

**Sandstone City Council Meeting Minutes
July 10, 2018**

CALL TO ORDER: 6:06 p.m.

ROLL CALL: Kester, Franklin, Spartz, and Palmer

Members absent: Devlin

Staff present: Administrator George

Others present: None

PLEDGE OF ALLEGIANCE:

Council, guests and staff recite pledge of allegiance.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Two additional Cemetery Deeds were added to the Consent Agenda – Donald & Irma Faulkner and Kent & Patricia Faulkner. **Motion Franklin, second Spartz to approve the Agenda with the additions. Motion carried 4-0.**

PETITIONS OR COMPLAINTS BY RESIDENTS AND/OR COUNCIL MEMBERS:

Since the June Council Meeting, staff received the following complaints: dump trucks speeding on Old Military Road (relayed to the Sheriff's Department), abandoned equipment on City property by the sewer ponds (staff has notified the owner to remove the equipment by July 31st), stormwater drainage issues between two neighboring properties (staff unplugged a culvert, letters were sent to both property owners), dogs running loose (letter sent to owner), rats seen on property (upon inspection, no visible signs of rodents or garbage), trash piling up on property (staff following up).

PUBLIC HEARING / PRESENTATIONS: None

CONSENT AGENDA:

Motion Franklin, second Palmer to approve the following Consent Agenda items:

- **Approve Regular City Council Meeting Minutes: June 6, 2018**
- **Appoint Election Judges – Primary and General Elections**
- **Approve Cemetery Deed – William Donald Schwarz**
- **Approve Cemetery Deed – Donald & Irma Faulkner**
- **Approve Cemetery Deed – Kent & Patricia Faulkner**
- **Approve Application for Temporary On-Sale Liquor License – Old School Arts Center**
- **Adopt Resolution 20180710-02 White/Petry Detachment**

Motion carried 4-0.

OLD & CONTINUING BUSINESS:

Resolution 20180710-01 Certify Special Assessments – 121 Division Street

The City received a Petition and Waiver Agreement form from Armand & Katherine Charbonneau, property owners of 121 Division Street. The sanitary sewer connection line had collapsed. It was discovered that this service line was connected to the neighbor's service line (111 Commercial Avenue). The decision was made to extend the City's sewer main located in Commercial Avenue so that a new service connection could be made directly from the Charbonneau property.

The Charbonneau's requested the City's assistance to extend the City sewer main. The City agreed to split the cost on a 50/50 basis. The Charbonneau's paid a contractor directly for the work to construct a sewer service line to the City's main. The City agreed to construct the project and assess 50% of the charges to the Charbonneau's property taxes. The project was completed by MPJ Enterprises, LLC.

The total amount to be assessed is \$12,073.50. The proposed term of the assessment is 10 years, at 7% interest (which is 2% over Prime). A letter was sent to the Charbonneau's on June 13th, inviting them to the meeting.

Motion by Palmer, second by Kester, to adopt Resolution 20180710-01 Certifying Special Assessments to Armand & Katherine Charbonneau in the amount of \$12,073.50 for a 10-year term at 7% interest. Motion carried 4-0.

2018 Archery Hunt

The City has been offering archery hunting within the City limits since 2002. Looking back in the record, the Administrator reported that it appears that the City was concerned about the number of deer in town and wanted to regulate deer feeding. In 1992 the Council reviewed the matter and decided not to pursue an active policy for deer management. In 1997, the City held information meetings, set up a task force, and discussed an aerial survey, which was never done.

In 2002, the City invited the DNR to a meeting and, based on the DNR recommendations, the Council adopted Section 946 of the City Code to allow bow and arrow hunting in town during the State archery deer hunting season. A public hearing must be held. Council was provided with the Rules and Regulations for reference.

In the past, staff has been contacting property owners of property that meets the requirements to ask if they are interested in offering their land for the hunt. The City of Sandstone used to be listed on the DNR's list/handbook of eligible places to hunt; but, apparently that practice stopped about 3 years ago. Since then, there has been very minimal interest from the public.

The State Deer Hunting/Archery season this year is September 15th through December 31st. The Administrator asked for discussion about whether or not the City should continue to offer the archery hunt. Council Members stated that they would like property owners to be able to hunt on their land if the property is at least 10 acres in size; however, they were not necessarily interested in allowing strangers to hunt on private property. Council Members were not opposed to allowing the public to hunt on City-owned property.

The Administrator was directed to research how to achieve these options, rather than trying to offer a formal Archery Hunt permit each year. The matter will be discussed further at the August 1st Council Meeting.

Council Members would also like to see the City discourage property owners from feeding deer in town. A message can be put on the Community Access Channel and also included in the fall newsletter.

Local Board of Appeal and Equalization Resolution

The Administrator stated that at some point in the recent past, the City Council decided not to hold the annual Local Board of Review meeting and, instead, had the County Assessor's office hold the "Open Book" meeting. This year, that meeting was held in Rutledge.

If the City would like to take the meeting back, at least one Council Member must have the required training, which is offered online. Currently, Phil Kester is on the list of trained officials; however, his training expired July 1, 2018. The training will be offered until February 1, 2019; however, it is not recommended that Council Members wait until the last minute to take the training.

The Administrator asked the Council to consider taking the meeting back for the following reasons:

- Sandstone property owners should be able to come to the City Council if they are not satisfied with the Assessor's valuation of their property;
- A meeting in Sandstone should be made available to property owners;
- It is the City Council's responsibility to represent the Sandstone property owners;
- The City Council holds the meeting and can make decisions;
- Property owners can contact the Assessor's office ahead of time if they are not able to attend the Council meeting – the Assessor will then bring the matter to the Council meeting;
- If the property owner is not satisfied with the decision at the Council meeting, they can appeal it at the County Board of Appeal meeting.

After discussion, **motion by Franklin, second by Kester, to adopt Resolution 20180710-03 to Establish a Local Board of Appeal and Equalization. Motion carried 4-0.** The Administrator recommended that all Council Members take the training as it is a good refresher on the process.

NEW BUSINESS:

Minnesota Power Permit

Tom Castle of Minnesota Power contacted the City about getting a power line easement for the right to place a power line on parcel 45.0095.000. The power line is already there and has been for years. Minnesota Power is in the process of purchasing the line. In Ordinance 107, adopted in 1966, the City gave the Rural Electric Cooperative (now known as Great River Energy) the right to place the power line on the parcel. That Ordinance has long been expired.

In consulting with the City Attorney, the recommendation is to offer a permit, rather than an easement. That way, the City would not be obligated to pay Minnesota Power relocation costs in the event that the City needs to relocate the line for a City street or other City improvement. Minnesota Power has agreed to go with a Permit.

Motion by Franklin, second by Spartz, to approve the Permit to Operate, Use and Maintain a Certain Electric Distribution Line, Supporting Poles and Appurtenances Within and Above Public Right-of-Way Within the City. Motion carried 4-0.

Oriole Street East – Drainage Issue

The City has received several complaints about water pooling on Oriole Street (east) – from Highway 23 to the John Wright building. In talking with staff and the City Engineer, this area has been a problem for many years. The Administrator asked the City Engineer to look at this stretch of road and provide some recommendations. The Engineer provided 7 recommendations, along with cost estimates.

The Administrator would like to proceed with the option of removing and replacing the street from the end of the existing curb to the County fence line and grading to drain stormwater to the southeast, regrading the south boulevard to ditch water to the southeast. Council Members discussed this option further and had questions regarding the location and age of the existing sewer and water infrastructure. The sewer main runs north/south through the platted alley way. The water main runs under Oriole Street. It is a 6" water

main, which likely means that it is not too terribly old; it likely does not need to be replaced. Council Member Kester had concerns about the course of the stormwater if it is going to drain to the south. He would like to be involved in the design phase of the work.

The Administrator said the funds for the project would come from the Storm Water Fund. **Motion by Franklin, second by Palmer, authorizing the Administrator to proceed with the repair as discussed. Motion carried 4-0.**

Rescind City Code Section 655 – Smoking Near Hospitals and Nursing Homes

At the June 6th Council Meeting, Council Members questioned the placement of no smoking signs at the former hospital site on Court Avenue. Staff was asked to look into the matter. The Administrator reported that in 2007, the City was asked by Pine Medical Center to consider banning smoking on any public property within 100 feet of their property. After researching the matter, City Code 655 was adopted.

With medical campuses able to enact their own smoking bans, the Administrator suggested perhaps it is time to consider rescinding the City Code and removing the posted signs. **Motion by Palmer, second by Franklin, to adopt Ordinance No. 20180710-01 rescinding City Code Section 655. Motion carried 4-0.**

REPORTS:

Sheriff's Deputy Report

No report was received; however, Council Members were provided with the weekly lists of calls the Sheriff's Department responded to in Sandstone during the month of June.

Fire Department

No report was provided.

Street Closure – Fire Hose Testing

On 8/1/2018, the contractor for the Fire Department will be in town to test fire hose. Last year the Department used Commercial Street from the stub of Lincoln Street to 1st St. The Department is requesting the city close that portion of Commercial from 6:00 p.m. the day before (July 31st) until 6:00 p.m. on August 1st. They would also appreciate signage to prohibit vehicles from being parked along that stretch of road. **Motion by Kester, second by Palmer, approving the street closure and signage as requested. Motion carried 4-0.**

Library Report

No report was provided.

Park & Rec Commission Meeting – June 8, 2018

The following updates were provided:

- Two 4-foot long benches will be purchased and placed in the toilets at Robinson Park.
- Joe Czapiewski, Greater MN Parks & Trails Commission, toured Robinson Park on June 19th as part of the Master Plan update and upcoming Legacy Grant application.
- A Public Forum is planned for July 18th at 7:00 p.m. regarding options for Angle Park.

EDA Meeting – June 27, 2018

The EDA received a presentation from Joshua Cotter, engineer with SEH, on the Rail Layout Plan. The plan will be used to market to potential developers who need access to rail. The EDA approved a loan in

the amount of \$20,000 to Kenyi & Sons who are purchasing the 61 Motel and are planning some renovations. Deck staining is taking place at the Wild River Senior Apartments. Various staff updates were provided.

PeopleService Report – May 2018

Along with the regular monthly reports, the Council reviewed a graph showing the increase in pumping activity during the June 17th rainfall event. It will be interesting to see a similar report after the River Bluff project is complete. The City received a letter from the MN Dept of Health stating that the drinking water samples taken from 2013 to 2015 are valid for compliance and the City's system meets the Safe Drinking Water Act standards. The City received another letter from the MN Dept of Health with a copy of the sanitary survey report summarizing an on-site inspection of the public water system. The Administrator reviewed the results and recommendations with the Council.

Financial Reports

The Council reviewed the Cash Balance, Revenue & Expenditure Report for May and the A/P Clerk Claims for the month of June, 2018. **Motion Palmer, second Franklin to approve the financial reports and pay claims. Motion passed 4-0.**

WRITTEN NOTICES AND COMMUNICATIONS:

- A note of thanks was received from Ron & Jinny Pierce for Arts in the Park.
- City Engineer Greg Anderson sent a letter to RL Larson Excavating encouraging them to finalize the Lunderoff Drive project by July 30, 2018. Two items remain: culvert replacement on a driveway on Highway 23 and bituminous repair at the lift station.
- The City received a Notice of Desire to Negotiate from IUOE Local 49.

ADMINISTRATOR'S REPORT: The Administrator reported on the following items.

Dronen Case Update

- ❖ Motion for Summary Judgment in the City's favor was heard on May 30th. The Court **denied** the motion. The LMCIT lawyers are reviewing the case/strategy as the matter will head for mediation. If it is not resolved in mediation, there will be a trial.

Tax-Forfeited Properties

- ❖ Paperwork and fees have been submitted to the County for the acquisition of all 5 tax-forfeited properties.
- ❖ Once the City owns the properties, asbestos testing will occur.
- ❖ Once asbestos testing is complete, demolition of all 5 houses will be bid out. Council Members suggested checking with the Fire Department to see if they would like to do any training burns.

Election Info

- ❖ Filing Period for City Council / Mayor is July 31 – August 14 @ 5:00 p.m.
- ❖ Primary Election is August 14
- ❖ General Election is November 6
- ❖ Campaign signs can be posted from June 29 – November 16

Local 49 Training Center

- ❖ Executed Memorandum of Understanding
- ❖ Fee to use the Training Center is .25 cents per hour worked for Streets and Parks Supervisor and Streets Worker

County Meeting – Committee of the Whole – July 10

- ❖ Spartz, Franklin and George attended
- ❖ PHASE Update
- ❖ Highway Department Updates – included the paved trail segment for discussion

Business Retention & Expansion (BR&E) Workshop – date to be determined

- ❖ UofM Extension and Initiative Foundation
- ❖ Sandstone was selected to host from 18 eligible communities
- ❖ 10-20 people / business owners will be invited
- ❖ 3-5 businesses will be asked to host a “practice” BR&E Interview
- ❖ No cost to the City

Library Lights

- ❖ Lights/Ballasts have been failing
- ❖ Drilling Electric reviewed fixing or replacing
- ❖ Replacing with LED was most feasible - \$3,185 estimate (less \$350 MN Power rebate)

Streets & Parks Supervisor Position

- ❖ Applications are due July 11th
- ❖ Personnel Committee will interview candidates
- ❖ Top candidates will be brought before the Council for interview / selection

Administrator 1-year Performance Review

- ❖ Review will be conducted August 1st
- ❖ 4:00 – 5:00 p.m. the Personnel Committee will meet
- ❖ 5:00 – 5:30 p.m. the City Council will meet
- ❖ 5:30 – 6:00 p.m. the Council will discuss the Performance Review with the Administrator

City Hall Roof – LMCIT Claim

- ❖ Close to finalizing - \$24,638.90 should be coming back to the City

ADJOURN

Motion Franklin, second Spartz to adjourn at 7:45 p.m. Motion carried 4-0.

Peter Spartz, Mayor

Kathy George, Administrator