

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on September 7, 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 Bob Nelson
Councilmember Ken Wendling
Councilmember Brad Delfs
Councilmember Lisa Dircks

MEMBERS ABSENT

Councilmember Barbara Goodboe-Bisschoff

STAFF PRESENT

Building Official Jeff Baker, Public Works Director Terry Randall, Police Chief Josh Antoine, Engineer Phil Gravel, City Attorney John Thames, Administrator Daniel Buchholtz

OTHERS PRESENT

Bonnie Dircks, 773 83rd Avenue
John Shardlow, Stantec

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS OR CORRECTIONS TO AGENDA - None

5. DISCUSSION FROM THE FLOOR - None

6. CONSENT AGENDA

- A. Approval of Minutes - August 9, 2021 City Council Work Session
- B. Approval of Minutes - August 16, 2021 City Council Meeting
- C. Mayor's Proclamation - Patriot Day - September 11, 2021
- D. Mayor's Proclamation - Constitution Week - September 17-23, 2021
- E. Mayor's Proclamation - Domestic Violence Awareness Month - October 2021
- F. 2021 Second Half Assessment - Suburban Rate Authority
- G. Third Quarter Billing for 2022 Pay 2023 Property Tax Assessment - Ken Tolzmann
- H. Contractor's Licenses

Administrator Buchholtz noted that Heidi Leaf was listed under “Others Present” in the August 16 City Council draft minutes but should have been listed under “Others Present” in the August 9 work session minutes instead. He asked that the Council to make that amendment to the draft minutes.

Motion made by Councilmember Wendling to approve the Consent Agenda, with the amendment to the minutes of August 9, 2021 and August 16, 2021 as stated above.

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

7. DEPARTMENT REPORTS

A. Code Enforcement Report

Building Official Baker reported that the Certificate of Occupancy has been issued for 7813 Monroe Street. He stated that site work has commenced at 525 Osborne Road NE for the Suite Living assisted living/memory care project.

B. Public Works Report

Public Works Director Randall stated that the tennis court at Terrace Park has been sealed. He noted that he is watching the progress at 525 Osborne Road.

8. ORDINANCES AND/OR RESOLUTIONS

A. Resolution 21-32, Receiving Feasibility Report and Calling Hearing on Improvements - 2022 Street Improvement Project

Engineer Gravel submitted the Feasibility Report on providing improvement to Hayes Street NE, 80th Avenue NE, and Garfield Street NE. He said the report was authorized by Resolution 21-27, which was approved on July 19, 2021. He stated that the Feasibility Report includes a discussion of the existing condition of the streets, as well as a description of the improvements recommended for inclusion in the project. He stated the improvements include street rehabilitation and select repairs to the existing public storm sewer system. He stated that the estimated cost of the project is \$689,000 and that assessments are estimated at \$3,400 per lot.

Motion made by Councilmember Wendling to approve Resolution 21-32, Receiving Feasibility Report and Calling Hearing on Improvements – 2022 Street Improvement Project.

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

B. Resolution 21-33, Adopting Proposed 2021 Taxes Collectable in 2022

Administrator Buchholtz presented the proposed 2021, pay 2022, tax levy. He stated that the proposed tax levy is \$3,829,837, an increase of 5.46% from the current levy. He stated that the increase is due to a number of factors including employee salary and benefits costs, implementation of the compensation and classification study underway, mental health services for members of the Police Department, and general inflationary costs. He stated that the annual Truth in Taxation public hearing will be held on December 6, 2021 at 7:00pm at City Hall. He noted that the preliminary tax levy establishes the maximum levy for 2021, pay 2022, property taxes and that the final tax levy must be the same or lower than the preliminary tax levy.

Motion made by Councilmember Delfs to approve Resolution 21-33, Adopting Proposed 2021 Taxes Collectable in 2022.

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

C. Resolution 21-34, Cancelling or Reducing Bond Levies - 2021/2022

Administrator Buchholtz stated that State Law requires the County Auditor to levy the amount of debt service originally certified unless the City Council passes a resolution cancelling the levy. He stated that the proposed resolution cancels three debt service levies and reduces a fourth due to the City having funds on-hand to make the debt service payment. He stated that the debt service levies can be reduced due to revenues from a combination of Local Government Aid, Public Utility funds, special assessments, Municipal State Aid funds and General Fund budget allocations.

Motion made by Councilmember Dircks to approve Resolution 21-34, Cancelling or Reducing Bond Levies - 2021/2022.

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

D. Resolution 21-35, Granting Approval of Conditional Use Permit for Infinity Automotive at 8443 University Ave NE

John Shardlow, consulting planner at Stantec, presented the staff memorandum on the proposed request from Infinity Automotive for a conditional use permit for auto repair at 8443 University Avenue NE.

Administrator Buchholtz reviewed the recommendation from the Planning Commission on the application, recommended approval with the following conditions:

- The previous special use permit is voided with approval of this Conditional Use Permit
- Hours of operation shall be 7AM to 7PM, Monday through Saturday.

- Overhead doors are to be closed and all work on vehicles shall be performed inside the building.
- There shall be no outside storage of parts or equipment.
- No more than ten vehicles will be parked overnight (24 hours) on the front (west) side of the property and no more than twenty-four vehicles shall be parked overnight in the rear (east) side of the building.
- New landscaping shall be installed pursuant to a landscape plan approved by the City Planner by a date to be determined by the City Council for the west side of the property consisting of at least four overstory trees and at least twelve shrubs that will be 3 to 5 feet in height at maturity. All plant materials will be maintained for the duration of the Conditional Use Permit and will be replaced with approved equal if dead, damaged or destroyed. Administrator Buchholtz suggested October 31 as an appropriate date to complete the landscape plantings.
- If, in the opinion of the City's Building Official, the business satisfactorily follows the conditions in this CUP for a period of one year, the amounts owing on the outstanding administrative offense tickets will be waived by the City. If the conditions are not followed, new tickets may be issued and the additional amounts owing will be added to the existing amounts, with all such amounts to be certified to the property taxes to be paid in full.
- If the conditions of this permit are not met, the City Council may revoke the CUP under the provisions and process set forth in the City's Zoning Code.

Mayor Nelson expressed concern about the date proposed in the Resolution associated with planting landscaping, considering the drought the State is under. After further discussion, the City Council expressed comfort with November 1, 2021 and amended the resolution to require the landscaping be planted by that date.

Mayor Nelson stated that he felt that five-foot shrubs would be too tall, limiting site lines into the parking lot, which could screen criminal activity. He recommended the shrubs be no taller than 3 feet in height. There was no objection made by members of the City Council on this proposed amendment.

Councilmember Dircks asked that the language on Condition 6 be clarified. The City Council agreed to amend the first sentence of Condition 6 to read as follows: "New landscaping, pursuant to a landscape plan approved by the City Planner, shall be installed no later than November 1, 2021 on the boulevard at the front (west) side of the property, consisting of at least four overstory trees and at least twelve shrubs that will be 3 feet in height at maturity."

Motion made by Councilmember Dircks to approve Resolution 21-35, Granting Approval of Conditional Use Permit for Infinity Automotive at 8443 University Avenue NE, as amended.

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

9. NEW BUSINESS**A. Approve Job Description for Firefighter/Fire/Housing/Code Inspector Position and Fill Position**

Building Official Baker presented the staff memorandum. He requested the City Council approve the job description and appoint Walter Morris to fill the newly created Firefighter/Fire/Housing/Code Inspector position. Administrator Buchholtz also requested the City Council approve Resolution 21-36, Firefighter Declaration of a Dual Position for Public Employees Retirement Association of Minnesota.

Motion by Mayor Nelson to 1) approve the job description for a new full-time Firefighter/Fire/Housing/Code Inspector; 2) appoint Walter Morris to fill the new position; and 3) approve Resolution 21-36, Firefighter Declaration of a Dual Position for Public Employees Retirement Association of Minnesota.

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

10. REPORTS

A. Attorney Report – No report.

B. Engineer Report – No report.

C. Administrator Report

Administrator Buchholtz stated that he and Engineer Gravel recorded an informational video on the 2022 Street Improvement Project. He stated that staff conducted the annual City benefits meeting with the employees.

11. OTHER

A. Schedule Administrator's Performance Evaluation

City Council scheduled the Administrator's Performance Evaluation during the September 20 City Council meeting.

B. Police Hiring Process Update

Police Chief Antoine provided an update on the Police Officer hiring process and the Sergeant promotional process.

C. Correspondence

12. ADJOURN

Motion made by Councilmember Wendling to adjourn.

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

The meeting was adjourned at 7:58 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer