

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING

Thursday, May 11, 2021

The meeting was called to order by Mayor Nyenhuis at 7:00pm. Nyenhuis, P (remote) Pardun, Ward (Remote), Anderson (Remote) Roden Present

Citizens Present: Scott Spisak, John Goodfellow, Mary Whitaker, Jason Crotty, Nancy Cosgriff,, Peter Foster, Ryan Goodman, Gerry Glomb, Mary Fernstrum, Win Miller, Mark Kraske, Leslie McKenzie, Cheryl Johnson, Paul Anderson, Pat Pardun, Mary Burke, Gerry Mroska, Mike Tibbetts, Glen Mills, Larry Roden, Dan Malmgren, Scott Spisak, Kitzie Vandheim, Mary Lusher, Robin Brooksbank

Approval of the Agenda – Nyenhuis moved and Roden seconded to approve the agenda as presented.

Roden - yes

Anderson - yes

Ward -yes

Pardun -yes

Nyenhuis -yes

All in favor, motion passes.

Citizens Considerations –

Win Miller – Village School Update – The authorizer has submitted the affidavit of application to the Department of Education of which they have 60 business days to respond. The group is still looking for younger families to fill out the survey, and they may make an announcement at the Memorial Day celebration. Mr. Miller plans to provide budget items at the June Council meeting.

Dave Heieren – Wine/Beer license inquiry – Mr. Heieren stated he is interested in obtaining a wine and beer license for his yogurt shop. He would like to partner with Domacin wine bar in Stillwater. The City currently has one designated wine license available, and then a discretionary license that could be given as a liquor or wine license. Roden questioned if the business needs to be operating in order to get a license. Clerk Peterson advised there needs to be a business plan and secured location in order to received approval from the State. He is working with the City Clerk to get the proper paperwork completed for the State and Washington County. The hope is to have a formal request at the June meeting.

Planning Commission - Chairman Mroska reported on the April meeting. The public hearing has been set for the June Planning Commission meeting for wireless communications ordinance. The hearing will take place at the school as it provides more space. The consultant has provided a cost proposal to help create the RFP at a cost of approximately \$2,500 - \$3,500 and an additional \$2,500 - \$4,500 to help with the 5G. There have been no funds budgeted for this work so Chairman Mroska is looking for guidelines from the Council. Pardun believes the 5G design can happen at a later date, and the Council can discuss whether they would like the Consultant to assist with the RFP.

Anderson believes the timeline to break ground this year is closing and therefore the Council has time to discuss these issues and review these proposed costs. Anderson also thinks additional costs could be offset by the initial payment by whatever company were to submit application. The Council consensus was to have the City Attorney and the consultant at the public hearing.

Fire and Rescue – Chief Malmgren submitted the 2020 Annual Report. The number of calls were consistent with 2019. The Council thanked Chief Malmgren for the report.

Roads – Ryan Goodman had no new updates from last month. The contractor has submitted a request for payment number four in the amount of \$176,066.

Pardun moved and Roden seconded to approve the pay request to Dresel Contracting in the amount of \$176,066.00 as recommended by Bolton Menk.

Pardun – yes

Roden – yes

Ward – yes

Anderson – yes

Nyenhuis – yes

All in favor motion passed.

Personnel - Pardun reported that everything is still working well with the public works schedule.

Parks & Rec – Ward recognized the passing of former Vice President Walter Mondale.

Ward reviewed an issue that was discussed a while back by Bill Miller and John Goodfellow regarding the river wake issues. Mr. Goodfellow presented a power point that discusses a three community effort between Marine, Scandia and May Township. The goal would be to define and characterize issues having to do with high speed boat traffic, wakes, wildlife impact, noise levels, high powered lights, unauthorized camping and impacts of land use. The second step would then be to engage with stakeholders to develop mitigation options. Mr. Goodfellow wanted to stress that the goal is to not add additional regulation. Roden questioned how this task force would help to mitigate enforcement of the current regulations. Mr. Goodfellow believes education is the first step to help mitigate these issues, not enforcement. Anderson thinks feedback given to law enforcement by citizens is very helpful, and also supports Mr. Goodfellow's efforts to put together this group. Anderson noted that his only concern is that citizens not speak on behalf of the City. Mary Lusher, resident, lives on the river and has awakened at night by extreme noise and bright lights and supports the effort. Ward likes the fact that this effort is not just on the shoulders of our City, and instead is a partnership between neighboring towns and additional agencies. Roden questioned if reaching out to Somerset would also be an option. Goodfellow agreed.

Ward moved and Anderson seconded to support the formation of a multi task group to pursue to return within 60 days with a charge and their 2021 priorities..

Pardun is more comfortable having a Council consensus until a more formal plan is brought forth rather than giving the full weight of the Council with a motion at this time. Mayor Nyenhuis agreed with Pardun and believes there is consensus but would like to see further details. Anderson would like to see the full support of the Council prior to Councilmember Ward moving forward with the motion. After further discussion, the Council consensus was to support the creation of a group to pursue this issue.

Ward withdrew her motion

Citizen Committee Resolution Amendment – Ward read a statement recognizing the importance of the city’s parks and trails. Ward does not believe that the two member City Council committee can take on the work that is needed to enhance and explore this issue and believes a committee should be formed that is made up of interested citizens to meet regularly and present ideas to the Council. Anderson questioned if this idea would require Council approval. Clerk Peterson advised if there is a charge, then it would fall under the Citizen committee resolution and would require Council approval. Pardun would like to see a time line included with the charge. Roden questioned budget impacts. Ward stated that information would come as the committee begins to meet and discusses project ideas. Mayor Nyenhuis believes there needs to be a specific name of the committee, and would like to see the committee members names, charge and timeline brought forth for the June meeting. Ward would like to see this committee as on going and not necessarily be held to a timeline because parks and rec is not a single event and questioned if the current Citizen Committee resolution should be amended. Anderson agrees with Ward on the ongoing timeline and believes further conversation should happen. Nyenhuis believes what is being proposed is much different than what is spelled out in the resolution and that should be part of the discussion. Clerk Peterson will add this to the June agenda to continue the discussion.

Millsite – Ward reported the Millsite crew met to do some brush removal and cleanup.

Cemetery – No Report.

City Properties– Pardun has been looking into the possibility of lowering the interest rate on the school bond and has been working with Security State Bank on getting those new rates. The overall savings over the 28 years remaining will be approximately \$87,430. In order to move forward, a public hearing must be scheduled for the June meeting. There will be a cost involved for the bond company to help with this new bond reissuance of not to exceed \$5,000.

Pardun moved and Roden seconded to approve Resolution 210513-01 calling for a public hearing on the reissuance of lease-revenue bond and authorizing the publication of a notice of the hearing.

Pardun – yes

Roden – yes

Anderson – yes

Ward – yes

Nyenhuis – yes

All in favor, motion passed

Pardun moved and Roden seconded to authorize Taft Law to assist with the reissuance of the lease-revenue bonds not to exceed \$5,000.

Pardun – yes

Roden – yes

Anderson – yes

Ward – yes

Nyenhuis – yes

All in favor, motion passed

Pardun moved and Roden seconded to set the public hearing for the reissuance of lease-revenue bonds for Thursday, June 10th 2021 at 7:00pm.

Pardun – yes

Roden – yes

Anderson – yes

Ward – yes

Nyenhuis – yes

All in favor, motion passed

Water Systems – Pardun reported there is a septic workshop on Thursday, July 8th at 5pm.

Citizen Committee Reports –

Urban Forest – Peter Foster reported there are 50 Tamarack trees in the gravel bed. 100 white pine seedlings have been received for Arbor Day that will be distributed to citizens. Ward suggested announcing the availability on the white pines on River Radio. Pardun wanted to make sure it is announced that those trees not get planted in City right of way.

Green Step Cities – Mark Kraske reported on a Dark Sky event being proposed on September 17th. The goal is to help increase awareness of residents on the Dark Sky initiative. The event will be hosted by Mike Lynch, former meteorologist, and will take place at Marine Elementary. The committee has verified with the Folk School that there are no conflicts. The event is free and open to all residents. Pardun questioned how long the event will last, and if additional porta potties will be required. Mr. Kraske believes the entire event will take approximately one hour. Nancy Cosgriff, Green Step Committee, supports the event. Kitzie Vadheim questioned why the school located was selected rather than Jackson Meadow. Mr. Kraske stated the school is good central location for the residents.

Workshop Request – The committee would like to schedule another workshop with the Council to discuss further projects. Clerk Peterson will send out a meeting request.

Holidays/Events – Roden has been working with the Fire Chief on security issues for the July 4th

parade along Judd Street. Memorial Day will be held at the cemetery at 10:30am.

EDA – No Update.

Communication Infrastructure – No Report.

Consent Calendar –

*Nyenhuis moved and Pardun seconded to approve the Minutes of 5/13/21
Treasurer's Report of 5/21, List of Bills for 5/13/21, Zoning Administrators Report-None, Public
Works Maintenance Report and Planning Commission Minutes, Resolution 210513-01,
Ordinance 158, Folk School Lease.*

Roden-yes

Anderson-yes

Pardun-yes

Ward-yes

Nyenhuis – yes

Motion passed unanimously:

Old/New Business – Robin Brooksbank was in attendance to report classes are resuming and on October 2nd they will be partnering with the Fire Department on a welcome back event and Streetdance.

Christ Lutheran Church – The Church will be celebrating their 150th anniversary and as part of the festivities they are looking to take on any City projects that may be needed. Public Works will work with them.

Dog Waste Receptacle – Anderson presented an option for designated dog waste receptacles as there is an ongoing issue with residents not disposing of dog waste. There is currently not money in the budget and Roden is concerned that it would be City staff that would have to empty those receptacles and does believe residents would use them. Ward believes the designated receptacles are a good idea. Pardun does not believe the residents who currently do not pick up their dog feces now, will use the receptacles. The Council will continue the discussion at a later date.

Porta Potty Request – Clerk Peterson spoke with the Brookside and they are requesting the City provide a porta potty for Parker Street to help cut down on the number of non-customers using the Brookside bathrooms. The consensus of the Council was to approve the additional porta potty.

Long/Short Term Goals – No Update

Mayor Nyenhuis then closed the meeting as permitted by the attorney-client privilege, Minnesota Statutes Section 13D.05, subdivision 3(b), to discuss the pending litigation entitled *John P. Norusis v. City of Marine on St. Croix*, Court File No. 82-CV-20-3974, and the threat of imminent litigation from John Norusis concerning the City's contract with Advanced Disposal Services Solid Waste Midwest, LLC's regarding garbage service on 801 Pine Cone Trail North, as set forth in the e-mail from his attorney dated May 12, 2021.

Meeting closed at 8:57pm

Mayor Nyenhuis re-opened the regular Council meeting at 9:19pm.

Attendees during the closed session included Paul Reuvers (League of MN Cities), Mayor Nyenhuis, Councilmembers Pardun, Roden, Anderson and Ward, Suzanne Dammann and Clerk Peterson.

Mayor Notes/Clerk's Report – Mayor Nyenhuis reported he would like to hold a name the street sweeper contest for the public with the winner to ride on it during the July 4th parade. Council had no objections.

Adjournment - Mayor Nyenhuis moved and Anderson seconded to adjourn at 9:20pm.

Ward Yes

Roden Yes

Pardun yes

Anderson yes

Nyenhuis yes

All in favor, motion passes.

Minutes taken by Lynette Peterson, City Clerk