

CITY COUNCIL MEETING
Tuesday, April 15, 2014

CITY COUNCIL PRESENT: Bob Livingston, Asia Bednar, Richard Glasgow, Joe Paiement, Amy Williams

STAFF PRESENT: Chris Wallberg, Matt Kline, Steve Iverson, Tom Niedzwiecki, Chris Johnson

OTHERS PRESENT: Jeri Ryan, Chris White, Deputy Nick Sullivan, Leah Stanton

1. **CALL TO ORDER** by Mayor Livingston at 6:02 p.m.
2. **PLEDGE OF ALLEGIENCE** *was recited.*
3. **CONSENT AGENDA – M/S/P(Glasgow/Bednar) to approve the Consent Agenda. Passed Unanimously.**
 - A. Minutes of the March 18, 2014 & March 25, 2014 Regular City Council meeting
 - B. Treasurer's Report
 - C. Bills to be Approved
 - D. Transfer massage salon at 326 St. Croix Trail / Lakeland Village to new owner, Jianping Wan and change the business name to Sunny Spa
4. **LAW ENFORCEMENT REPORT – [Recorders Note: The Law Enforcement Report was postponed until after Item 6].** Deputy Sullivan stated there were 72 total incidents on the ICR. He stated two different residents called regarding an individual near Crocker Park who was breaking into cars and damaging property; the individual was apprehended. There was a family disturbance on 7th St Lane that resulted in a helicopter searching for female who was found and arrested. He added there was a huge house fire in Afton; the house burnt very fast and was a total loss; all occupants escaped safely. Livingston recognized the Deputies and Fire Department for their service. There was discussion regarding unused prescription drug drop off.
5. **PETITIONS TO THE COUNCIL – None.**
6. **2014 STREETS SEAL COAT & CRACKSEAL PROJECTS –** Kline stated bids were opened at City Hall on Wednesday, April 9, 2014. Bids were also opened for at Bayport's Street Project at that time. City Engineer, John Parotti, reviewed to make sure the bids were in working order. Staff recommended awarding the bids as outlined in the Engineer's memo, which include Allied Blacktop's bid of \$82,626.50 for seal coating; and Precision Sealcoating's bid of \$13,395.00 for crack sealing. He stated the bids came in \$12,000 under the estimated cost. He added \$21,000 was the estimated cost for engineering services and the actual cost was \$10,000. He stated the collective savings for the project was approximately \$27,500. **M/S/P(Bednar/Williams) to accept bids from Precision Sealcoating in the amount of \$82,626.50 for crack sealing and Allied Blacktop in the amount of \$13,395.00 for sealcoating.** There was discussion regarding when the 2014 Street Project would take place and it was determined that a schedule was not yet in place. Kline stated that spray patching will be utilized again to fill shallow pot holes which form due to seal coating breaking down. **Passed Unanimously.**
7. **YOUTH SERVICE BUREAU SERVICE AGREEMENT –** Wallberg introduced the Youth Service Bureau's request to enter into a service agreement with Lakeland. She stated the Youth Service Bureau has requested a \$6,300 contribution in 2014. She stated the 2013 service agreement contribution was \$5,000, with \$800 coming from Communications fund. Niedzwiecki confirmed \$5,000 was contributed in 2013, with \$4,200 coming from the General Fund and \$800 from Communications. Williams stated she feels the Youth Service Bureau provides a valuable service and is very important, but Lakeland's per capita contribution is not proportionate with larger neighboring communities. She stated she feels strongly that the contribution should not exceed \$5,000; she preferred to donate \$4,500 in 2013 as opposed to \$5,000. She would like the organization to thrive and is in favor of contributing, but feels contributions should be based on a per capita basis. Glasgow stated he agrees with Williams; Youth Service Bureau is asking for over 20% increase; he proposed a 5% increase limit. Livingston stated the Fire Department has automatic annual 5% increase. Williams stated she is not in favor of auto 5% increase for Youth Service Bureau contributions, as it is a discretionary contribution and is not comparable to the Fire Department. Bednar stated she would not be opposed to limiting the contribution increase to 5%, but is not in favor automatically increasing by 5% increase annually. Glasgow stated his intent is not for an automatic increase, but so YSB budgeting purposes; would like to make them aware the contribution will not exceed a 5% increase. Livingston suggested a report requirement indicating the number of service recipients to determine if contributions are proportionate. Williams stated she reviewed the numbers that were present in 2013 which indicated Stillwater contributed \$18,000 and Lakeland

contributed \$5,000; when the number of service recipients is taken into consideration, the contributions are extremely disproportionate. Bednar stated she would be comfortable with a contribution \$5,000 in 2014. Williams agreed that \$5,000 would be appropriate. Glasgow stated the desire to include a 5% increase limit. Williams stated opposition to the 5% increase limit and did not want to shackle future councils with that caveat. Bednar suggested YSB could be informed not to request more than a 5% increase in the future. Livingston stated the desire to communicate increased contribution requests must be within reason. Williams stated that message would be conveyed if the contribution were not increased in 2014. She added she does not want the YSB to get the impression that if their service use increases and that contribution will not increase proportionately. **M/S/P(Paiement/Williams) to enter into an amended 2014 Service Agreement with Youth Service Bureau including a contribution of \$5,000. Passed Unanimously.**

8. STAFF REPORT

Attorney – Chris Johnson reported the Youth Service Bureau contract was reviewed along with a couple other items from the previous meeting. The draft letter to Senator Katie Sieben regarding Bill SF 2272 was discussed. Livingston stated the draft had been distributed and questioned if the Council had input it wished to include in the letter. Williams stated had communicated with Dave Snyder regarding SF 2272 and provided him with an update. She added there is a funding component that was not heard by the Finance Committee and the bill is dead for the current session; she still would like the letter to be sent. Glasgow stated the letter expressed his sentiments exactly. Livingston stated approval of the letter and he felt the letter expressed the sentiments of the Council. Paiement questioned why the bill was not brought to the attention of municipalities prior to going to legislature. Williams stated St. Croix Valley River Association approached Senator Sieben because of concerns with development on the bluff; Senator Sieben also received input from a member of the Afton City Council and a member of the Lakeland Planning Commission, which led her to believe she had received adequate input from municipalities. Craig Johnson, a lobbyist for The League of Minnesota Cities, informed her the bill was being actively tracked and the League was surprised the bill became relevant so quickly. The language of the bill changed the day it was heard in the Local Municipal Government Committee. Senator Sieben does not represent Lakeland's district; Afton is part of her district and are in favor of the Bill. Glasgow stated he sent Senator Sieben at data practices request, as a private citizen. He was informed that Senators and House Representatives are exempt from data practices. Chris White requested the letter be posted on the website. The Council agreed the letter could be posted to the website. **M/S/P(Williams/Paiement) to authorize the Mayor to send the draft letter concerning Bill SF2272 to State Representatives. Passed Unanimously.**

City Clerk – Wallberg stated the Lakeland/Lakeland Shores Spring Clean Up would take place on May 3, 2014. She stated scrap metal as well as residential types of rubbish could be disposed of; no garbage or hazardous waste would be accepted. She encouraged City Council members of both communities to attend. She stated there would be no electronic waste collection this year; flyers for the County Environmental Center will be distributed. She stated the delivery of new recycling containers would take place on April 26; new containers would be distributed to every residential property. She stated Maroney's Sanitation was willing to dispose of the old blue recycling carts at spring cleanup for a \$3 charge; residents also have the option of contacting their refuse hauler to dispose of the old carts. Residents also have the option of keeping their old carts but they could no longer be used for recycling collection. She stated pick up of recycling materials would switch to every other Wednesday, with the first pickup taking place on May 7, 2014. An informational packet would be available in the container at the time of delivery. She stated the last dual stream pickup will be April 24, 2014. She stated there will be no more sorting and will be very simple due to the switch to single-stream recycling. Maroney's Sanitation will be charging \$4.50 for pickup of the old carts if residents are unable to bring them to the Spring Clean Up. Wallberg stated the City was contacted by County regarding tax-forfeited land to gauge Lakeland's interested in absorbing it; Staff does not feel it is of value to acquire the land. The City has absorbed forfeited land in the past. There was discussion and consensus of the Council to not obtain the land.

Public Works Director – Kline stated the City Council requested more information regarding the purchase of a skid steer. He stated the State contract price point is around \$35,000, which is about \$6,000 less than the normal retail price. He stated he contacted US bank regarding a three to five year loan, with interest ranging from 2.25% to 2.75%. He stated he is seeking approval to purchase a skid steer. Williams stated she is against the purchase of a skid steer; she added a skid steer could be rented for \$1,100 per week. Glasgow stated he would hold comments on the purchase of skid steer until a decision is made on Lakeland's future in snow removal; he suggested a workshop to examine snowplowing; feels a skid steer would be useful if snowplowing was continued. Livingston is not in favor of dropping snowplowing at this time. Williams does not feel that the outlined uses listed are viable to validate the purchase. Bednar stated she feels most of events do not necessitate the purchase of a skid steer. Williams, Bednar,

and Paiement stated they are not in favor of purchasing a skid steer. Glasgow stated he is not ready to make a decision until the future of snow plowing has been decided. Kline stated the river is projected to crest 683.5 feet, which is 2 to 3 feet below flood stage. The projections usually are correct, so no flooding is expected this year. Sentence to Serve will be cleaning and removing dead materials in medians and roundabouts on April 26. He reported a water main broke the previous night, which was highly unusual due to the water main being composed of ductile iron that is only 30-years old. He stated the main froze causing a 4-foot crack; approximately 1,000 gallons per minute was being spilled; Capra Utilities was hired to fix the main; ice chunks were jetted out of the main. The Water Utility tested some other dead end mains that were a concern and only one is still frozen. He stated he does not expect other frozen lines will burst. Kline stated that Lake St. Croix Beach is responsible for expenses related to the water main break that took place in their system.

Treasurer – Niedzwiecki reported he examined the General Fund and everything is in good standing.

Zoning – None.

9. **COUNCIL MEMBER REPORT/** Bednar reported she contacted Kline and former Mayor Craggs about bike trail improvements; she is also in the process of looking into grants. She stated she is waiting for drawings on the new structure for Humphries Park and she will be working with Kline to place the structure. She stated pleasure with the high usage of the new equipment at Crocker Park.
10. **COUNCIL MEMBER REPORT/** Glasgow reported there were 32 total calls to the LSCV Fire Department in March; 8 calls in Lakeland. The LSCV Fire Department is looking at hiring a full time Fire Fighter; the 2013 year-end financials were completed. He stated the Alliance is considering touring the Eureka Recycling Center. There was discussion regarding placing the Al Bergevin plaque at Crocker Park.
11. **COUNCIL MEMBER REPORT/** Williams reported there was no Planning Commission meeting and no Personnel Committee meeting in March. She stated she finished the Washington County Sheriff's Department Citizens Academy 8 week program; another academy will take place and is open to everyone. She stated she has received communication from residents concerning speeds on St. Croix Trail, particularly concerning yielding to citizens in cross walks. She contacted Andy Gitzloff of the Washington County Transportation Department about placing additional signage; also will remind Deputies to enforce. She stated the Gateway Corridor Commission is doing scoping and citizens can provide input via their website or through her. She added Gateway is in the process of organizing a trip to Los Angeles to view the bus rapid transit system.
12. **COUNCIL MEMBER REPORT/** Paiement reiterated there was not Personnel Committee meeting but he desired to address two Personnel issues. The first is the evaluation of Matt Kline which he hopes to accomplish in the near future. The second item was the status of a recommendation to Council on Zoning Administration. He stated the Committee is seeking to evaluate the River District to set objective goals moving forward. He stated he would like to have criteria and a goal for future homeowners regarding what the River District should look like. He suggested a task force or committee, possibly including other river communities, to formulate a cohesive plan for the future. He stated he feels this is an issue that needs to be examined by the Council and may not be within the scope of the Personnel Committee. Arranging a workshop to examine the matter was discussed. Glasgow stated that Commissioner Kreisel intended to explore facilitating a meeting with stakeholders including communities and the DNR.
13. **MAYOR'S REPORT/** Livingston reported he is working with multiple agencies regarding phosphorous pollution in the river. He stated he would like to examine possible changes to the Personnel Committee and how the Council intends to address Zoning Administration. He stated he would like to see a detailed cost benefit analysis on Zoning Administration. He stated he does not consider hiring a full-time Zoning Administrator for \$70,000 per year to be financially sound. He stated he was in favor of continuing with the use of Zoning Administration consultants. Williams stated she has information on the Zoning Administration issue to share with the Council and she would like to present it at a workshop but may have scheduling conflicts in May. It was confirmed that the second meeting with the DNR will take place on May 13. The meeting will be a continuation of the first meeting. Williams stated she was disappointed to see Bill SF2272 come forward after the first meeting and will not attend on May 13th because she does not feel it was a good use of her time.

14. ADJOURN – M/S/P (Bednar/Williams) to adjourn meeting at 7:15 p.m. Passed unanimously.

Bob Livingston, Mayor

Steve Iverson, Deputy Clerk/Recorder