

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING

Thursday, April 14, 2022

The meeting was called to order by Mayor Nyenhuis at 7:00pm. Nyenhuis, Pardun, Anderson, Ward Present.

Citizens Present: Scott Spisak, Mary Skamser, John Goodfellow, Kitzie Vadheim, Ele Anderson, Dennis Reynolds, Leah Moss, Milinda Nitti, Dan Malmgren, Glen Mills, Mary Skamser, Larry Roden, Chris Cosgrove, Jason Schulte, Juanita Ikuta, Mark Kraske, Jennifer Johnson, Anna Hagstrom, Liz Kelly, Kristina Smitten, Dan Willenbring, Bill Smitten, Win Miller, Tom Warth, Dorothy Deetz, Robin Brooksbank, Todd Mestad, Ted Higman, Ryan Goodman, Leslie McKenzie, Peter Foster, Dana Anderson, Curt Moe, Jennifer Henry, Kevin Hein, Roger Lyle, Jim Maher, Jeff Comins, Win Miller.

Approval of the Agenda - Nyenhuis moved and Anderson seconded to approve the agenda as drafted. All in favor, motion passed.

Citizens Considerations -

Dan Willenbring - Tanglewood Request - Mr. Willenbring was in attendance to request the City consider taking over ownership and maintenance of Tanglewood. Tanglewood has been in private ownership for over 40 years. Ward questioned the incentive for the request. Willenbring stated the homeowners association is assessed for maintenance costs and as taxpayers would like their taxpayers dollars to pay for the maintenance. The road is currently well maintained and is in better condition than many of the roads around the City. Pardun noted the City Engineer looked at the road and thought a full reconstruction would need to be done, along with stormwater drainage easements prior to the City considering a takeover. Willenbring noted there were significant improvements made to the road several years ago and drainage easements already exist. Discussion was held on the current road width and whether it meets City standards. Anderson is very skeptical of granting this type of request, however was in favor of Mr. Willenbring submitting the data he has to the Engineer so the City can make an informed decision. Mayor Nyenhuis believes there would definitely be a benefit to the Tanglewood residents however the Council would need to assess if there is a benefit to all Marine residents. Roden questioned if Tanglewood would want the City to purchase the road. Willenbring noted that had not been discussed.

Leah Moss/Milinda Nitti - Hall Rental Waiver Request - Ms. Moss and Ms. Nitti were in attendance to request a reconsideration of the hall rental fee. The pair had previously been performing free concerts in the park and when they move inside the hall, the Clerks were under the impression the event was the same and so the pair were only charged \$25 per hour for the rent and no charge to set up prior. Clerk Peterson noted they were quoted the resident rate since Ms. Moss is a resident of Jackson Meadow. Currently the charge for their concert series is \$10 per ticket along with a pay as you can option as well. They believe this concert series is a benefit to the community and would like to continue to pay the hourly rate. Anderson questioned how many days were rented last year by Ms. Nitti and Ms. Moss and how many would be rented this coming year. There were three concerts last year and there is a hope there will be four concerts this year. Anderson explained the City does not make money on rental fees and that it simply tries to help

recoup the maintenance and upkeep costs. He stated the Council would like to find some flexibility with the rental fee and set up days to help the artists be profitable but still meet the needs of the hall maintenance. Mayor Nyenhuis noted any rental also ties up available dates for hall availability and recommends a compromise of paying full rental price for three rental dates and give them one date free. Pardun agrees with Council member Anderson that every time the Council makes a deal, a precedent is set. Anderson noted that this standard will be held for other renters as well. Ward believes they are very talented musicians, and believes they will be able to make up the additional costs. Roden agrees. After further discussion, the Council consensus was to not reduce the rental fee.

Ele Anderson - River Grove Hall Rental Waiver Request - Ms. Anderson was in attendance on behalf of River Grove Charter school to request the residential rate for a choral concert on May 19th. 43 of the band and orchestra students have Marine addresses. There would be two separate concerts, each one with approximately 150 people in attendance. Anderson believes that since there are Marine students attending River Grove, having them pay the residential rate is fair.

Anderson moved and Roden seconded to reduce the hall rental rate for River Grove Elementary from the non-resident to the resident rate. All in favor motion passed.

Chris Cosgrove - Brookside New Owner/Liquor License Request - Mr. Cosgrove will be purchasing the Brookside on April 18th. He is currently the owner of Cozzies in Stillwater and the Wildwood Tavern in Mahtomedi. Mr. Cosgrove is requesting approval of the same licenses currently held by the Brookside. Clerk Peterson advised the background check information has been submitted to Washington County and is just waiting for that approval.

Roden moved to approve the on sale off sale combination and Sunday on sale license for the new owners of the Brookside Bar and Grill contingent upon approval of the background check and approval by the State of MN. All in favor, motion passed unanimously.

Brookside Bar and Grill Lawful Gambling Request - Clerk Peterson reported that since the Brookside Bar and Grill will be under new ownership, the lawful gambling license will need to be re-approved for the new owners. The license will be through the Bayport Legion.

Roden moved to approve the lawful gambling request for the Brookside Bar and Grill. All in favor, motion passed unanimously.

Anna Hagstrom - Liquor License Request - Ms. Hagstrom was in attendance last year to request a liquor license however she never actually opened. Her business is now getting closer to opening and she is ready to request approval for an on sale/off sale license, which would be approved as the one discretionary license.

Anderson moved to approve an on sale/off sale liquor license contingent upon approval from Washington County and the State of MN, with the liquor license fee prorated to the date the license is granted. All in favor, motion passed.

Planning Commission - Commissioner Spisak reported on the March meeting. A pre-application was received for Dawn Pennie for a setback variance for a driveway.

The completed application is expected from Vinco for the April meeting. The Commission is still working on the DNR comments for the Zoning ordinance. The City does not have an official Historic District map and has received a copy from the MN Historical society. If the map is not exactly what the Commission is looking for in terms of being user friendly, the Commission would like the Council to allow the City Engineer to re-create on GIS. The Council consensus was to move forward with that request to Bolten Menk.

As part of the new cell tower ordinance, a list of allowable districts was not included and therefore the Commission will hold a public hearing for that amendment and will send to Council for approval. The Commission has also begun the process of creating an RFP for a consultant and hopes to have budget numbers by the August budget meeting.

Public Safety - Chief Malmgren submitted the 2021 annual report. Annual calls stayed fairly level with prior years, with the number of medical calls going up slightly. Anderson noted that per discussion at the workshop, there will be further discussion regarding compensation and also dialog with William O'Brien State park to discuss a few concerns.

Anderson presented an amended version of the outdoor entertainment ordinance. There has been good feedback incorporated. Roden questioned section 10 (a) and would like the times to be changed from 10pm to 10am. Anderson took note of the request and said he will continue to work on a few changes prior to getting this to the City attorney for review.

Ward commented on the public safety workshop and believes highlighting the member retention and new membership is very important. She would like to see some type of event that includes a walkthrough of the building to get a better understanding of the whole operation.

Anderson wants to reiterate that absolutely no committee has the authority to contact any agency, local or federal, on behalf of the City or public safety department at any time.

Roads - Ryan Goodman reviewed the Engineering report. A sheet of comments were provided on the EV charging proposal for Council review. There is a proposal for small cities assistance to include a portion of auto part sales tax which would be very beneficial to Marine. Anderson suggested drafting a letter of support to forward to house democrats to help seek approval.

Ryan reported on a 20% - 40% cost increase for road material and how that impacts the Broadway Street project and overall CIP. Currently any projects containing a water main or storm sewer have material backlogs up to 25 weeks and there is no price guarantee for materials. Pardun believes this is a very frustrating situation and the bid received was from early 2021. The roads committee is suggesting the project be put off and instead focus on larger patching items. Currently the full spec of the project has not been written due to the Engineers recommendation. Mayor Nyenhuis believes if there is a supply and demand change come fall, then he believes it may be worth having the specs written. Pardun believes it's not the issue of finding a contractor but more of the material supply and price. Anderson believes this issue will be around for a while and with the state of many of the other roads in town, there will be significant budget concerns moving forward. The roads committee will meet next week to discuss what repairs should happen this year and Pardun will report back on costs at the May meeting. Anderson questioned if there are additional

improvements that will need to happen around the school since it will be opening in the fall. Pardun will make sure that area is included in the assessment.

Personnel - Pardun reported that Rob Powell has received one of the required licenses and has received a bump in pay.

Parks & Rec - Mayor Nyenhuis reported there has been some clean up in the school forest and there is another clean up on April 30th. The forest is still connected to the Stillwater School District per the DNR as it was never changed when the City purchased the property.

A few residents have come forward to look at what it would take to fundraise to upgrade the tennis courts for pickle ball. Mayor Nyenhuis would like to use \$700 from the current tennis court/pickle ball budget line item to purchase pickle ball rackets and balls and a storage box. Volunteers will be washing the court and repainting lines in the meantime. The overall project may include benches, lights, grills etc. with a total projected cost estimated around \$75,000.

Pardun wanted to verify this is still a 2-5 year project as discussed at the workshop. Anderson is in favor of spending some funds however he would like to try and gauge how much use it gets. Nyenhuis does not believe you can quantify those numbers much like you cannot quantify the usage of the ice rink. Ward is not in favor of using those additional ice rink funds for a topic that has not been fully discussed and is not ready to move forward on pickle ball at this time. Ward also questioned what costs would be incurred for the school forest and where those funds would come from. Nyenhuis clarified he would like to use the remaining \$700 from the ice rink line item for school forest work and not the pickle ball project. Ward questioned who would be responsible for the forest once the school is in place. Pardun noted the City will continue to maintain the forest. Anderson questioned the removal of ash trees. Nyenhuis would like to deter that discussion for the proposed city property workshop. No decision was made on the use of the rink funds for the school forest.

Cemetery - Mayor Nyenhuis would like to hold a mobile workshop in May to tour the cemetery, school forest, public works facility and stone house museum. The Council believes this is too many sites to visit for one workshop and would like to hold a workshop for just the cemetery in early May. Clerk Peterson will send out a meeting request.

City Properties - Pardun reported there was a well inspection at the school and it looks like the pump will need to be replaced. An estimate is coming however Pardun believes it will be between \$12,000 - \$15,000.

Water Systems - Pardun is still working to meet with on the Jackson Meadow budget.

EDA - No report.

Holidays/Events - Roden reported she and Anderson are looking at putting together some games for after the July 4th event and the community picnic in August. The Restoration Society will be holding their annual running race and they will need to refer to the events ordinance for any applicable permits. Anderson noted there are funds available for music in the park, etc. however he and Roden are looking for input on additional events for July 4th.

Pardun reported on the number of residents that have either called the office or attended the Board of Review meeting due to the concern that their taxes will be much higher as a result of their property value increases. Pardun wanted to remind the residents that the Council is very aware of the concerns and will take that into consideration in August. Nyenhuis would like the Council to be cognizant of that moving into the setting the preliminary budget in September.

Citizen Committee Reports-

Dennis Reynolds - Mr. Reynolds presented a Power point proposing a new Village Vitalization committee. This committee would consist of two Council members, one Planning Commission member and 6-10 citizens. The goal would be to collaborate with downtown stakeholders on pro-active preservation of the downtown historic character, economic and environmental stability, and to support and implement the Comprehensive Plan desires for downtown. The anticipated time for completion of this committee would be 30 months.

Scott Spisak questioned if that was a different presentation then what was included in the Council packet. Mr. Reynolds noted this was an updated presentation from what was sent to the City Clerk and he will make sure to get the new version to the Clerk to update on the website.

Mayor Nyenhuis believes the Council should be looking at the role of stewardship for the downtown now that the infrastructure has been complete, and believes the Council should utilize the talent our residents can provide. He questioned if the Council has interest in formalizing a conversation on how to proceed. Ward echoed the Mayor's comments and believes in having a master plan, whether that comes through a citizen committee or through a consultant alone. One example of this is how to handle the removal of 8 ash trees in Gazebo park.

Roden believes the Council put a moratorium on any new committees until the citizen committee resolution is reviewed. Mayor Nyenhuis doesn't believe this is a move to create a new committee at this time.

Pardun appreciates the thought of long term planning, however he believes the thought should be on the entire City rather than just the downtown area. The downtown just received over a million dollars in improvements and Pardun believes that this kind of thing should be put off for at least 5 years. Anderson believes the amount of money that people spend downtown does not affect the local tax revenue and so bringing in more tourism is not necessarily a benefit to the residents.

Anderson also stated that having residents with talent and passion does not mean a committee needs to be formed. He believes that committees have become the thing that citizens now gather around, and instead these causes could be a good reason to form civic groups instead. He believes that committees should only be formed for a dedicated need that is identified by the Council and is not in favor of this becoming a citizen committee.

Roden would like to see those ideas and ideals presented by Mr. Reynolds come forth during the Comprehensive plan planning.

Mr. Reynolds believes there are many items that could be identified right away such as dumpster screening, business signage and coaching. Pardun stated there was a screening plan in place as part of the downtown revitalization project however, that idea was tabled by the Mayor. There is also money put aside for business signage, however nothing has been done to move that forward.

Mayor Nyenhuis believes it is important to continue this conversation at a later time. John Goodfellow asked how citizens are supposed to give input. Anderson asked for a point of order

and that Mr. Goodfellow be recognized. Mayor Nyenhuis stated for time management, the Council will move on, however stated this will be an agenda item in the near future.

Urban Forest -Marine is on its fourth year of being a Tree City USA city. A proclamation will be signed by the Mayor for Arbor Day on April 29th.

Green Step Cities - Ward reported a meeting was held last week on the EV charger. After valuable input from the City Engineer, City Attorney and Acting Chair Spisak, Ward believes there are more questions than answers and does not believe the EV charger will happen this year. She would like to see this become a priority for 2023. Anderson thanked Council member Ward and appreciates her work. He is concerned that there some committee members advocated for the charger in unethical ways, but is confident that there are mechanisms in place to get this done in the future. Mayor Nyenhuis believes one important question is whether the infrastructure would be owned by the City. Ward believes this should be handed off to the Planning Commission moving forward. Mayor Nyenhuis reminded citizens to comment on issues through the City office and not email Council members as a whole.

Communication Infrastructure - Anderson believes the objective of the committee is complete, and therefore the committee is disbanding until a future need is identified by the Council.

Anderson moved and Ward seconded to disband the communication infrastructure committee effective immediately. All in favor, motion passed unanimously.

Trails, Open Space and Natural Resources - Ward stated the committee has amended their mission statement and will discuss at the May meeting.

Consent Calendar - Nyenhuis moved and Pardun seconded to approve the Minutes of 3/10/22, Treasurer's Report of 3/22, List of Bills for 4/14/22, Zoning Administrators Report, Public Works Maintenance Report, and Planning Commission Minutes.

All in favor, motion passed unanimously.

Old/New Business - The sweeper blew a hose and is public works is waiting on an estimate for repair.

Mayor Notes/Clerk's Report- None

Adjournment -

Nyenhuis moved and Anderson seconded to adjourn at 9:33pm.

All in favor, motion passes.

Minutes taken by Lynette Peterson, City Clerk