

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on July 19, 2021 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

MEMBERS PRESENT

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

STAFF PRESENT

Police Chief Ebeltoft, Public Works Director Randall, Recreation Director Okey, Building Official Baker, Attorney Thames, Police Officer Corbin Peterson, Administrator Buchholtz

OTHERS PRESENT

Kelsey Hollihan, 518 Rosedale Rd NE
Kathy Buck, 532 Rosedale Rd NE
Kelly Peterson, 513 Ione Ave NE
Dave Peterson, 513 Ione Ave NE
Connor Gagnan, 1839 116th Ave NE, Blaine
Adam Bachmeier, 112 Collen St, East Bethel
Eric Alexander, 559 Saratoga St S, St. Paul
Deven Sunell, 633 91st Ave NE, Blaine
Chase Ellingson, 9818 Tyler St NE, Blaine
Jacob Nystrom, 12015 Urbank Cir NE, Blaine
Luke Turnquist, 115 N. 2nd St, Minneapolis
Torie Peterson, 6063 71st Lane NE, Otsego
Andrew Nightingale, 16063 71st Lane NE, Elk River
Lorine Peterson, Roseville
Duane Peterson, Wyoming
Rep. Erin Koegel
Rep. Connie Bernardy
Sen. Mary Kunesh

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS OR CORRECTIONS TO AGENDA

Mayor Nelson requested that the presentation of a Certificate of Appreciation to Chief Ebeltoft be added as Item 6.C.

5. DISCUSSION FROM THE FLOOR -- None**6. PRESENTATIONS****A. Oath of Office - Police Officer Corbin Peterson**

Administrator Buchholtz administered the Oath of Office for the position of Police Officer to Officer Corbin Peterson.

B. Legislative Update - Sen. Kunesch, Rep. Bernardy, Rep. Koegel

Rep. Koegel provided a summary of her efforts at the State Capitol, which focused on securing transportation dollars for Anoka County. She noted that \$7 million was secured for an interchange at State Highway 65/99th Avenue, \$5 million for the MnDOT Active Transportation account, \$5 million for the Safe Routes for Schools account and \$35 million for improvements to US Highway 10.

Rep. Bernardy provided an overview of the session, noting that the Legislature provided tax relief for Federal PPP loans, tax relief for those who received unemployment insurance during the COVID-19 pandemic, and funding for both the E-line and F-line Bus Rapid Transit lines.

Sen. Kunesch provided an overview of her work at the State Capitol, noting the creation of a state office focusing on missing and murdered Indigenous women within the Department of Public Safety. She noted that the Legislature also created a task force on missing and murdered African American women as well. She stated that she focused on small business tax relief and transportation issues during the session as well.

Mayor Nelson inquired about proposed changes to the 10N bus route due to pending litigation between Metro Transit and Washington Prime Group, owner of Northtown Mall. Rep. Koegel stated that she was aware of these changes and would be setting up a meeting with her, the City, MnDOT, Metro Transit and others to discuss this further.

Administrator Buchholtz thanked Sen. Kunesch, Rep. Bernardy, and Rep. Koegel for their work to bring federal funding from the CARES Act to the City.

C. Presentation of Certificate of Appreciation to Chief Ebeltoft

Mayor Nelson, on behalf of the Beyond the Yellow Ribbon Committee, presented a Certificate of Appreciation to Chief Ebeltoft for his years of service on the Beyond the Yellow Ribbon Committee.

7. CONSENT AGENDA

- A. Approval of Minutes - July 6, 2021 City Council Meeting
- B. Approval of Minutes - July 12, 2021 City Council Work Session
- C. Approval of Claims - General Disbursements - \$376,986.94
- D. Application for Payment #7 - Arthur Street Water Treatment Plant Repairs
- E. Accept proposal from Smith Schafer for Auditing Services 2021-2025
- F. Resolution 21-28, Certifying Unpaid Administrative Offenses - Anoka County
- G. Authorization to Purchase Postage Machine
- H. Mayor's Proclamation - Park and Recreation Professionals Day - July 6, 2021
- I. Mayor's Proclamation - Park and Recreation Month - July 2021
- J. Contractors Licenses

Motion made by Councilmember Wendling to approve the Consent Agenda.

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

8. DEPARTMENT REPORTS**A. Police Report**

Chief Ebeltoft reported that there were 650 calls for service in June and that Investigator Bennek was handling 16 cases and following 4 forfeiture cases. He noted that Police Records Technician LuAnn Larson retired on July 16, 2021 and commended her for her 25 years of service. He stated that Kim Kiley was hired to fill the vacant Police Records Technician position and began her first day of employment on July 19, 2021.

B. Recreation Report

Recreation Director Okey expressed her appreciation to the Tower Days committee, volunteers and staff who helped make the 2021 Tower Days celebration a success. She stated that the next Music in the Park is on Wednesday, July 21. She stated that the annual Youth Softball Tournament is scheduled for the weekend of July 30.

C. Code Enforcement Report

Building Official Baker reported that the newest module of the Permit Works software has been installed and will support the City's tracking of code enforcement complaints and rental housing licenses.

9. UNFINISHED BUSINESS**A. Resolution 21-25, Approving a Variance from the Front Yard Setback to Allow the Construction of a Covered Porch at 518 Rosedale Road NE**

Administrator Buchholtz provided a history of the item, noting that the item had been tabled at the July 6, 2021 meeting to allow the applicant to provide additional information in support of the application. He stated that the City had received the information requested by the City Council. He noted that the Planning Commission had recommended approval of the variance on a vote of 3-2.

Councilmember Delfs stated that the application before the City Council was for a 12 foot variance from the front yard setback requirement set forth in City Code. He stated that he was comfortable with the variance, noting that there were other obstructions to front yard sightlines, including many mature trees on Rosedale Road.

Councilmember Wendling expressed support for the variance application, although he noted that he would have preferred a smaller encroachment into the front yard setback than what was proposed by the applicant.

Mayor Nelson stated that there was a strong diversity of housing styles in the City and that the proposed variance would continue that diversity of housing.

Councilmember Goodboe-Bisschoff expressed opposition to the proposed variance, noting that some residents were confused as to when the application would be reconsidered by the City Council. She stated that the applicant is seeking a 528 square foot encroachment while the City Code only permits a 60 square foot porch encroachment into front yard.

Motion made by Mayor Nelson to approve Resolution 21-25, Approving a Variance from the Front Yard Setback to Allow the Construction of a Covered Porch at 518 Rosedale Road NE.

Voting Yea: Councilmember Wendling, Councilmember Delfs, Councilmember Dircks, Mayor Nelson. Voting Nay: Councilmember Goodboe-Bisschoff. Motion carried 4-1.

10. ORDINANCES AND/OR RESOLUTIONS**A. Ordinance 476, Amending Chapter 5 of the City Code Establishing a Storm Water Utility**

Administrator Buchholtz provided an overview of the Storm Water Utility. He stated that the utility is being established to provide a stable funding source for the maintenance and operation of the City's storm water system. He said that staff is proposing a \$2.00/month per residential equivalency factor (REF) fee that will generate approximately \$95,000 per year in revenue. He stated that staff is proposing to reduce the existing water treatment plant charge

by a commensurate amount to offset the new storm water utility fee. He said the new fee would be effective on January 1, 2022.

Mayor Nelson inquired about the future of the water treatment plant charge. Administrator Buchholtz stated that the water treatment plants will be paid off in 2023. He said staff would evaluate needs of the utility, but noted that some of the water treatment plant charge may be incorporated into base water rates while some may be eliminated to offset an increase in the storm water utility fee.

Motion made by Councilmember Dircks to approve Ordinance 476, Amending Chapter 5 of the City Code Establishing a Storm Water Utility.

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

B. Resolution 21-26, Authorizing Summary Publication of Ordinance 476, Amending Chapter 5 of the City Code Establishing a Storm Water Utility

Motion made by Councilmember Dircks to approve Resolution 21-26, Authorizing Summary Publication of Ordinance 476, Amending Chapter 5 of the City Code Establishing a Storm Water Utility.

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

C. Resolution 21-27, Ordering Feasibility Report for 2022 Street Improvement Project

Administrator Buchholtz stated that staff has identified Hayes Street, Garfield Street and 80th Avenue for reconstruction in 2022. He requested the City Council ask Stantec to prepare a feasibility report. He outlined the M.S. Chapter 429 process and timeline for the required public process. He stated that the project is anticipated to begin in May 2022.

Motion made by Mayor Nelson to approve Resolution 21-27, Ordering Feasibility Report for 2022 Street Improvement Project.

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

D. Resolution 21-29, Imposing Emergency Conservation Regulations

Administrator Buchholtz stated that the Minnesota Department of Natural Resources has elevated the state's status to a severe drought warning. He noted that the DNR is calling for a reduction in water use by the City, achieved through additional outdoor watering restrictions. He stated that the proposed ordinance would prohibit outdoor watering between the hours of 11am and 6pm each day. He stated that this is in addition to the odd/even watering

restrictions presently in effect. He stated that the restriction would remain in effect until terminated by a majority vote of the City Council.

Mayor Nelson stated that outdoor watering in the heat of the day is ineffective as most of it evaporates. He felt this emergency watering restriction was in the best interest of the community.

Motion made by Councilmember Goodboe-Bisschoff to approve Resolution 21-29, Imposing Emergency Conservation Regulations.

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

11. NEW BUSINESS

A. Approval of 2022 Budget for North Metro Telecommunications Commission

Administrator Buchholtz presented the 2022 Budget for North Metro Telecommunications Commission. He stated that the proposed 2022 operating budget is \$1,353,056 and the proposed 2022 capital budget is \$727,496.

Motion made by Mayor Nelson to approve the 2022 Budget for North Metro Telecommunications Commission.

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

B. Award Quote for SCADA System Replacement

Director Randall stated that the SCADA system controls all of the wells, water treatment plants, water towers and lift stations. He said the SCADA system was last replaced in 2003 and that the Department is experiencing issues with new components at the Arthur Street Water Treatment Plant communicating with the existing system. He also reported that replacement parts are also difficult to find. He stated that the cost to replace the system was \$174,950, to be funded by either American Rescue Plan Act funds or the City's Public Utilities Renewal and Replacement Fund. He stated that the SCADA system is a proprietary system, which is why there is only one bid.

Motion made by Councilmember Delfs to award the SCADA system replacement quote to Automatic Control Systems in the amount of \$174,950.

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

C. Assignment of Site Development Agreement from Landco Investments of Spring Lake Park, LLC to Coventry Properties of Spring Lake Park, LLC

Attorney Thames stated that Landco Investments of Spring Lake Park, LLC wishes to transfer ownership of the property at 525 Osborne Road to Coventry Properties of Spring Lake Park, LLC. He said both entities are controlled by the same Principals. He noted that the Site Development Agreement between the City and Landco requires approval by the City Council before assigning the Site Development Agreement to a different entity.

Mayor Nelson inquired if all the requirements of the Site Development Agreement are still in effect after assignment. Attorney Thames responded affirmatively.

Motion made by Councilmember Wendling to approve an Amendment to the Site Development Agreement authorizing assignment from Landco Investments of Spring Lake Park, LLC to Coventry Properties of Spring Lake Park, LLC and to authorize the Mayor and City Administrator to execute the Amendment.

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

12. REPORTS

A. Attorney Report -- None

B. Engineer Report -- None

C. Administrator Report

Administrator Buchholtz reported that he attended retirement parties for two long-time Police Department employees. He expressed his appreciation for the dedicated service for Records Technician LuAnn Larson and Officer Dave Chlebeck.

13. OTHER

A. Beyond the Yellow Ribbon Report

Mayor Nelson provided an overview of activities by the Beyond the Yellow Ribbon Committee.

B. Correspondence

14. ADJOURN

Motion made by Councilmember Wendling to adjourn.

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

The meeting was adjourned at 8:45pm.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer