

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on December 07, 2020 at the City Hall, at 7:00 PM.

### 1. CALL TO ORDER

Mayor Nelson called the meeting to order at 7:00 PM.

### 2. ROLL CALL

#### PRESENT

Mayor Robert Nelson  
Councilmember Ken Wendling  
Councilmember Brad Delfs  
Councilmember Barbara Goodboe-Bisschoff  
Councilmember Lisa Dircks

#### STAFF PRESENT

Public Works Director Randall, Police Chief Ebeltoft, Planner Carlson, Building Official Baker, Attorney Thames, Parks and Recreation Director Okey and Administrator Buchholtz

#### VISITORS

Shawn Webb, 8220 6th Street NE  
Becky Wegschied, SPAAR  
Corey Englund, Reprise Design

### 3. PLEDGE OF ALLEGIANCE

### 4. ADDITIONS OR CORRECTIONS TO AGENDA

Mayor Nelson requested that a Parks and Recreation Commission Appointment Application for Shawn Webb be added as Item 10C.

Mayor Nelson requested a moment of silence for observation of Pearl Harbor Day.

### 5. DISCUSSION FROM THE FLOOR – None

### 6. CONSENT AGENDA

- A. Approval of Minutes - November 12, 2020 Special City Council Meeting
- B. Approval of Minutes - November 16, 2020 City Council Meeting
- C. Resolution 20-37, Amending 2020 General Fund Budget
- D. Authorize Purchase of Registration Software for Recreation Department
- E. Fourth Quarter Billing for 2021 Payable 2022 Property Tax Assessment
- F. Contractor's Request for Payment #2 - 2020 Utility Improvements for 525 Osborne Road NE

- G. Contractor's Request for Payment #4 (Final) - 2019 Sanitary Sewer Lining Project
- H. Contractor's Request for Payment #2 - Arthur Street Water Treatment Plant Repairs
- I. Contractor Licenses
- J. Business Licenses
- K. Sign Permit

Motion made by Councilmember Wendling to Approve Consent Agenda.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. Motion carried.

## **7. DEPARTMENT REPORTS**

### **A. Public Works Report**

Public Works Randall reported that the Public Works Department continues to collect garbage and recycling from the parks. He reported that the lights at the tennis court at Terrace Park have been repaired and are now working after 10 years of not functioning. He reported that new playground equipment has been installed at Sanburnol Park and all the city streets have been swept.

Mr. Randall reported that the sidewalk, curb and patching has been completed on 81st Avenue and Monroe Street. He reported that there were two water main breaks in November and the 2020 sewer lining project is near completion.

Mr. Randall reported that the Department set up and took down election equipment at Emmanuel Christian Center; have been repairing signs damaged from the snow and received the new 2020 Mack Dump truck. He stated that three employees were out of the office due to COVID in November.

Mayor Nelson reminded residents to not park their vehicles in the street during plowing season and thanked the Department for their excellent work they do with the plowing of snow.

Mayor Nelson inquired if the no littering signs have been installed on Manor Drive. Mr. Randall stated that the signs will be installed within the next few days.

Councilmember Wendling inquired on the condition of the paving on Osborne Road. He inquired if Mr. Randall feels the pavement will deteriorate faster due to the late finishing of the project. Mr. Randall stated that he did not think the pavement is as smooth as it should be [due to the late finish date of the County project] however, he feels it will not deteriorate any faster than normal.

**B. Code Enforcement Report**

Building Official Baker reviewed the monthly permits, inspections and administrative citation statistics. He reported that he passed his Building Official exam on November 4, 2020. He thanked the Council for their patience and allowing him the time prepare and take the exam.

Mr. Baker reported that the Hy-Vee building permit has been issued and work has started at the site. He reported that the sign will be installed in the spring.

Mr. Baker thanked the Police Department, especially the night shift, for their assistance with code enforcement after hours and keeping him informed of violations and checking on sites after hours.

Mayor Nelson congratulated Mr. Baker on successfully passing his Building Official exam.

**8. PUBLIC HEARINGS****A. Truth in Taxation Public Hearing**

Mayor Nelson opened the public hearing to discuss the 2021 proposed Budget and Tax Levy at 7:15 PM.

Administrator Buchholtz reviewed the following visuals:

Administrator Buchholtz stated the proposed levy increase is 2.2%, of which the General Government levy will increase by 2.50%. He stated that overall General Fund spending is set to increase by 2.4%. He stated that the City's tax rate will decrease from 48.497% in 2020 to 45.019% in 2021. He reported that the City will be receiving Local Government Aid (LGA) and outlined how these funds will be used as follows: 1.) Fund general fund expenditures; 2.) Buy down debt service levy; 3.) Purchase capital equipment; 4.) Fund State/Federal storm water mandates; 5.) Radio Replacement Fund; 6.) Reduce severance liability; 7.) Contingency Account; 8.) 2022 Election expenses.

Administrator Buchholtz reported that cost drivers for the 2021 budget included increases in wages and benefits for City staff, health insurance program increases and increase in I.T. infrastructure costs for the City.

Mayor Nelson inquired if there were any comments from the floor, hearing none, Mayor Nelson closed the Public Hearing at 7:35 PM.

**B. Extension of Moratorium on the Conversion of Residential Property to Rental Property**

Administrator Buchholtz reported that the City Council approved a six-month moratorium on the conversion of residential property to rental housing at its June 5, 2020 Council meeting. He reported that the six-month moratorium is set to expire on December 15, 2020. He reported that staff is seeking a six-month extension to the moratorium to provide the City Planner with additional time to complete the rental housing study.

Administrator Buchholtz reported that while the extension would end on June 21, 2021, the City will likely complete the work on the study long before that time. He stated that the City Planner is anticipating having the study completed for review by the Planning Commission and the City Council in January. He reported that when the City Council accepts the study and approves any Code language that comes from the study, the City Council can approve another ordinance that will terminate the moratorium.

Mayor Nelson opened the Public Hearing at 7:36 PM. Hearing no discussion from the floor, Mayor Nelson closed the Public Hearing at 7:38 PM.

**9. ORDINANCES AND/OR RESOLUTIONS****A. Ordinance 469, Extending a Moratorium on the Conversion of Residential Property to Rental Property in the City of Spring Lake Park**

Administrator Buchholtz reviewed the staff memo regarding a request to extend the moratorium on Residential Conversions to Rental Housing. He stated that the current six month moratorium is set to expire on December 15, 2020. He reported that additional time is needed to complete the rental housing study being conducted by the City Planner.

Motion made by Councilmember Delfs to Approve Ordinance No. 469 Extending a Moratorium on the Conversion of the Residential Property to Rental Property in the City of Spring Lake Park.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. Motion carried.

**B. Resolution 20-36, Approving Expenditures Related to the Coronavirus Relief Fund**

Administrator Buchholtz reviewed the staff memo regarding the CARES Act Expenditures for the City. He reported that all the costs presented are considered eligible expenses under the federal guidelines and will result in the City retaining all the allocated funds distributed to the City.

Motion made by Councilmember Dircks to approve Resolution 20-26 Approving Expenditures Related to the Coronavirus Relief Fund.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. Motion carried.

C. Resolution 20-38, Approving Conditional Use Permit for an Auto Repair Business at 8370 Pierce Street NE

Administrator Buchholtz reported that the City received an application for a variance for a side setback at 8370 Pierce Street NE. He stated that the business wants to expand by constructing an addition to the rear of the building in the northwest corner of the site

Administrator Buchholtz reported that auto repair uses are a conditional use in the C-2 district. He stated that during the variance application review process it was discovered that a Conditional Use Permit (CUP) would be needed. He stated that the Planning Commission reviewed the application for the CUP and the variance application at their November 23, 2020 Planning Commission meeting and recommended approval of the CUP and variance application with conditions.

Corey Englund, Reprise Design, stated that the addition will add functionality and provide more screening on the site. He stated that the owner is aware of the conditions set in the CUP and the variance and intends to follow the conditions. He stated that the owner is aware of the total 20 car limit in the front and back of the business. He stated that the owner intends to be a good neighbor and is aware of previous owners and the issues.

Councilmember Goodboe-Bischoff inquired if parking restrictions could be placed on the street and if it could be noted that no tow vehicles can load or unload vehicles in or onto the street. Administrator Buchholtz stated that a condition could be added to the resolution.

Councilmember Goodboe- Bisschoff inquired on the depth of the retention pond being only 18 inches. Administrator Buchholtz reported that it is not designed for large storm events however; it will hold back water that could accumulate from storms. He stated that much of the impervious area is decreasing. He stated that any possible chemicals from the business will slope towards the swale and will seep into the asphalt being caught before moving into the water system.

Councilmember Goodboe-Bisschoff inquired if any selling of vehicles would take place at the business. Administrator Buchholtz stated that selling of vehicles is not a permitted use and it can be added as a condition to the resolution.

Councilmember Wendling stated that the total amount of vehicles in the front and back of the business is 20 and they must be licensed and insured.

Councilmember Dircks inquired if the screening and landscaping is known at this time. Mr. Englund stated that plantings and various vegetation will be used for screening.

Councilmember Delfs inquired on the hours of operation and stated that he thought the hours seemed reasonable. He stated that the business will be watched carefully to assure that the specific hours are being followed. Planner Carlson stated that the hours of operation seem very reasonable for this type of business and its location.

Motion made by Councilmember Wendling to approve Resolution 20-38 Approving Conditional Use Permit for an Auto Repair Business at 8370 Pierce Street with the following conditions:

1. The Conditional Use Permit applies to the use of the property assuming all setbacks and other Zoning Code standards are met, including the required 15-foot side setback to the north side, without a variance. If a variance is approved as requested for the north side setback of the building addition, that would be in addition to the conditions in the Conditional Use Permit.
2. Additional screening and landscaping on the west and south sides of the lot will be provided as depicted on the Concept Plan in the Planner's Report of November 23, 2020, to screen headlights and activity on site, such landscaping to be reviewed and approved by the City Planner and City Engineer before a building permit is granted.
3. The new proposed asphalt parking area in the rear of the site will provide a 12-foot rear setback and a 14-foot south side setback as depicted on the Concept Plan in the Planner's 11-23-2020 report, recognizing that there has been an existing legal non-conforming gravel parking area in the rear of the property.
4. All work will be done within the building.
5. Vehicles stored on site must display current license.
6. Damaged or inoperable vehicles, as well as parts and equipment, must be stored within the building or completely screened from the street and neighboring properties.
7. Additional lighting on the new building addition over the garage door and man door will be downcast, fully shielded fixtures allowing no more than 0.5-foot candle of light beyond the property line.
8. Handling of odors, gas and fumes will be reviewed and approved by the City Engineer and Building Official before a building permit is issued.
9. A stormwater drainage feature approximately 18 inches deep will be provided in the southeast corner of the site to be reviewed and approved by the City Engineer before a building permit is granted.
10. All other grading, drainage, stormwater, utility and engineering issues will be reviewed and approved by the City Engineer before a building permit is granted.
11. No more than twenty (20) vehicles may be stored outdoors on the site.
12. No parking or unloading/loading of vehicles from tow truck [on the street].
13. No auto sales allowed on site.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. Motion carried.

D. Resolution 20-39, Approving a Variance to Allow Construction of a Building Addition at 8370 Pierce Street NE

City Planner Carlson reported that the variance request is needed for the addition to the property at 8370 Pierce Street NE. He reviewed the conditions suggested by the Planning Commission and explained that the variance will allow the addition to line up with the existing building.

Motion made by Councilmember Delfs to approve Resolution 20-39 Approving a Variance to Allow Construction of a Building Addition at 8370 Pierce Street NE.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. Motion carried.

**10. NEW BUSINESS**

A. Approval of 2021 Public Utilities Budget

Administrator Buchholtz presented staff memo and the proposed 2021 Public Utilities for City Council for review and approval. He reviewed the anticipated revenues and reported that the City experienced increased water usage across the City in 2020 which generated additional revenues for the Public Utility fund. He stated that interest rates have declined significantly due the Federal Reserve Board's actions to stimulate the economy due to COVID-19. He stated that the decline in interest revenue offset the growth in water revenues.

Administrator Buchholtz stated that staff is not proposing a utility rate increase for 2021. He stated that it has been four years since the City's last water and sanitary sewer utility rate increase.

Councilmember Delfs thanked Public Woks Director Randall and the Engineering staff for being proactive on the sanitary sewer lining projects that have been done over the years to save the City money.

Motion made by Councilmember Delfs to Approve the 2021 Public Utilities Budget.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. motion carried.

B. Approval of 2021 Recycling Budget

Administrator Buchholtz presented the 2020 projected and actual revenues and expenditures. He stated that the 2020 revenues appear significantly under projections until the City submits the July – December 2020 SCORE report and the reimbursement form to Xcel

Energy for the recycling of fluorescent bulbs which will be submitted in January 2021. He stated that a shortage is projected to the end of the year.

Administrator Buchholtz stated that the shortage is a result of two factors. He stated that the first shortage is that not all the revenue was collected due to COVID. He stated that the amount normally collected as penalties was waived for the last three quarters of 2020, resulting in a shortfall of \$1,600.00. He explained that the second factor for the shortage is a result in the process and structure of the special collection events 2020. He stated that the cities in Anoka County decided to reduce the number of recycling events held while increasing the number of free items residents could recycle.

Administrator Buchholtz stated that there are adequate reserves in the Recycling Fund to cover the projected shortfall for 2020. He stated that the 2021 projected revenues and expenditures are based off of the revenues and expenditures from 2020. He stated that staff is recommending a balanced budget for 2021 and there will not be a recycling rate increase for 2021.

Motion made by Councilmember Wendling to Approve 2021 Recycling Budget.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. Motion carried.

C. Appointment to Parks and Recreation Commission - Neme Al-Sarraj and Shawn Webb

Mayor Nelson requested that Neme Al-Sarraj and Shawn Webb be appointed to the Parks and Recreation Commission.

Motion made by Councilmember Dircks to approve Ms. Al-Sarraj and Mr. Webb to the Parks and Recreation Commission.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks. Motion carried.

## 11. REPORTS

A. Engineer's Report

Mr. Gravel provided his report in the Council packet.

B. Attorney's Report – None



C. Administrator's Report

Administrator Buchholtz stated his report was in the Council packet. He thanked the election judges, Special Projects Coordinator Brown, Executive Assistant Gooden and staff for their assistance with the General Election. He reported that the Santa parade will take place on December 10, 2020 at 6:30 PM.

**12. OTHER**

A. Correspondence

Mayor Nelson stated that the Beyond the Yellow Ribbon Committee has purchased gift cards to be provided to Family Services to be hand out to military families in need of assistance this holiday season.

**13. ADJOURN**

Motion made by Councilmember Wendling to adjourn.

Voting Yea: Mayor Nelson, Councilmember Wendling, Councilmember Delfs, Councilmember Goodboe-Bisschoff. Motion carried.

The meeting adjourned at 8:24 PM.

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Robert Nelson, Mayor

Attest:

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Daniel R. Buchholtz, Administrator, Clerk/Treasurer