

**CITY COUNCIL MEETING**  
**Tuesday, May 20, 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:** Leah Stanton, Chris White, Mike Isensee, Deputy Nick Sullivan

1. **CALL TO ORDER** by Mayor Livingston at 6:01 p.m.
2. **PLEDGE OF ALLEGIENCE** *was recited.*
3. **CONSENT AGENDA – M/S/P (Glasgow/Williams) to approve the Consent Agenda. Passed Unanimously.**
  - A. Minutes of the April 15, 2014 Regular City Council meeting
  - B. Treasurer's Report
  - C. Bills to be Approved
  - D. Animal Humane Society Contract for 2014
  - E. Skid Steer Rental
4. **LAW ENFORCEMENT REPORT –** Williams yielded the Law Enforcement Report to Deputy Sullivan. Deputy Sullivan stated that seven car robberies and one garage robbery took place the previous night. He added steps are being taken by the Sheriff's Office to address the problem and requested residents report any suspicious activity. There was discussion regarding a traffic accident that took place at St. Croix Trail and 8<sup>th</sup> Street North. Deputy Sullivan stated new graffiti was discovered under the I-94 bridge and asked that residents call if suspicious activity is witnessed. Chris White, 311 Queenan Avenue South, asked if there was any particular time of day or area being specifically targeted in robberies. Deputy Sullivan stated there has been no forced entry and mainly pocket change has been stolen; robberies have taken place between 1 a.m. and 5:30 a.m.; urged residents to lock doors as robberies have taken place mainly in unlocked vehicles.
5. **PETITIONS TO THE COUNCIL –** None.
6. **WASHINGTON CONSERVATION DISTRICT/WMO – Quixote Avenue North Drainage and Water Quality Feasibility Project –** Mike Isensee, Administrator of the Middle St. Croix Valley Water Management Organization, stated the Quixote Avenue drainage project is in 95% design phase and he wished to update the Council on progress achieved. He stated the original cost estimate for the project has now increased. The City's contribution is still estimated \$25,000; the contribution includes cash and staff costs associated with the project. He pointed out the reason for cost increase includes contingencies for transporting equipment and materials to the bottom of the bluff. He added that while the actual project is not within the jurisdiction of the Army Corp of Engineers, materials will be transported through the Corp's jurisdictional waters so a permit will be required. He referenced plan sheet C1 and explained the specifics of project activity taking place at the north end of Quixote Avenue including a twelve inch directionally drilled storm water pipe that will convey water to the bottom of the bluff. He stated the consulting engineering firm that has been utilized by the WMO completed soil boring at the north end of Quixote to examine the feasibility of installing the storm water pipe; it was determined it is very feasible. The storm water pipe would have two inlets on the north side of Quixote Avenue; a two foot wide iron enhanced sand filter would be placed on the west side of Quixote Avenue to satisfy the requirements of the Clean Water Fund Grant; the grant requires action to reduce phosphorous and sediment runoff into the river. He provided an explanation regarding how the iron enhanced sand filter functions. He stated there was a significant amount of erosion on the slope due to the recent heavy rainfall, which provided valuable insight into current drainage patterns. He stated the slope on the west side of Quixote would be moved further west to accommodate the addition of the sand filter; the grade of the slope would also be changed to a 3 to 1 slope configuration; trees and native plantings would follow. He stated he met with all the residents of Quixote Avenue, collected their feedback and provided their concerns to consultant design engineer; none of the concerns presented problems for the engineer; resident feedback will be presented with final plans. Next, he referenced plan sheet C2, which addressed work to be completed at 681 Quixote Avenue and 641 Quixote Avenue. He stated both homeowners have agreed to have bio-retention cells installed to decrease the water volume reaching the north end of Quixote Avenue; installing the bio-retention cell includes lowering the grade of the right of way by one foot as well as planting short, prairie, heavy grass palatte native plantings. Livingston questioned the estimated start time and length of the project. Isensee stated he discussed the timetable with the City Engineer and both feel a July timetable for presenting contractor bids for Council consideration would be feasible; the project construction could

potentially start by November 2014. He stated bids may be higher due to the late starting date of the project; if bids came back higher than estimated it would be recommended not to accept a bid; it could then be placed back out for bid in early 2015, with construction beginning in spring 2015. Kline stated SEH would provide bidding and contract processing for the project for \$5,700; contract administration, which includes on-site oversight, would cost \$10,916. He added engineering costs for the project already incurred by the City are \$2,837, dating back to May 2013. Williams questioned if the contract administration cost presented by SEH cost was consistent with expectations. Isensee stated it was consistent with the expected cost. Glasgow questioned if the iron enhanced sand filter would require maintenance. Isensee stated the filter inlets would need to be cleared of sediment and leaf debris; was unsure of the required frequency of cleaning; estimated every two or three years but would require monitoring; cleaning consists of digging rock out of the inlets, removing debris and replacing the rock which should not be cost intensive. Kline questioned if the residents or the City would be responsible for the maintenance of the rain gardens at 641 Quixote Avenue and 681 Quixote Avenue. Isensee stated the Washington County Conservation District and the WMO would have a signed maintenance agreement with the residents; if residents don't comply with the agreement the City would be responsible for maintenance due its location in the right of way. Williams stated she attended a workshop at which she was informed Woodbury has good compliance rate for residents maintaining rain gardens. Isensee stated the MSCWMO has been able to provide maintenance for the first two years after rain garden installation by using the Minnesota Conservation Corp crews; the aforementioned projects will be on that rotation for the first two years. He added the WMO has a vested interest in maintaining the rain gardens and maintenance training is provided to residents; residents are fully responsible for rain garden maintenance after 2 years; the Minnesota Conservation Corp crew is obtained through a grant so their services are not guaranteed if grant funds were to expire. There was discussion regarding maintenance agreements for existing or previously constructed rain gardens. Niedzwiecki asked for clarification that expenses associated with the project would come out of the Public Works Fund. Kline stated that the source of funding had not been discussed, but he believed there were funds available in relation to surface water drainage in the Long Term Improvement fund. Niedzwiecki confirmed a balance of \$18,800 in Long Term Improvement Fund for surface water drainage; believed those funds were budgeted for Great River Greening, which he believes is completed; unsure if the money is obligated for another project. Livingston suggested to definitively determine where funds for the project will come from. Kline stated the City has two options, stop now or proceed with bidding; to proceed all the specifications would go to the City Engineer and it would cost \$5,717 to proceed with bidding; Council approval is necessary to proceed. **M/S/P(Williams/Bednar) to authorize the expenditure of \$5,717 for bidding and contract processing to be executed by SEH on behalf of the City for the Quixote Avenue North Drainage Project. Passed Unanimously.**

## 7. STAFF REPORT

**Attorney** – City Attorney Chris Johnson reported that the court has ordered Donald James Space to pay court costs associated with litigation; payment has been received and has been provided to the City. He also stated he reviewed the skid steer rental agreement and the Animal Humane Society contract.

**City Clerk** – Wallberg reported the Spring Cleanup was a success and about 90 vehicles participated. She stated the new recycling program has been implemented; reminded residents that recycling is now collected every other week. She reported she has been in contact with the family of the home that recently burned in Lakeland regarding the razing of the property. There was discussion regarding the frequency of recycling collection. It was stated the residents have indicated that bi-weekly recycling collection is not frequent enough. Wallberg stated that the increased size of recycling containers was anticipated to alleviate problems associated with bi-weekly collection. She also pointed out that larger containers are available upon request. Livingston pointed out that all options were presented and the Council elected to approve bi-weekly collection. Wallberg stated she would contact Maroney's Sanitation to discuss possible solutions; will add the Maroney's Sanitation recycling schedule calendar to the City website.

**Public Works Director** – Kline reported automatic ACH bill payment software for the Water Utility was implemented. He added a sign-up sheet for automatic ACH bill payment would be added to City website in the near future. He gave a further explanation of how the automatic bill payment will work. He stated a dehumidifier is needed for Water Utility Plant #1; he has researched them and determined the appropriate one to purchase for which an order was placed. He reported another frozen water main was discovered in Lake St. Croix Beach in the first week of May; the main was frozen all the way between their old City Hall and their new City Hall; he provided more specifics regarding how the frozen main was discovered. He stated he would like Lakeland, Lakeland Shores, and Lake St. Croix Beach to hold a meeting to discuss the Water Utility Joint Powers Agreement, and implications associated with the multiple frozen sections of water main over the winter.

**Treasurer** – Niedzwiecki reported that the LMCIT annual insurance premiums for workers comp and property liability are included in the claims to be approved; the property liability premium decreased \$1,200, or 8%; most of the decrease was attributed to the Water Utility; workers comp increased by \$600 or 9 %, also mostly attributed to the Water Utility. He stated \$1,000 was received from the Bungalow for Legal Gaming. He added that his comments on the Long Term Improvement Fund were incorrect and that \$960 received for the Source Water Protection Plan Implementation Grant was previously spent by the Water Utility and would not be received in the Long Term Improvement Fund.

**Zoning** – None.

8. **COUNCIL MEMBER REPORT/** Bednar reported the Al Bergevin memorial plaque has been displayed at Crocker. She stated the new equipment for Humphries Park is expected to be installed around the second week in June but a firm date has yet to be set. The budget for the equipment expenditure was \$45,000; with volunteers being utilized to install the equipment approximately \$10,000 will be saved; the total expenditure will be approximately \$35,000. She added flyers requesting volunteers have been placed at Freedom, Jordan's Deli and she intends to display them in a couple other areas. After the completion of the equipment installation she intends to begin addressing the bike path; intends to contact former Mayor Craggs; may attend an Alliance meeting to discuss the bike path. Chris White questioned how things would be handled in the event of a volunteer injury. Iverson stated that a Volunteer Insurance policy was purchased. Bednar stated the Humphries Park equipment installation would likely take place between June 11 and June 13. Williams stated she has been examining the possibility of promoting a Night to Unite event and suggested having a grand opening of the parks in conjunction.
9. **COUNCIL MEMBER REPORT/** Glasgow reported he contacted Comcast and is awaiting the final Franchise Agreement contract. He stated there will be an Alliance meeting which will include a legislative session wrap up. He said he met with Niedzwiecki to discuss financials regarding snow plowing and would like to see a Council workshop to address the issue. He reported he attended the Adult & Teen Banquet and cited statistics presented concerning narcotic use.
10. **COUNCIL MEMBER REPORT/** Williams reported she attended the Gateway Corridor Commission meeting; the scoping period was completed and a scoping packet is available on the Gateway Corridor Commission website. She added residents could contact her for a copy of the scoping packet and she also intends to provide the packet to City Hall for any interested citizens to view. She stated she will be attending a Gateway sponsored tour of the Bus Rapid Transit Orange Line in Los Angeles.
11. **COUNCIL MEMBER REPORT/** Paiement reported the Personnel Committee met and completed a performance review for the Public Works Director, Matt Kline. The Personnel Committee agreed that Kline's performance has been favorable and are recommending a 3.5% increase from his existing salary, retroactive to March 1, 2014. **M/S/P(Paiement/Williams) to accept the recommendation of the Personnel Committee to increase the yearly salary of the Public Works Director, Matt Kline, by 3.5% effective March 1, 2014.** There was discussion regarding the frequency of raises. Glasgow stated he feels Kline has done a great job since taking the position and a raise is deserved. **Passed Unanimously.** Williams requested that Staff provide potential motions in memos related to action items.
12. **MAYOR'S REPORT/** Livingston nothing to report.
13. **ADJOURN – M/S/P (Williams/Glasgow) to adjourn meeting at 6:58 p.m. Passed unanimously.**

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Bob Livingston, Mayor

