

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING

Thursday, November 10, 2022

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

Citizens Present: Larry Roden, Scott Spisak, Jessica Hauser, Glen Mills, Bill Miller, Chris Buege, Kevin Hine, John Goodfellow, Kitzie Vadheim, Mary Whitaker, Andy Powell, Jennifer Henry, Dan Malgrem, Ryan Goodman, Roger Lyle, Todd Mestad, Curt Moe, Mary Fernstrum, Dorothy Deetz, Christine Maefsky .

Approval of the Agenda –

*Anderson moved and Roden seconded to approve the agenda as drafted.
All in favor, motion passed.*

Citizens Considerations –

Travis Strike – Hall Rental Reduction Request – Mr. Strike is a resident of May Township and has been a volunteer on the Marine Fire department for 10 years. He is renting the Village Hall for a wedding and is requesting the resident rate. Pardun and Anderson are in favor given his service to the City on the department. Nyenhuis believes this is worth discussion as the Council has turned down previous requests by residents, non-profits and non-residents in the past. Pardun believes that many of the requests in the past have been for waivers and in this case, Mr. Strike is requesting the resident rate. Pardun believes this request is very reasonable given the service Mr. Strike has given this town. Anderson also believes that this is another example of how the City can give back to department members who have dedicated their time and service to the fire department. Anderson does not believe this sets any precedent outside of any other department member asking for the same in the future. Nyenhuis believes that other citizens who have serviced the community in a different capacity have not been afforded the same consideration.

Anderson moved and Pardun seconded to that Travis Strike is afforded the residential fee for the rental of the Village Hall.

Ward yes

Anderson yes

Roden yes

Nyenhuis yes

Pardun yes

All in favor, motion passed.

Boy Scout Troop 169 – Gym Rental Waiver Request – Jessica Hauser is the den leader for Troop 169, is requesting to use the elementary school gym for their bi-weekly meetings and is requesting the rental fee be waived. The troop is willing to give back to the City through volunteering and community activities. The troop is working with Kiwanis Camp on holding their meetings at that location, however they are looking for a meeting location until that an agreement is reached with Kiwanis Camp. Anderson questioned if the troop would consider a three month time line and then

if the school gym is still required, Ms. Hauser come back to the Council to extend the request. Ms. Hauser agreed to that arrangement.

Anderson moved and Pardun seconded to waive the rental fee for Troop 169 for the period of 3 months beginning December 1 subsequent to the key rental fee being instituted. If there is an agreement between the Troop and Camp Kiwanis, then this agreement will end. All in favor, motion passed.

Buege/Hein Lot line adjustment – Clerk Peterson presented a request by Kevin Hein of 801 Broadway St and Chris Buege of 821 Broadway St. The request is for a lot line adjustment as a result of a survey done for the Rose’s addition in 2021, which clarified the actual property boundaries for the home along Broadway Street as well. The request would move the lot line for 821 Broadway 15 feet to the south, which is the minimum distance for the driveway and garage to be within the property lines. The remaining lots along Broadway are defined by metes and bounds, which complicates the process and any lot line adjustments for those lots must be done through the courts.

Ward moved and Anderson seconded to approve the lot line adjustment for Kevin Hein, 801 Broadway Street and Chris Buege, 821 Broadway Street as presented in the survey from Landmark Surveying dated October 18, 2022. All in favor, motion passed.

Christine Maefsky – STR Complaint – Ms. Maefsky was in attendance to discuss a violation letter she received for her residence at 201 Second Street, which has a Short Term rental license. The letter was for a violation of more than 8 guests and hosting a family reunion, at the home, which is an event. Ms. Maefsky believed this complaint came in because they are Hmong, and that the family who was renting believes this was an act of discrimination. Ms. Maefsky stated a “reunion” could be that of two people and should not be considered an event, and also believed the number of guests was meant for overnight and not visitors. Ms. Maefsky is requesting the City revisit the ordinance and revise the ordinance for how it is enforced. She believes she should have been contacted to request an explanation prior to receiving a letter.

Anderson monitors the Airbnb and VRBO sites due to 801 Pine Cone rail, and believes that one STR licensee cannot be treated differently than another. He is the person who saw that the rental was listed as a family reunion and reported it to the City Clerk. It is then the responsibility of the City Clerk to respond to that violation with a letter. For the sake of consistency, this process needs to happen regardless of whether the renter is the Mayor of Scandia or a something claiming to be a resident of Puerto Rico. He also believes it is incumbent of the renter of the property to understand what the rules are, and it is up to the host to make sure they understand the ordinance and present those regulations to the renter. Anderson also believes the idea that this issue was raced based is reprehensible and could have been avoided if any questions regarding the application of the ordinance had been brought to the City Clerk prior.

Ms. Maefsky stated that we, as white Americans, do not feel the same way as the Hmong family did and they have the previous experience that when something like this happens, it is discrimination.

Nyenhuis stated there has been discussion by Council that there be a review of the ordinance, however a time for that has not been decided. He does believe the ordinance as drafted was well crafted and used by other communities. Part of that review may include defining the events and

number of guests, and he does not believe the current ordinance precludes anyone and the City does it best to be welcoming.

Ward believes this case presents a few cloudy items that can be addressed when reviewing the ordinance, and that it should be reviewed in the near future.

Jennifer Henry, resident 231 Second St, wanted to thank Ms. Maefsky for being a part of drafting the ordinance. Ms. Henry was home that weekend and was excited to see the visitors at the STR and stated there was no noise or commotion coming from the house. She also stated there was no formal complaint letter filled out or bad review on the website.

John Goodfellow, resident 825 Pine Cone Trail, supports the request for the ordinance review. He understands that this ordinance is being used by other communities, however believes there are still changes that can be made.

Planning Commission - Chairman Spisak reported on the October meeting. The majority of the meeting was to discuss the DNR zoning issues. There is a meeting scheduled with the DNR representatives and City consultants on November 29th.

Commissioners Sanderson and Casey will be meeting with Maggie Raedeke on the Capstone project.

Spisak would like to hold a workshop with the Council in February to discuss the workplan for the Commission for 2023.

Commissioner Spisak wanted to correct the record on the STR review was not requested by the Commission, but members of the City Council.

Nyenhuis noted there are two members whose terms expire in December. Spisak will have a recommendation for the Council by the December Council meeting.

Public Safety – Chief Malmgren reported that the recent increase in runs has been a County wide increase as well. Mutual aid calls have remained the same.

The SCBA's have been received and members were trained last week.

Council member Anderson has discussed moving forward with a change of leadership and Chief Malmgren thanked the Council.

Anderson reviewed Chief Malmgren's accomplishments over the last 6 years and thanked him for his service as Chief. He will remain on the department after his term as Chief, and Anderson will be nominating Glen Mills as the replacement at the December Council meeting.

Roads – No Engineer's report.

Personnel - No report.

Parks & Rec – Anderson spoke with Ann Pierce, the Parks and Rec director the State of MN, regarding the proposed closing of the lower portion of William O'Brien State Park. The state is currently in the planning stage of the renovations and they are still in the discussion phase for the project. Once an official plan has been decided, the Park Service will engage the public in the details and be open to public feedback. Anderson also noted that Wayne Boener, park manager at O'Brien, has no authority to answer questions or give details regarding this project, so residents should not direct questions to him. Nyenhuis questioned the statement of closures. Anderson believes that initial statement was premature and the City will remain in close conversations with Ms. Pierce to keep the residents updated.

Ward reported that she met with the DNR and a property owner to discuss the Gateway Trail and possible design scenarios. Ward has presented a letter expressing support for the Gateway and requesting design work begin for City owned parcels in Marine and is requesting approval from the Council to move forward with sending the letter.

Bill Miller, 200 Rose Street, stated a joint powers memo was sent to the DNR several years ago regarding the Gateway Trail. At that time, a master plan for the park had to be completed prior to any work being done. There were also issues with receiving approval from the railroad in order for the trail to cross its right of way. Additional discussion was whether the Gateway would tax the local City trails.

Nyenhuis questioned if this should be brought to the residents prior to requesting the DNR move ahead with a plan.. Pardun questioned what the difference is between the current letter being proposed tonight and the joint powers agreement that was signed several years ago. Andy Powell, resident, stated there really is no difference other than there is some momentum between the DNR and Scandia at the moment. Anderson does not like the Gateway dissecting the two City parcels as proposed by the DNR. Nyenhuis believes that since the City has already signed an agreement, that there is really no additional action that needs to happen at this time.

Cemetery – Ward has been looking into the area on the southwest corner of the cemetery to try and determine if there are any historical remnants buried there prior to moving forward with an expansion in that area. Ward would like to apply for a Legacy grant in order to assist with historical mapping and ground penetrating radar. Nyenhuis would like to see information for the December Council packet for the residents to review. Ward is requesting feedback from the Council now, and stated that waiting until December reduces the amount of time she has to write the grant. Pardun reviewed the workshop discussion and noted that the west portion of the cemetery is currently being surveyed for expansion, and that area in question that Ward would like to pursue will not hinder the expansion plans. Pardun believes the grant should not be rushed and is also concerned that this grant may affect areas outside of the cemetery. Ward stated the grant will over cover the land within the cemetery. Nyenhuis believes the Council is in favor moving forward with the expansion, however would like to see due diligence as well. Ward will present a more formal request in December.

Water Systems – No report.

City Properties – Nyenhuis would like to review the signage and staffing, cell tower etc. Pardun noted that it was the Mayors idea to not push the staffing and therefore there was no control over what material was dropped off and if there were non-residents dropping off material. Nyenhuis believes additional signage should be considered and whether we can staff the site in 2023.

Holidays/Events – Roden would like the Council to consider having the City take over the Enchanting Forest and would like to add to the December agenda for action. Currently this is a private event that was started by a local business. Anderson suggested this might become something the businesses could take on rather than making it a City event as it seems to benefit the businesses by bringing people to town. There was a question of additional staff time and he would like to see if the businesses would at least consider it before the City makes a decision. Dorothy Deetz agreed to bring this issue to the local businesses and will discuss the details with

Roden. Nyenhuis would like to have a future discussion as to the City's role in all events.

EDA – No report.

Citizen Committee Reports–

Green Step Cities – No report.

Trails, Open Space – No report.

Forest Advisory – Ward and John Goodfellow met with the residents involved with the EAB inoculation program to discuss the long term maintenance of the trees.

Consent Calendar – *Nyenhuis moved and Pardun seconded to approve the Minutes of 10/13/22, Treasurer's Report of 10/22, List of Bills for 11/10/22, Zoning Administrators Report, Public Works Maintenance Report, Planning Commission Minutes and approval of the liquor license renewals for Anna's Bistro, Brookside Bar and Grill and Marine Brewing Company. All in favor, motion passed.*

Old/New Business – Nyenhuis has had discussions with Councilmember Ward regarding the potential of using the St. Croix Valley Foundation on trails and open space. Pardun believes the foundation is a wonderful outlet, however he believes this should be sent to the residents to see what their priorities are for the town. Ward suggested the City certainly discuss this further as it an extremely important issue.

Ward thanked the City Staff and volunteers for their work during the election.

Mayor Notes/Clerk's Report –

Adjournment - *Nyenhuis moved and Roden seconded to adjourn at 8:39pm. All in favor, motion passed.*

Minutes taken by Lynette Peterson, City Clerk