residents that there is no on-street parking on streets east of CSAH 18 starting May 20.

- **City Clerk-Administrator Smith's Report**

City Clerk-Administrator Smith reported that the city received the matching grant for \$1,300 for the digital, portable radio. They will present the grant to the City Council at the June 16, 2014 City Council meeting. Ms. Smith will not be able to attend the June City Council meeting as she will be out of town for a wedding. She will be attending the League of Minnesota Cities Conference and the Clerks Orientation Conference June 18-20 in St. Cloud. She also provided photos taken at the CPR training for city officials and city staff. Newsletter articles should be submitted to city staff by Wednesday, May 21, 2014.

- **Deputy Clerk-Treasurer Truhlar's Report**

Deputy Clerk-Treasurer Amy Truhlar presented the bills for the month. She noted a few bills were missed, so the total amount for the bills for May was \$72,441.38. She noted the high total for the month and pointed out that it included over \$22,000 for the three broken water main work.

M/S/P (Reiter, Brown) TO APPROVE THE BILLS AS PRESENTED TOTALING \$72,441.38. MOTION PASSED, 4 AYES, 1 ABSENT.

- **ADJOURNMENT**

M/S/P (Unker, Brown) TO ADJOURN THE CITY COUNCIL MEETING AT 10:53 P.M. MOTION PASSED UNANIMOUSLY.

## **Reminder:**

Ordinance 1801.010 . . . **Curfew for Minors** . . .  
. Between the hours of 9:00 p.m. and 5:00 a.m. during the months of September through May and between the hours of 10:00 p.m. and 5:00 a.m. during the months of June through August, it shall be unlawful for any minor under the age of 16 years to idle, loiter, or be upon the public streets, boulevards, sidewalks, alleys, parks, beach, or other public places in the City of Lake St. Croix Beach.

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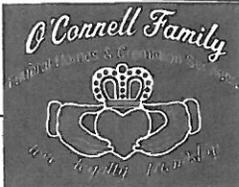
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# Beach BAR

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## City Directory

### City Council

**Tom McCarthy**

Mayor, 436-5686

E-Mail: [iscbmccarthy@gmail.com](mailto:iscbmccarthy@gmail.com)

**Charles Brown**

Councilmember, 612-889-7588

E-Mail: [chazbrown@comcast.net](mailto:chazbrown@comcast.net)

**Cheryl Kopp**

Councilmember, 214-9665

E-Mail: [ck66575@gmail.com](mailto:ck66575@gmail.com)

**Cindie Reiter**

Councilmember, 436-8244

E-Mail: [cindie55043@gmail.com](mailto:cindie55043@gmail.com)

**Jim Unker**

Councilmember, 340-5800

E-Mail: [C6513405800@gmail.com](mailto:C6513405800@gmail.com)

### Services

Animal Control 715-386-7789

Building Inspector 651-436-1405

City Hall 651-436-7031

Fire Hall (non-emergency) 651-436-7033

Lakeland Water Utility 651-436-8044

Police (non-emergency) 651-439-9381

Street Lights Out - Xcel Energy 1-800-960-6235

Well Water Test Kits - Wash. Co. 430-6655

U. S. Post Office - Lakeland 651-436-5469

Waste Management (Recycling) 877-969-2783

Maroney's Sanitation 439-7279

Highland Sanitation 458-0043

Waste Management (Garbage) 437-9201

***Fire, Medical & Sheriff Emergency 911***

### Representatives

**Gary Kriesel**

Washington County Commissioner 651-430-6213

**Kathy Lohmer**

Minnesota Representative (District 39B) 651-296-4244

E-mail: [rep.kathy.lohmer@house.mn](mailto:rep.kathy.lohmer@house.mn)

**Karin Housley**

Minnesota Senator (District 39) 651-296-4351

E-mail: [sen.karin.housley@senate.mn](mailto:sen.karin.housley@senate.mn)

**Mark Dayton**

Minnesota Governor 651-201-3400

E-mail: [mark.dayton@state.mn.us](mailto:mark.dayton@state.mn.us)

**Betty McCollum**

U. S. Representative (District 4) 202-225-6631

E-mail: [betty.mccollum@mail.house.gov](mailto:betty.mccollum@mail.house.gov)

**Amy Klobuchar**

U. S. Senator 612-727-5220 or 202-224-3244

E-mail: [klobuchar@senate.gov](mailto:klobuchar@senate.gov)

**Al Franken**

U. S. Senator 651-221-1016 or 202-224-5641

E-mail: [info@franken.senate.gov](mailto:info@franken.senate.gov)

### Meeting Schedule

- Planning Commission – 1<sup>st</sup> Wednesday
- LSCV Alliance – 4<sup>th</sup> Monday at Fire Hall at 4:30
- Middle SCV WMO – 2<sup>nd</sup> Thursday at Washington Conservation District Office
- Park Commission 2<sup>nd</sup> Tuesday
- Recycle Committee Varies
- LSCV Partnership Team – Varies
- City Council 3<sup>rd</sup> Mon (2<sup>nd</sup> Mon in Jan & Feb)
- Land Use Review Committee Varies
- LSCV Fire District – 2<sup>nd</sup> Wednesday at Fire Hall

Please call the City Hall at 651-436-7031 for the address of any meeting held outside of the City. Check the City's Posting Box for up to day information on City meetings.

*Future Newsletter Articles should be submitted to: Newsletter Editor at the Lake St. Croix Beach City Hall.*

"Choosing to save a river is more often an act of passion than of careful calculation. You make the choice because the river has touched your life in an intimate and irreversible way, because you are unwilling to accept its loss." - David Bolling, 1994

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