



**Minutes**  
**Regular City Council Meeting**  
**February 5, 2020 - 6:30 p.m.**  
**Council Chambers**

**In attendance:** Mayor Carl Pederson, Councilor Steve Ovick, Councilor Brian Scholin, Councilor Mary Kay Sloan and Councilor Gina Pettie.

Absent: None.

**Staff in attendance:** City Administrator Matthew Van Steenwyk, Community Development Director Lezlie Sauter, Public Works Supervisor Maury Montbriand, Fire Chief Tom Miller, and City Engineer (SEH) Greg Anderson.

The Mayor called the meeting to order at approximately 6:30 p.m. and led the Council in the Pledge of Allegiance.

**Additions and/or Deletions to the Agenda** – Requests were made to add a discussion on the potential conflict with the Feb. 27<sup>th</sup> Council meeting, to remove the developers agreement discussion for the Pine City Senior Living as we have yet to receive it from our legal counsel, and to re-add the discussion of the WAC/SAC subsidy for Pine City Senior Living. *Motion by Sloan, seconded by Scholin, to approve the agenda as amended. Motion carried.*

**Consent Items** - The consent items include the approval of the minutes for January 8th, 2020 regular Council meeting minutes, and approval of the January 2020 expenditures. *Pettie made a motion, seconded by Ovick, to approve the consent items as presented. The motion carried unanimously.*

**Open Forum** – No public comment was made or offered.

**Sheriff's Report** – A representative from the Sheriff's report was not in attendance.

**Amending Chapter 10, Section 10.700.100 Shoreland to include the Shoreland Flexibility Agreement with MN DNR - Ordinance #20-02 -**

Public hearing opened at 6:38pm

Holly Wilson 5 1<sup>st</sup> St SE – Wilson read a letter indicating non-support of the amendment to Chapter 10.

Frank Lilja – 7<sup>th</sup> Ave SE – made on process inquiry.

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City of Pine City

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Jarod Campbell - 30 1<sup>st</sup> St NE – Campbell noted provided indication of non-support of the amendment to Chapter 10 as presented. Stated - No on flexibility agreement.

Betty Walter – 12<sup>th</sup> St NW – Walter provided non-support of buffer requirement.

Frank Lilja – requested feedback from Council on the matter. Council indicate that they are not to respond during the open forum.

Dennis & Vickie Johnson, 1115 3<sup>rd</sup> Ave SW – Sauter read a letter provided by the Johnson's indicating non-support of the amendment.

Loren Samuelson – indicated non-support of the amendment.

Rita Watson – 7<sup>th</sup> Ave SE – requested to hear feedback from Council.

Earl Schueller – 20 2<sup>nd</sup> St SE noted concern with regard to the property adjacent to his home as it relates to development that may be allowed through this amendment.

Brandon – voiced disagreement with the amendment proposed.

McHugh – requested clarification on the state of where this is in the process.

Sauter read the Feb. 3<sup>rd</sup> email from the DNR – Matt Bauman.

Frank Lilja – requested staff to provide a view of the website elanshores.com.

Holly Wilson - 5 1<sup>st</sup> St SE noted the discussion on an extension to the EAW. Sauter noted that the EAW has not been completed.

McHugh – requested clarification on what would be voted on this evening. McHugh requested another public hearing if this should proceed.

Kevin Anderson 450 4<sup>th</sup> Ave NE - Urged a vote of no on the proposed amendment to the ordinance.

Mike Sauser - 105 10<sup>th</sup> St – made a note a desire for the City to potentially acquire the parcel at the point of the river and lake.

A citizen inquired on what other parcels are available for such a development.

Loren Samuelson – made note of concerns on soil composition.

Carol Vanderhorck - 100 2<sup>nd</sup> Ave se – noted non-support of the proposed amendment and made an inquiry on who determines an erosion issue and rip-rap.

Jeff Wilson 5 1<sup>st</sup> SE – noted non-support of the proposed amendment.

Jarod Campbell - 30 1<sup>st</sup> St NE noted on behalf of Modine 8<sup>th</sup> Ave SE – non-support of the amendment.

Public hearing closed at 7:21pm

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**Amending Chapter 10, Section 10.700.100 Shoreland to include the Shoreland Flexibility Agreement with MN DNR - Ordinance #20-02** – Council provided their comments and feedback on the proposed amendment. *Motion by Ovick to NOT agree to the MOU presented by the DNR and to NOT move forward with the Ordinance 20-02, seconded by Pederson. Motion carried, to not proceed with Ordinance 20-02, by unanimous consent with Pettie, Ovick, Sloan, Scholin, and Pederson in favor and none against.*

**To consider the making of the 2020 Street Improvements (sidewalk and infrastructure) of 6th Avenue SW between the centerline of 13th Street SW to the centerline of Main Street S and 10th Street SW –**

Public hearing opened at 7:36pm

A gentleman representing the residence at 805 10<sup>th</sup> St SW, 1000 10<sup>th</sup> St SW, 1010 6<sup>th</sup> Ave SW, 1000 6<sup>th</sup> Ave SW, - requested a process clarification on the assessment hearing. 13<sup>th</sup> St SW to 6<sup>th</sup> Ave – made an inquiry on the amount of the assessment and road condition. The gentleman made note of the requirement that the property value needs to increase proportionality to the assessment. He made a comment on the traffic count on the 13<sup>th</sup> and 6<sup>th</sup> segments noting the benefit to the area for that road, not just the residence on the street. Noted opposition to the assessment values. 10<sup>th</sup> St Road project – noted concern with the cause of the flooding at the end of the 10<sup>th</sup> St with note of the City plows and Pizza Hut snow pile locations making the issues worse. Made note of a potential for a pump to be installed at the end of the road.

Glenn Kleppe – Made a request to receive a copy of the letter for the church.

Susan Ryberg – 10<sup>th</sup> St – noted support of the sidewalk.

Anderson provided an overview of the project, utility, width, and curbing. Anderson provided an overview of the assessment policy and how it applies to the project. Anderson provided an overview of the timeline related to the project.

A resident made an inquiry on the need for a full reconstruct as opposed to just a resurfacing.

A discussion was had on concerns with the changing road width along 13<sup>th</sup> St SW and 6<sup>th</sup> Ave SW.

Public hearing closed at 8:49pm

**Approve Resolution #20-19 - Ordering Improvement and Preparation of Plans - 2020 Street Improvements - Scholin** made a motion, seconded by Pettie, to adopt Resolution 20-19 ordering the improvement and preparation of plans for the 2020 Street Improvements. *On a rollcall vote, the motion passed 5-0, with Scholin, Ovick, Pettie, Sloan and Pederson voting in favor, and none voting against.*

**WAC/SAC Subsidy Request for Pine City Senior Living** – Sauter provided an overview of the WAC/SAC subsidy request and existing policy. *Motion by Sloan, seconded by Pettie to support the WAC/SAC fee waiver as presented. Motion carried by unanimous consent.*

**Ratify Resolution #20-15, January 1, 2020 thru December 31, 2022 Union Agreement with AFSCME Unit 65** – Scholin made a motion, seconded by Pettie, to adopt resolution 20-15 approving the AFSCME Unit 65 contract for January 1, 2020 thru December 31, 2022. *On a rollcall vote, the motion passed 5-0, with Scholin, Ovick, Pettie, Sloan and Pederson voting in favor, and none voting against.*

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**Easement Vacation 155 Main St S, PID 42.5058.000 - Minnesota Energy Resources - Resolution #20-13** – A comment was made that this easement does not benefit the City. *Motion by Sloan, seconded by Ovick, to approve Resolution #20-13 – easement vacation of 155 Main St. S. On a rollcall vote, the motion passed 4-0, with Ovick, Pettie, Sloan and Pederson voting in favor, and Scholin voting against.*

**Variance 1100 Main Street S, PID 42.0016.000 - Premier Properties, Bethany Marx - Resolution #20-16** – Motion by Pettie, Ovick. Rollcall unanimous. *Pettie made a motion, seconded by Ovick, to adopt resolution 20-16 approving variance request at 1100 Main St. S, PID 42.0016.000. On a rollcall vote, the motion passed 5-0, with Scholin, Ovick, Pettie, Sloan and Pederson voting in favor, and none voting against.*

**Variance 420 Riverview Avenue SE, PID 42.5976.000 - Riverview Estates - Resolution #20-17** – Dick Metler presented his request providing a history of the docks. A discussion was had on the proposal. *Scholin made a motion, seconded by Pettie, to adopt resolution 20-17 approving the variance at 420 Riverview Ave. SE, PID 42.5976.000 with additional conditions that the docks be located so as to not interfere with the City ROW and docks. On a rollcall vote, the motion passed 5-0, with Scholin, Ovick, Pettie, Sloan and Pederson voting in favor, and none voting against.*

**Subdivision 400 Fifth Street SE, PID 42.5318.001 and 42.5447.000 - City of Pine City - Resolution #20-18** – Scholin made a motion, seconded by Pettie, to adopt resolution 20-18 approving the subdivision of 400 5<sup>th</sup> St. SE, PID 42.5318.000 and PID 42.5447.000. *On a rollcall vote, the motion passed 5-0, with Scholin, Ovick, Pettie, Sloan and Pederson voting in favor, and none voting against.*

**Declaration of Public Right of Way & Prescriptive Easement - Resolution #20-20** - Scholin made a motion, seconded by Ovick, to adopt resolution 20-20 approving the declaring of the public right-of-way & prescriptive easement. *On a rollcall vote, the motion passed 5-0, with Scholin, Ovick, Pettie, Sloan and Pederson voting in favor, and none voting against.*

**Approval to post & hire Community Development position** – Van Steenwyk provided an overview of the position funding. Staff were directed to contact the AFSCME Union concerning the determination of the positions being union or nonunion on union vs nonunion. Staff to relay that determination to the executive committee prior to moving forward.

*Pederson made a motion, seconded by Sloan to proceed with the recruitment process of the new Community Development position. Motion carried.*

**Parks & Recreation Director Recruitment Update** – Van Steenwyk provided an update on the recruitment processing noting receipt of 16 complete applications. Van Steenwyk noted that scoring of the applications is being completed and interviews to be following shortly.

**January 2020 Monthly Sales Report** – Van Steenwyk provide a summary of January sales. No action was taken on this item.

**Geislinger & Sons, Inc., \$35,014.92, 2018 Street Improvements** - Anderson provided an overview of the invoice presented. *Motion by Scholin, seconded by Ovick, to approve the 2018 Streets Improvements invoice in the amount of \$35,014.92 to Geislinger and Sons, Inc. Motion carried.*

**Discussion on 2020 Committee Appointments** – Staff were directed to look into how the selection process works and the level of involvement of the existing members of the subcommittees.

**Discussion on 2/27 meeting** – A discussion was had on potential quorum issues with the current 2/27 regular meeting date. Direction for staff to move the meeting date to Monday February 24<sup>th</sup> at 8:30am.

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A discussion was had on the Mill parcel and the weekend housing proposal. Direction for staff to reach out to the organizers to relay that the zoning of the parcel may cause conflicts with proceeding as planned. Council indicated support of not attending the weekend meeting due to these conflicts.

*Mayor Pederson adjourned the meeting at approximately 9:59 pm.*

Matthew Van Steenwyk  
City Administrator