



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

Staff:  
 Interim City Clerk-Administrator  
 Mitch Berg  
 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)

September, 2014

Issue No. 501

# 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.

## **September Calendar**

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

### Monday, September 1

Labor Day – City Offices Closed

### Wednesday, September 3

Planning Commission

### Tuesday, September 9

Park Commission

### Wednesday, September 10

LSCV Fire District at Fire Hall

### Thursday, September 11

Recycle Day

### Thursday, September 11

Middle SCV WMO meeting at Washington Conservation District Office

### Monday, September 15

Regular City Council Meeting

### Monday, September 22

LSCV Alliance – 4:30 p.m. at Fire Hall

### Thursday, September 25

Recycle Day



## Student Walkers & Bikers

Many elementary school students in the area will be walking or biking to school this year.



Please watch for:

- Students at intersections and in roundabouts
- Walkers/bikers on streets
- Traffic delays on St. Croix Trail at the school entrance
- Observe speed limit in the school zone
- Never pass on shoulders

## **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.

**Condolences to the family of Evie Keister.**

**Condolences to the family of Gerald Davidov.**

**Automatic Payments – Water Billing**

Automatic payments are now being offered by the Lakeland Water Utility for monthly water bills. An application needs to be printed from the City of Lakeland website, filled out, and returned to Lakeland Water via email, fax, snail mail, or in person. Details can be found on the website (ci.lakeland.mn.us); click on Departments the Public Works/Water Utility.

If you have any questions please feel free to contact the water utility at 651-436-8044.

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There are still some areas in the city that have trees and shrubs that are hanging over the road. You are responsible for trimming the brush or trees that are causing line-of-sight issues that on your property. You can drop off the brush at no cost at Aggregate Industries on Saturday, September 6<sup>th</sup> from 8am-11am. Aggregate Industries is located on the Frontage Road on the north side of I-94.

September will also bring the annual Motorcycle Flood Run on Saturday, September 20<sup>th</sup>. This ride, starting early at The Beach Bar, is the 49<sup>th</sup> anniversary of the Flood Run named in 1965 during the flood where motorcycle enthusiasts rode to Winona, Minnesota to help with the flood efforts. Today the Flood Run raises money for the Gillette Children's Hospital. You do not have to be a biker to participate in this great cause.

I would like to thank everyone that helped make our Heritage Day event another great success. Also, I would like to extend a big thank you to all the residents who helped with our Shoreland Clean-Up.

Thanks again,  
Mayor Tom McCarthy

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Hello Everyone,

We scored a victory of sorts in our resistance to Aftons septic waste site, which they are attempting to locate on the border of our community. The MPCA has denied Afton' permit for now, but the fight isn't over.

Many persons, myself included, attended the last Afton City Council meeting and spoke during public-comments period, the only time available to us as the Afton Council would not agree to place our concerns on the agenda. Our Lake St Croix Beach Council has directed our attorney to contest this proposed development and the Afton Council did go into executive session regarding our lawsuit/request for a hearing.

There are still many ways that we need to proceed to protect our City's home values. As I have mentioned this effects the homeowners on the "other" side of the highway the most, but it should outrage and anger us all. As one of my fellow councilpersons stated "Shame on Afton".

Everyone should know that I have had a leadership position on this matter from the onset and I intend to continue to try to coax Afton to join us for the exploration of a regional solution.

Yours Truly,

Jim Unker

# IMPORTANT 2014 ELECTION INFORMATION

## Polling Place

The polling place for the City of Lake St. Croix Beach is **City Hall**, 16455 20<sup>th</sup> Street South, Lake St. Croix Beach, MN 55043.

## Notice of Filing for City Election

Three council seats will be filled at the General Election on November 4, 2014.

## **Mayor**

(Two Year Term)

## **Two Council Seats**

(Four Year Terms)

## Absentee Ballots

If you will be away from the city on Election Day and need an absentee ballot, contact Washington County at 430-6175.

## Voter Registration

If you have voted in this city during the past four years and have not changed residence within the city, you need not register again. If you are **not a registered voter**, you can register with the Washington County Auditor's Office (see applicable dates below) or you may register at the polling place on Election Day. Please bring one of the following when you register:

- Driver's license/permit or receipt
- MN identification card or receipt
- Registration in the same precinct
- Notice of late registration
- A registered voter from this precinct who will sign an oath as to your eligibility.
- Utility bill with a photo ID. The bill must show the current address and be due within 30 days of the election.

## Electronic Voting System

The City will conduct the 2014 elections on an electronic voting system. The optical scan ballot will be easy to use. The voter simply fills in an oval corresponding to his/her choice for each office. A blank space is provided for each office for write-in candidates; write the candidate's name in the blank and then fill in the oval pertaining to that choice. Also available is the Automark system, which is a machine that can provide a large font ballot, as well as earphones for audio reading of the ballot. This machine is provided through HELP AMERICA VOTE ACT (HAVA) funding. After completing the ballot, insert the ballot into the counting machine. In less than one second, each vote is counted and stored in a memory pack. When the polls close, precinct totals are printed out by the counting machine. Please stop at City Hall during regular hours to view the ballot.

## Employees Time Off to Vote

Every employee who is eligible to vote in a state primary and general election has the right to be absent from work for the purpose of voting during the morning of the day of that election, without penalty or deduction from salary or wages because of the absence.

## Assistance to Voters

Any voter with concerns about access to the polling place may contact the City Clerk's office at 651-436-7031 for assistance.

## Election Phone Numbers

651-436-7031 Lake St. Croix Beach City Clerk's Office  
651-430-6175 Washington County Auditor's Office  
651-215-1440 State of Minnesota Election Division

## Election Calendar

11/3 Last day to apply for and/or return absentee ballots to county auditor for General Election  
11/4 **General Election**  
7:00 a.m. – 8:00 p.m.

No public meetings or school events between 6:00 p.m. and 8:00 p.m. (M.S. 204C.03, Subd. 1) on date of election.

## 2015 BUDGET

by Mitchell Berg, Interim City Clerk-Administrator

At the September 15, 2014 the Lake St. Croix Beach City Council will pass a preliminary levy and budget for 2015. Berg said one of the council's main proprieties is to ensure there is adequate funding to maintain and repair the city's streets. Berg also said, while the city can expect a small increase in Local Government Aid (LGA) most cities do not budget for LGA in their general fund anymore due to its volatility in recent years.

Berg also said he understands the city council is concerned about how the budget will impact property owners in the city. According to a report produced by the Minnesota State Auditor's office, the average Minnesota city receives 46.5% of its revenues from property taxes. A total of 68% of the revenues used to support the operations of the city is generated off of the property taxes. The reason the city relies so heavily on the property tax base, to operate the day-to-day operations of the city, is because there is little other opportunity to diversify the revenue base for the city, given that it is predominantly residential.

At an August 4, 2014 budget workshop, the Council expressed their desire to keep the levy as flat as possible. However given the council's priorities to sustain the city's street Capital Improvement Program (CIP), the desire reinstate a cleanup day event, and the continued uncertainty with LGA that the council would support a 3% increase in the levy.

Another reason to present a 3% increase to the levy is once the preliminary levy is adopted it can be lowered but not increased.

For additional information or to preview the 2015 preliminary levy and budget you may go to the city's website at <http://www.lscb.govoffice.com/>

### **Calendar of Events for Valley Library in Lakeland – September 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**

September 8 at 10:30 a.m.

#### **Special Program for Kids**

**(Replaces September 15 Storytime) – Children's Author  
Stephen Shaskan Visits the**

#### **Library**

Monday, September 15, 10:30 a.m.

Local children's author, illustrator, and musician visits the library for an interactive program of reading, singing, and drawing. For kids of all ages/families. No registration. Program is paid for with money from Minnesota's Arts and Cultural Heritage Fund.

#### **Dog Gone Reading**

Tuesday, September 23, 4:00 p.m. – 6:00 p.m.

Children in grades K-7 read aloud to certified therapy dog, Chase, and his owner. Reading sessions are 15 minutes in length. Sign up to read at the Information Desk or call the library.

#### **Valley Library Book Club**

No meeting this month. For September, read anything by Sue Miller. Book club members are encouraged to attend the Sue Miller book talk hosted by R. H. Stafford Library at 6:30 p.m. on Thursday, September 25 at the Woodbury Central Park Amphitheater, 8595 Central Park Place Woodbury. The

Sue Miller visit is just one of several author events in the metro-wide Club Book series.

#### **A Big THANK YOU! – to our generous Heritage Day Sponsors**

1<sup>st</sup> State Bank and Trust

Afton House Inn

Baglio's of Afton

Beach Bar

Cold Stone Creamery

County Market

Family Fresh Market

Freedom Valu Center

Jordan Meats & Deli

Lakeland Village Barber Shop

Meyer Sewer Service

O'Connell's Funeral Home

Papa Murphy's Pizza

Perkins

Phipps Center for the Arts

Pinky's Sewer Service

RJ's Meats & Groceries

Short Elliot Hendrickson

Spokes and Pedals

Taco John's

Windmill Marina

YMCA

Washington County Public Health – Dan Schoepke

Washington County Sheriff's Department

Lower St. Croix Valley Fire Department

Boy Scout Troop 226

## Public Safety

(Including Reports)



### Law Enforcement Report

July, 2013

#### Complaints Investigated

8 Medical	2 Juvenile Concerns
4 Driving Complaints	2 911 Open Line
4 Assist/Lift Assist/Boat Assist	1 Loud Music
4 Parking Complaints	1 Fraud Report
3 Suspicious Activity/Vehicle	1 Gas Drive Off
2 Fireworks Complaints	1 Theft Report
2 Neighbor Dispute/Complaint	1 Fuel Spill
2 Custody Issue/Concern	1 Property Damage
	<u>Citations Issued:</u> 1

#### • 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 40 runs in July, 12 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 July, 4 dogs and 4 cats were reported lost, and no animals were reported found.

**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.**

#### **2013 – 2015 Animal License Application**

Fee: \$10 neutered/spayed, \$25 not neutered/spayed

***Proof of current rabies vaccination must accompany application.***

Animal's Name \_\_\_\_\_ Age \_\_\_\_\_

Breed \_\_\_\_\_

Sex Male or Female Spayed/Neutered Yes or No

Weight \_\_\_\_\_ Color \_\_\_\_\_

Owner's Name \_\_\_\_\_

Street Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Cell Phone (optional) \_\_\_\_\_

Email (optional) \_\_\_\_\_

*Mail to: City of Lake St. Croix Beach, 16455 20<sup>th</sup> Street South.*

## 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.**

## 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

### 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.

## Yard Waste Dropoff & Compost

### Sites

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

### 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):

September 6      October 4      November 1

#### Lake St. Croix Beach City Hall

16455 20<sup>th</sup> Street South

Lake St. Croix Beach, MN 55043

Phone: 651-436-7031      Fax: 651-436-8310

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

Web Site: [www.lscb.govoffice.com](http://www.lscb.govoffice.com)

Office Hours: 9:30 a.m. – 1:30 p.m.

Monday, Tuesday & Thursday or call for an appointment.



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

**Schedule:**

- Sept. 3 at 1 p.m. and 9 p.m.
- Sept. 4 at 9 a.m.
- Sept. 10 at 4 p.m. and midnight
- Sept. 11 at 7 a.m.
- Sept. 17 at 1 p.m. and 9 p.m.
- Sept. 18 at 9 a.m.
- Sept. 24 at 4 p.m. and midnight
- Sept. 25 at 7 a.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 August 18, 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** Mitchell Berg, John Parotti, Brad Peters, Kevin Sandstrom, Amy Truhlar

**Others Present** Bill Glampe, Michelle Kline, Dorine Tarbet, Jim Golden, Paula Caliguire, Mary Parr, Jon Place

- **Call To Order** by Mayor McCarthy at 7:01 p.m.

- **Pledge of Allegiance** was said.

- **Approve Agenda** Agenda Item 3  
M/S/P (Reiter, Brown) TO APPROVE THE AGENDA AS PRESENTED.

FRIENDLY AMENDMENT TO MOVE THE AFTON SEPTIC SYSTEM UPDATE FROM CITY ATTORNEY SANDSTROM'S REPORT TO ITEM 6E.

MOTION PASSED UNANIMOUSLY.

- **Consent Agenda** Agenda Item 6  
M/S/P (Reiter, McCarthy) TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: UNKER – AYE, REITER – AYE, KOPP – AYE, BROWN – AYE, MCCARTHY – AYE.

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

M/S/P (Reiter, McCarthy) TO APPROVE THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING – BUDGET WORKSESSION ON AUGUST 4, 2014 AS PRESENTED. MOTION PASSED UNANIMOUSLY.

M/S/P (Reiter, McCarthy) TO APPROVE THE APPLICATION FOR EXEMPT PERMIT FOR LAWFUL GAMBLING FOR THE CHURCH OF ST. FRANCIS OF ASSISI FOR THEIR ANNUAL FALL FESTIVAL OCTOBER 4-5, 2014. MOTION PASSED UNANIMOUSLY.

M/S/P (Reiter, McCarthy) TO APPROVE THE 1 DAY TEMPORARY ON-SALE LIQUOR LICENSE FOR THE CHURCH OF ST. FRANCIS OF ASSISI FOR THEIR ANNUAL FALL FESTIVAL OCTOBER 4-5, 2014. MOTION PASSED UNANIMOUSLY.

M/S/P (Reiter, McCarthy) TO APPROVE THE APPLICATION FOR EXEMPT PERMIT FOR LAWFUL GAMBLING FOR THE FLOOD RUN, INC. EVENT AT THE BEACH BAR SEPTEMBER 20, 2014. MOTION PASSED UNANIMOUSLY.

- **OPEN COMMENTS FROM THE PUBLIC**

Jim Golden, 1920 Quarry Avenue South, provided an update regarding the Afton cluster septic system. He talked with Shauna Bent of the Minnesota Pollution Control Agency (MPCA). She told him that the permit for the system has been withheld, so the MPCA has cancelled the funding for the project for this year. The MPCA is examining all the issues that have arisen surrounding this project. The Minnesota Department of Health discovered 7 unreported wells. Two of these wells are less than 50 feet deep, and therefore require a 600 foot setback from this system. The City of Afton will need to find a solution for the setbacks for these wells, or they could request a variance from the Department of Health. Mr. Golden stated he would give the Department of Health contact infor-

mation to City Clerk-Administrator Mitch Berg as he was not sure of the public notification process for this type of variance. All the unreported wells were in Lake St. Croix Beach, and Councilmember Reiter noted that she had discussed the possibility of wells within the setback area with the engineers for the project over a year ago.

Paula Caliguire, 16566 18<sup>th</sup> Street South, reported that Mr. Johnson has planted numerous trees on city property where he cut trees down. She asked if she could add additional trees to the city property at her own cost. These trees would be a donation to the city. Councilmember Reiter expressed concern that the city may need to remove trees in the future on the property, and she wondered if the city would then need to reimburse Ms. Caliguire for the expense. The City Council directed staff to determine whether this type of donation was possible and whether any terms should be set to accept the donation.

- **PUBLIC SAFETY REPORTS**

Presented by Councilmember Kopp  
Law Enforcement

- 54 calls, 1 citation

Animal Control

- no calls
- 4 dogs lost, 4 cats lost, no animals found

Jim Stanley, deputy chief of the Lower St. Croix Valley Fire Department, reported 40 calls in July, 12 of which were in Lake St. Croix Beach. The SAFER grant application will be submitted within one week as it is due by August 30. It was clarified that the SAFER grant was for a full-time employee at the fire department. Councilmember Reiter asked whether there would then be a full-time employee and a half-time employee. Mr. Stanley explained that with the grant, the part time position could not be eliminated, but the hours could be adjusted. If the fire department is awarded the grant, the part time position would be less than half time. The grants are scheduled to be awarded September 30, 2014.

Brad Peters, Code Enforcement Officer, reported that he has investigated 16 complaints, and has generated 4 letters. Pictures have been taken of the additional complaints, and he will be coding them and generating letters as needed. One complaint resolved itself without further involvement, one complaint was resolved after a letter was sent, and three are still within the period of time given to resolve the non-compliance. He noted that there are multiple vehicles, trailers, campers, and watercraft in yards, and he would like to be able to look up the owners of the vehicles to ensure they are owned by the property owners. Mr. Peters asked the City Council for approval to run these vehicles himself. He can amend his current DVS account and create a sub-account to look things up for Lake St. Croix Beach. There would be no additional charge for this, but he needs authorization from the City Council. Councilmember Reiter suggested that Washington County Sheriff's Office could run them for him. Councilmember Unker noted that there has been some difficulty in the past with the sheriff's department enforcing the city's code.

M/S/P (Unker, Brown) TO AUTHORIZE BRAD PETERS TO ACCESS THE STATE'S LICENSING RECORDS TO DETERMINE OWNERSHIP AND CURRENT REGISTRATION OF VEHICLES IN RESIDENTS' YARDS. MOTION PASSED, 4 AYES, 1 NAY (KOPP).

City Attorney Kevin Sandstrom advised that this was acceptable, and Mr. Peters seemed very familiar with the system. Mr. Peters then stated he will work out a process with City Clerk-Administrator Berg to get the complaints to him once received by city staff.

City Attorney Sandstrom reported that he had called Shauna Bent at the MPCA, but had not heard back from her before the City Council meeting. He has received no formal

response from the MPCA regarding the petition for a hearing. A hearing will still be needed before the permit for the system can be issued, and it will be scheduled 1-2 months out. He pointed out that the City of Afton cannot force properties in Lake St. Croix Beach to cap their wells since they are outside of Afton's city limits.

Councilmember Reiter wondered if the MPCA must respond to every comment submitted. Mr. Golden answered that yes, by law, they were required to respond to every comment they received, even if the response is the same finding of fact for the project to every comment.

- **CITY ENGINEER'S REPORT**

- **Tom Johnson Property Review**

John Parotti, City Engineer with SEH, reported that he had reviewed the legal agreement between the city and Mr. Johnson, and he had made a site visit with City Clerk-Administrator Berg to ensure that all requirements in the agreement had been met. The site inspection was performed on Wednesday, August 13, 2014. All previously cut brush and tree limbs had been removed from the right-of-way (ROW), 22 trees (5-12 feet tall) and one shrub have been planted, seed germination was just beginning, straw mulch had been placed as an erosion control measure, and the soil was reasonably moist. City Engineer Parotti returned later in the afternoon and observed watering had occurred.

- **Capital Improvement Plan For Streets**

City Engineer Parotti noted that over \$130,000 worth of street reconstructions was scheduled to be completed in 2015. Delaying these projects have downsides including increased construction costs due to inflation and the street continue to deteriorate so more maintenance must be done if reconstruction does not take place. He noted that the average rate of inflation on construction projects over the last 4 years is 3.9%. From August 2013 to August 2014, inflation on construction projects rose by 8.1% primarily due to weather conditions. The City Council suggested that a portion of 21<sup>st</sup> Street South could be vacated. City Engineer Parotti cautioned that the city needed to ensure no parcel becomes landlocked by vacating a street. Survey work must be completed before road reconstruction, and it is preferable to perform the work in the fall before snow comes. If they need to wait until spring after the snow melts, this could push the project later into the year. Mr. Parotti reported that the City of Lakeland will be performing some survey work in the fall, and St. Mary's Point may authorize survey work as well.

Councilmember Reiter asked Mr. Fixmer, the videographer, for a quote for a screen so that audience members could see the information the City Council was looking at on their screens.

- **NEW BUSINESS**

- **City Water Hook-Up (2141 Itasca Avenue South)**

Interim City Clerk-Administrator Berg reported that he had received a request to hook up to city water from a resident of St. Mary's Point. The City of Lake St. Croix Beach entered into a Joint Powers Agreement (JPA) with St. Mary's Point in September 1992, which requires that the City Councils of Lakeland, St. Mary's Point, and Lake St. Croix Beach all need to grant their approval for any additional residents of St. Mary's Point to hook up to the water system. The City Council of St. Mary's Point approved the request on August 5, 2014. The City Council of Lakeland will discuss the issue at their August 19, 2014 meeting. City Engineer Parotti and Lakeland Director of Public Works see no issue in allowing the resident to hook up to the system. The resident would be responsible for paying the \$5,227 Municipal Water Main Tap fee. It was noted

that the resident is making this request because her well is falling.

Councilmember Reiter noted that this project would require a ROW permit through the City of St. Mary's Point. The resident would be the permit holder, and the contractor would help her fill out the application. She also noted that in the past in Lake St. Croix Beach, a \$5,000 deposit was required from the contractor, which would be returned after going through one winter. City Engineer Parotti stated he would recommend that deposit for this project as well.

M/S/P (Brown, Reiter) TO AUTHORIZE CITY CLERK-ADMINISTRATOR BERG TO MOVE FORWARD WITH ALLOWING THE RESIDENT FROM 2141 ITASCA AVENUE SOUTH IN ST. MARY'S POINT TO HOOK UP TO CITY WATER AND TO ALLOW CITY STAFF TO EXECUTE A MEMORANDUM OF AGREEMENT SHOULD SHE MOVE FORWARD WITH HER REQUEST TO CONNECT. MOTION PASSED UNANIMOUSLY.

o **Participation In MDC457 Program**

Interim City Clerk-Administrator Berg explained that the Minnesota State Retirement System offers the opportunity for public employees to participate in a 457 deferred comp plan. This is 100% employee sponsored plan with no administration or match requirements from the employer. An employee has requested to participate in this program. Because this would be deducted through the payroll system, authorization from the City Council is required.

M/S/P (Reiter, Kopp) TO APPROVE PARTICIPATION IN THE MINNESOTA STATE RETIREMENT SYSTEM'S MN 457 DEFERRED COMPENSATION PLAN. MOTION PASSED UNANIMOUSLY.

o **Temporary Office Assitant**

Interim City Clerk-Administrator Berg reminded the City Council that during the budget worksession, they discussed hiring a temporary office assistant to help establish a filing system. The estimated cost for this project is \$2,400 with the hourly wage not to exceed \$12.50. He asked that the City Council authorize the Interim City Clerk-Administrator and Deputy Clerk-Treasurer to conduct interviews and hire a candidate.

M/S/P (Reiter, Brown) TO AUTHORIZE \$2,400 TO BE SPENT FOR THE HIRING OF A NON-BENEFITED, TEMPORARY OFFICE CLERK, AT A RATE NOT TO EXCEED \$12.50 PER HOUR AND TO AUTHORIZE THE INTERIM CITY CLERK-ADMINISTRATOR AND DEPUTY CLERK-TREASURER TO CONDUCT THE INTERVIEWS AND HIRE THE CANDIDATE. MOTION PASSED UNANIMOUSLY.

o **Snowplowing**

Interim City Clerk-Administrator Berg noted that in 2009, 2010, and 2011, the city awarded the snowplowing contract on an annual basis. In 2012, the city approved a two-year contract extension with Tri-County Services. He noted that pricing rates might be better with a multi-year contract and recommended a two or three year contract with a clause that let either party cancel the contract with 90-day notice if unsatisfied. There was discussion regarding when plowing would occur as the current language in the policy states 3 inches. Interim City Clerk-Administrator Berg contacted the neighboring communities, who stated their trigger points are 2 inches. This will avoid calls from residents asking why one city is being plowed and not the other. He noted that the snowplow operator will not need permission to plow once a 3 inch amount has been met. Only the city clerk-administrator will determine when services should occur outside a 2 inch event, such as icy conditions or blowing/drifting snow.

Councilmember Reiter noted that the neighboring cities have a trigger of two inches, and she agreed that Lake St. Croix Beach should be the same as neighboring cities. Interim City Clerk-Administrator Berg stated he would send out the RFP with the suggested changes.

M/S/P (Unker, Brown) TO AMEND THE CURRENT SNOW PLOW LANGUAGE TO READ AS PRESENTED. MOTION PASSED UNANIMOUSLY.

o **Fee – Septic Waste Haulers**

Councilmember Unker noted that he had asked for this to be placed on the agenda after it was brought up at the budget worksession. He explained that he wanted something such as a large fee to deter septic waste haulers from using Lake St. Croix Beach streets to get to the Afton cluster septic system to dump their waste. Councilmember Reiter asked if he had any sample language for something like this. Councilmember Unker stated he would want the city clerk-administrator to bring that forth. Interim City Clerk-Administrator Berg reported that he had posed this question to a large group of clerks and administrators, and no one responded back that they had anything like this in place. He clarified that the annual license/permit and fee was only for trash haulers, not septic waste haulers.

Brad Peters noted that he has a septic system and was told by the company that pumped his system that the Met Council now requires all septic haulers to bring the waste directly to Pig's Eye, where a dump fee is charged. All septic haulers are charged this extra charge. He stated that his understanding was that these companies would not be able to dump it into Afton's system.

City Attorney Sandstrom reported that commentary has been made that Afton's septic system permit would allow them to accept outside waste from haulers and dump it into their system. He noted that the MPCA could reject that portion of the permit. City Attorney Sandstrom stated that Councilmember Unker's proposal makes sense, but was unsure how it would be carried out. He noted that his understanding was that Councilmember Unker was proposing to charge only haulers who pumped outside the city and brought it to Afton's septic system to dump, and not charge those haulers pumping in the city. Attorney Sandstrom expressed concern with the process such as how the city would track who was travelling on Lake St. Croix Beach streets, especially if they are not doing business here. He suggested that this could be an impermissible restriction on commerce. City Attorney Sandstrom also noted that it would be difficult to determine which companies were pumping in the city and bringing it to Afton and which companies were not pumping here and bringing it to Afton. He stated he would need to investigate whether the city has the ability to charge a fee just for travelling on city streets but not doing business in the city.

Councilmember Unker felt that there must be some kind of law that would allow for this type of fee. He noted that if there is a landfill in one city, and garbage trucks are travelling through other cities to dump at the landfill, the surrounding cities should be able to charge a fee if those trucks travelled on other cities' roads to gain access to the landfill. Councilmember Unker stated this type of fee would communicate to Afton that the city was against the project and would be trying anything to oppose it. City Attorney Sandstrom advised that the city could put a weight limit on the road that would be used to access the system.

Councilmember Reiter noted that the permit has not been issued at this time, and she suggested not triggering any expense at this time in pursuing this issue. City Attorney Sandstrom noted this was a good point as the permit may not be issued. He suggested waiting until the system was being built or haulers actually started hauling across Lake St. Croix Beach streets.

o **Candidate Statements in Newsletter**

Interim City Clerk-Administrator Berg stated that he has not seen many cities that allow candidates to make statements in the city newsletter, and he wondered if this would violate the state rule prohibiting tax dollars from going to political campaigns. He received feedback from many other cities who do not allow this. He has been in contact with the League of Women Voters, who has volunteered to moderate a candidate forum in the city. Councilmember Reiter felt that the candidate statements were not campaigns so much as a biography of them including who they were, how long they had been in the city, and their background. Interim City Clerk-Administrator Berg suggested that staff could send out questions to make the statements more uniform. Mary Parr, a resident for many years, found the practice acceptable, but from her recollection, the candidate statements did appear to be campaigning.

Councilmember Reiter pointed out that in the past, the candidate forums were set up and paid for by residents. She felt that paying staff and a videographer with tax dollars to set up a candidate forum was not acceptable.

Jon Place, owner of the Beach Bar, questioned whether an election could be challenged on the basis of taxpayer dollars being used to fund the campaign if newsletter articles are allowed. He wondered how much time, money, and resources would be used on the investigation. Councilmember Reiter responded that if all candidates are offered the same opportunity, she did not see a problem. She noted that the newsletter was used to find information about the community and felt that residents had a right to learn about the candidates.

City Attorney Sandstrom noted that if the equal opportunity and equal space with the same guidelines is given to each candidate, including candidate statements in the newsletter would be acceptable. He added that the newsletter is funded by taxpayers and provides information to residents. Newsletter space for candidate statements offered equally to all candidates would be considered informational.

M/S/P (Reiter, Brown) TO OFFER EACH CANDIDATE EQUAL SPACE IN THE NEWSLETTER FOR CANDIDATE STATEMENTS.

There was discussion regarding what guidelines should be used for the candidate statements and whether questions should be used. Councilmember Unker thought the same questions should be posed to each candidate to make the statements uniform. Councilmember Reiter clarified that city staff is still the editor of the newsletter and can stop inappropriate statements from being included.

MOTION PASSED UNANIMOUSLY.

• **UNFINISHED BUSINESS**

o **Charitable Gambling – Bayport American Legion**

Interim City Clerk-Administrator Berg explained that the charitable gambling ordinance was written in 2006. He provided his amendments to the City Council based on their discussion of the ordinance at the July City Council meeting. He amended the definition of trade area, added the definition of electronic gambling, and included the provision that 10% of net profits must be given to the city. Since the ordinance was written, electronic pull-tabs have been in use and bars now have a 2:00 a.m. closing time, so he also made those changes. He reviewed some additional changes that he made to the ordinance including the age change. Interim City Clerk-Administrator Berg pointed out that gambling in Minnesota is legal at the age of 18. Customers are allowed to be in the bar if they are under the age of 21 for food or a special event, and it seemed they should be able to purchase pull-tabs if they are in the bar.

City Attorney Kevin Sandstrom noted that the City Council had previously discussed making the Church of St. Francis of

Assisi (bingo game at their Fall Festival) and events such as the Flood Run exempt from this ordinance. Interim City Clerk-Administrator noted a portion of the ordinance that he felt did exempt organizations with special events like this. Marion Kaufmann, of the American Legion, noted that when organizations apply for their permits, the applications are for exemptions.

M/S/P (Reiter, Brown) TO APPROVE THE AMENDED CITY OF LAKE ST. CROIX BEACH LAWFUL GAMBLING ORDINANCE AND TO DIRECT STAFF TO PREPARE A SUMMARY ORDINANCE FOR IMMEDIATE PUBLICATION.

Attorney Sandstrom pointed out that a summary publication needed to be approved by resolution and by 4/5 of the City Council. Therefore, the resolution will come before the City Council at the September City Council meeting.

MOTION PASSED, 4 AYES, 1 ABSENT (KOPP).

• **COUNCIL/STAFF REPORTS**

**Councilmember Brown's Report**

Nothing further to report.

**Councilmember Kopp's Report**

Mary Parr reported that Councilmember Kopp, who had to leave the meeting, had left a report regarding the Yellow Ribbon Alliance (YRA). At the end of September, Afton will be holding Art in the Park. YRA will have a booth, and volunteers are needed for staffing. The Veterans Dinner will be held on Monday, November 10, 5:00 – 8:00 p.m. at St. Francis of Assisi Church. She urged people that knew of veterans or military families in need to contact YRA. YRA will be volunteering at the meat raffles again at The Bungalow, and they are working on having them at Shiner's also.

**Councilmember Unker's Report**

Nothing further to report.

**Councilmember Reiter's Report**

The Environmental Advisory Commission/Recycle Committee had a booth at Heritage Day, and the same booth was used at St. Mary's Point Art in the Park, which showcased new recyclable items. Councilmember Reiter went on the St. Croix Workshop on the Water and noted that 75% of pollutants in the river are created from runoff from 1 – 1.5 inches of stormwater. She reminded residents to make sure the mower blows into their yards instead of into the streets. Councilmember Reiter reported that there is money available from the Middle St. Croix Water Management Organization (WMO) to assist the 13 member communities rewrite ordinances addressing some zoning issues. This has been signed off by the MPCA. These ordinances can help reduce the amount of pollutants entering the river.

Councilmember Reiter noted that several years ago, a tree inventory was completed. She asked whether that information was still available and noted several stop signs that have trees growing right under them. Interim City Clerk-Administrator Berg stated he was putting together STS requests and would include tree trimming in the requests. Councilmember Reiter noted there are several intersection in the city with line-of-sight issues.

**Mayor McCarthy's Report**

Mayor McCarthy reported that he had hauled brush for the city. He thanked everyone who helped with Heritage Day, which he felt was a big success. He noted that over 200 ice cream sandwiches were given out, and the Boy Scouts ran out of meat for tacos. 22 people attended the annual Shoreland Clean-Up, and they cleaned the beach from 13<sup>th</sup> Street South to 17<sup>th</sup> Street South. He reported that he had provided staff

with a list of yellow and black signs to be replaced. Councilmember Reiter stated she thought advisory signs did not need to be replaced. City staff will check with John Parotti, and then will order signs as the budget allows. Sentenced-To-Service (STS) crews will be in the city on Tuesday, August 19 and Thursday, August 21 clearing willows off the Riviera levee and those growing in the rip rapped area.

**City Attorney's Report**

City Attorney Sandstrom reported that there was criminal prosecution action against Mr. David Triemert. He was convicted and appealed the conviction. The Court of Appeals upheld the criminal conviction. He may appeal that decision to the Minnesota Supreme Court, but in his opinion, they are unlikely to take review of the case.

**Interim City Clerk-Administrator Mitchell Berg**

Interim City Clerk-Administrator Berg reported that 4 people filed for the two City Council seats up for election, and 2 people filed for the Mayor seat up for election. The job announcement has been posted for the City Clerk-Administrator position. The Personnel Committee will be meeting on September 8, 2014 to get a schedule set for the applications. He noted that the Personnel Committee will also discuss how to include the City Council and Mayor candidates in the interview process. Requests for Proposals (RFPs) will be sent for lawn care and snowplow services. City staff is considering a new payroll service for 2015, which is projected to save the city \$1,000 per year for the same services. Councilmember Reiter suggested staff ensure that Paychex will send out W-2s if payroll is switched at the start of 2015. He provided information on a vacant building registration program.

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

Deputy Clerk-Treasurer Amy Truhlar presented the bills for the month of August totaling \$78,161.31. She noted that this included \$7,850 for the street patching over the areas where the water mains burst and \$30,654.36 for Jan-Jun 2014 Police Services.

M/S/P (Reiter, Brown) TO APPROVE THE BILLS AS PRESENTED IN THE AMOUNT OF \$78,161.31. MOTION PASSED, 4 AYES, 1 ABSENT (KOPP).

• **ADJOURNMENT**

M/S/P (Brown, Reiter) TO ADJOURN AT 9:21 P.M. MOTION PASSED, 4 AYES, 1 ABSENT (KOPP).

*Acronyms and abbreviations that may appear in this newsletter.*

CC	=	City Council
EAC	=	Environmental Advisory Commission/Recycle Committee
FAC	=	Floodplain Advisory Commission
FEMA	=	Federal Emergency Management Agency
LSCVA	=	Lower St. Croix Valley Alliance
LSCVCC	=	Lower St. Croix Valley Cable Commission
M/S/P	=	Moved, Seconded, and Passed
M/S/F	=	Moved, Seconded, and Failed
RFP	=	Request For Proposal
SEH	=	Short Elliott Hendrickson (City Engineer)

***Hazard Mitigation Topic***



***Line of Sight***

Property owners are urged to check their corners for overgrown shrubs and low-hanging tree branches to ensure a clear line of vision. No vegetation should be allowed to grow in such a manner as to impede vision for pedestrians or vehicle drivers. In most cases, the right-of-way runs about 10 feet from the paved street. At corners, clear vision is essential within 15 feet of the intersecting street right-of-way lines.

***Junk Cars***

Ordinance 723.01 -- "Junk Vehicle" shall mean any of the following:

- Any type of vehicle requiring a license to operate on any public highway or street, but without a current license attached thereto.
- Any type of vehicle not in operable condition.
- Any type of vehicle that is partially dismantled and is used for sale of parts, or source for replacement parts for repair of other vehicles.
- Any type of vehicle that is kept for salvage or scrap of any sort.



***House Numbers***

Ordinance 505.045 It shall be the duty of the owner, lessor and/or occupant of every house, apartment, duplex, industrial, commercial, or other building to have house and/or building numbers clearly displayed thereon, either by affixing to said building or sign post . . . The numbers shall not be less than 3 inches in height, in a contrasting color to the base and be so placed as to be easily and clearly seen from the street when approached from either direction.

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## City Directory

### City Council

**Tom McCarthy**

Mayor, 436-5686

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**Cheryl Kopp**

Councilmember, 214-9665

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**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**

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

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**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.*

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