

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING
Thursday, June 9, 2022

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

Citizens Present: Glen Mills, Larry Roden, Robin Brooksbank, Win Miller, Scott Spisak, Rob Powell, Dawn Pennie, Roger Lyle, John Goodfellow, Emily Blake, Dorothy Deetz, Ryan Goodman, David Sullivan, Mary Whitaker, John Waugh, Larry Whitaker, Andy Kramer, Karen Kramer, Liz Kelly, Heather Logelin, Todd Mestad, Dan Malmgren, Anna Hagstrom, Leslie McKenzie, Mary Lusher, Peter Foster, Anne Reich, Matt Smith, Kristina Smitten.

Approval of the Agenda - *Nyenhuis moved and Pardun seconded to approve the agenda as drafted.*

Citizens Considerations -

Anna Hagstrom - Request for one day temporary on sale liquor license - Ms. Hagstrom is requesting a one day temporary license for Sunday, July 3rd as her current license does not allow for Sunday sales.

Nyenhuis moved and Ward seconded to approve the one day temporary license for Anna's Bistro for Sunday, July 3rd. All in favor, motion passed.

Heather Logelin - St. Croix Valley Foundation - Nyenhuis reported that he and the City Clerk met with Ms. Logelin to discuss how the St. Croix Valley Foundation may be an outlet for the City to raise funds for various projects that the City would be unable to fundraise for. Ms. Logelin gave the background of the foundation and explained they are a foundation that partner with non-profits and municipalities to help establish a fund for which citizens can make donations for use by the City at their discretion but is maintained by the foundation. The minimum amount to open a fund is \$5,000. Mayor Nyenhuis noted this is not something that needs to be acted on at this time, but he would like the Council to consider the idea.

Ward questioned if it is the City's responsibility to do the outreach for these funds. Ms. Logelin advised the Foundation does not do the outreach, only the management. Ward also questioned which other municipalities they work with. Ms. Logelin advised they work with Dresser, Wi, Pierce County and many community foundations and Sheriffs Departments.

Robin Brooksbank questioned the costs involved. Heather noted there is a start up fee of \$300, annual fee of \$100 and quarterly fee of 1.5%. The Council will consider this option and make a decision at a later date.

John Goodfellow - STR License Concern - John Goodfellow was in attendance to request the Council re-visit the Short Term Rental ordinance. The judgement was delivered today on the litigation in favor of the City. Mr. Goodfellow noted the Pine Cone Trail residents have brought forth multiple times a request to the Council to address the STR issue. The Council was advised by legal Counsel to not act while litigation was active. Mr. Goodfellow reviewed all of the correspondence between the Pine Cone resident and the City and also the communications with

Washington County. Mr. Goodfellow is also requesting a moratorium on any new licenses until the review is complete.

Pardun stated he is aware of how difficult this has been for the Pine Cone residents. He noted there was no license applied for in this particular instance, and also believes the City should consider the advise of legal counsel for an appeal. Mr. Goodfellow is disappointed at that response and believes a moratorium could still be put in place under a review of the ordinance can happen.

Mayor Nyenhuis believes a review of the ordinance is in order at some point. He also noted there has not been a run on license requests and is not applicable to one particular address but rather the entire community. Nyenhuis also believes a reason for a moratorium needs to be established. He appreciates Mr. Goodfellow coming forward and believes all residents can read the judgement and understand the work put into this issue by the City and residents.

Roden believes one good thing that has come of this was proof that the ordinance held up in court and that says a lot about the ordinance, however there is an opportunity to review.

Ward believes the Planning Commission did a really great job creating the ordinance however she would advocate for a robust review of the ordinance. She also believes a moratorium should be considered in order to address a clear problem. The Council agreed the two year mark would be a good timeline to begin the process. Mayor Nyenhuis does not advocate for the moratorium at this time.

Pardun thank the Commission for their work on the ordinance and noted that other communities are now using our ordinance as their own.

Planning Commission - Chairman Spisak updated on the May meeting. There was a public hearing on the cell tower and for Dawn Pennie at 240 Third Street. Still working on the DNR comments and discussion on an RFP for a consultant.

A letter was sent to Vinco extending the 60 day timeline and to advise a variance would be required for setback.

The variance request for Mrs. Pennie is for a setback for a driveway, which that residence has never had. The Commission is recommending approval as the septic tank is the reason the driveway cannot be placed in a different location. Currently Mrs. Pennie is the only resident on that street who does not have a driveway and has historically parked on the street.

The RFP proposal has been reviewed by the City Attorney who had no comments. The proposed date for receiving RFP's would be July 1st, Ward does not believe the reason for the RFP needs to be included nor does the second paragraph. Nyenhuis questioned is this is a fairly small pool of candidates. The Commission has a few firms this could be sent to, along with the League of MN Cities. There is also no need for the consultant to be present at meetings and can work remotely. Pardun likes the second paragraph and believes it is important potential candidates know what Marine is about.

Ward moved and Roden seconded to approve Planning case 053122-01, a variance for a driveway and carport for Dawn Pennie at 240 Third Street. All in favor, motion passed.

Pardun moved and Roden seconded to authorize the Planning Commission and City Clerk to go out for RFP for a Planning Consultant. All in favor, motion passed.

Public Safety - Chief Malmgren reported the Street dance will be held on June 18th. A meet and greet will be held at the department on August 4th to try and recruit new members.

Roads - Roads workshop will held on Tuesday, June 14th at 6:00pm.

Ryan Goodman reviewed his engineers report. The Watershed will resubmit grants as they were unsuccessful the first time around.

Washington County will be mowing and spraying for weeds along County roads June 15 - July 30. If any resident would like the County to not mow or spray in front of their homes, they should contact the County.

Ward questioned if there are any bike trail grants available. Goodman noted that any Federal grant money would require a very large project. Checking with the DNR might be an option for smaller grants.

Pardun reported there is an issue with parking on the weekends and is causing many complaints by residents and businesses. He is requesting the Council authorize the Engineer create a parking plan to address these issues. Having this plan is the only way the City will be able to enforce anything in the future. This would include signage and a resolution allowing for enforcement. Nyenhuis sees an issue with residents not happy with the current parking during the summer but also upset with the number of no parking signs that will be up year round. Ward agrees and believes limiting the parking downtown will push the cars into residential areas.

Goodman noted this would not be a parking plan, but creating no parking zones. Nyenhuis believes the Council should do its due diligence to look at the plan however believes there should be citizen input prior to action. The Council consensus was to have the Engineer move forward and discuss further at the roads workshop.

Personnel - The gate at the maintenance shop is operational. Nyenhuis would like to see a document created to layout protocols for operation and troubleshooting.

Parks & Rec - No report.

Cemetery - No report.

Water Systems -No report.

City Properties -

Stonehouse Museum/Village Hall Maintenance Proposal - Ward reached out to the Civic Club to discuss the Stonehouse museum and will be meeting with Megan Kavanagh to discuss the Village Hall. A full report will happen in July.

Folk School Lease -Pardun reviewed the updated lease. The only changes are the Folk School will be confined to room 106 and the portable classroom. Ward questioned financial flow. Robin Brooksbank noted the future looks good in terms of classes and enrollment. They are working on expanding teachers and classes. Ms. Brooksbank is requesting to replace the banner with a metal sign to be placed in the same location. The Folk School is also partnering with Marla to the

science program. September 17th a community event will be held and is working with the local businesses and is naming the event the Marine Fall Festival. The event will be held from 10-2 at the school and 2-6 downtown. Brooksbank is also requesting the City purchase and hang a banner downtown as it did for the Art Fair. The Council consensus was to approve the purchase of a banner to be paid from the holiday fund. Brooksbank also thanked the City for being the biggest supporter of the Folk School.

Roden moved and Nyenhuis seconded to approve the lease between the City of Marine and the Marine Mills Folk School as drafted. All in favor, motion passed.

Charter School Update - There have been some questions from the Charter School authorizer and they are meeting to discuss on June 18th. Pardun would like the Council to authorize him to continue the lease negotiations with the Charter School and to recess this Council meeting for June 23rd at 6:00pm. The Council was okay with both suggestions.

Holidays/Events - Roden reported that everything is set for the July 4th parade and games after. Roden has no parking signs for public works.

EDA-No report.

Citizen Committee Reports-

Green Step Cities - Ward is hoping to report on the EV chargers in July.

Forest Advisory - Ward reported that 150 white pine seedlings were handed out to residents in May. The EAB sashes were placed around the Elm trees in question. Ward presented a powerpoint laying out the ash trees within City right of way, stages of infection and trees recommended for inoculation. The cost of the inoculation to the City would be approximately \$900 per year for two years. Ward would also like to do a public outreach to get residents involved with the inoculation and the City would pay the initial invoice and bill the residents. Clerk Peterson would like to check with the auditor on how to address the billing, and would also recommend having the residents pay up front rather than billing after the fact. The Council agreed.

John Goodfellow reviewed the City's urban forest inventory. There are currently 43 ash trees in public right of way. The DNR grant was for removal of the trees, so if the City treats the downtown trees, that would leave grant money that could be used to remove infected trees in the right of ways. Roden questioned how the inoculation plan for the twelve downtown trees would work if the City would need to treat for the life of tree. Ward noted the inoculation would give the City time to come up with a replacement plan for those trees. Roden questioned how the City will pay for it. There is nothing in the budget so it would have to come from the general fund.

Ward moved and Nyenhuis seconded to approve the initiative to inoculate the twelve downtown trees at the cost of \$1820 for a two year program. All in favor motion passed.

Trails and Open Space - There will be a vintage boat show on June 12th.

Consent Calendar - .

Nyenhuis moved and Roden seconded to approve the Minutes of 5/12/22, Treasurer's Report of 5/22, List of Bills for 6/9/22, Zoning Administrators Report, Public Works Maintenance Report and Planning Commission Minutes. All in favor, motion passed.

Old/New Business -

Stuga Reimbursement Request - Pardun reviewed the request. Public works did some sewer repairs at the Stugas and had planned on seeding the area when it was complete and the dirt settled. The residents at the Stugas did not want that and went out and purchased sod and repaired the area on their own with no discussion with the City. They are now requesting reimbursement for the cost of materials. Discussion was held on whether reimbursement would set precedent.

Nyenhuis moved and Pardun seconded to reimburse the Stuga Association the \$191. Pardun, Ward and Nyenhuis in favor. Roden against. Motion passed.

Torte Liability Waiver -

Pardun moved and Roden seconded to not waive the torte liability. All in favor motion passed.

Mayor Notes/Clerk's Report-

Adjournment - *Nyenhuis moved and Roden seconded to recess the meeting until June 23rd at 6:00pm. All in favor, motion passed.*

Minutes taken by Lynette Peterson, City Clerk

CITY OF MARINE ON ST. CROIX CITY CONTINUATION COUNCIL MEETING
Thursday, June 23, 2022

Pardun, Ward, Roden and Nyenhuis in attendance. Anderson absent.

Citizens: Win Miller

Mayor Nyenhuis called the continuation meeting from June 9th back to order at 6:00pm. Mayor Nyenhuis then recessed the meeting at 6:01pm for the purpose of calling the EDA meeting to order.

Win Miller updated the City Council on the status of the Marine Village Charter School. The school will officially open this fall however enrollment is not as high as hoped. They are unable to secure transportation which has caused a few families to unenroll. The minimum number of students needed is 30 which may pose a challenge to reach. Due to the smaller enrollment numbers, the charter board is requesting a reduction in rent to \$43,800, and if they are unable to get to 30 students by the time school begins in September, they be requesting a further reduction. Miller is also requesting a delay in the time line for the first installment as they will have utilities, etc. due beginning July 1st and will not receive a State lease aid payment until fall.

Pardun moved and Ward seconded to amend Exhibit B of the Charter School Lease to \$43,800 for the 2022-2023 school year. All in favor, motion passed.

Nyenhuis moved and Pardun seconded to adjourn the EDA meeting at 6:19pm. All in favor motion passed.

Mayor Nyenhuis re-opened the regular Council meeting at 6:19pm.

Nyenhuis moved and Pardun seconded to adjourn the June City Council meeting at 6:20pm. All in favor, motion passed.