

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on March 6, 2023 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

Councilmember Ken Wendling
Councilmember Barbara Goodboe-Bisschoff
Councilmember Lisa Dircks
Mayor Bob Nelson

MEMBERS ABSENT

Councilmember April Moran

STAFF PRESENT

Building Official Jeff Baker, Police Chief Josh Antoine, Engineer Phil Gravel, Attorney John Thames, Administrator Daniel Buchholtz

VISITORS

Greg Pettersen, 1409 Osborne Road NE

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz requested that Item J, Contractor's Request for Payment No. 4 and Payment No. 5 for DPG – Able Park Shelter be added to the Consent Agenda.

5. DISCUSSION FROM THE FLOOR

6. CONSENT AGENDA

- A. Approval of Minutes – February 21, 2023 City Council Meeting
- B. Approval of Minutes – February 21, 2023 Council Work Session
- C. Resolution 2023-09 – Accepting Donation from Spring Lake Park Lions
- D. First Quarter Billing for 2024 Payable 2025 Property Tax Assessment – Ken Tolzmann
- E. Travel Marketplace and Conference 2023
- F. Approve Amendment to Statement of Values Policy
- G. Contractor's Licenses

Motion made by Councilmember Wendling to approve the Consent Agenda.

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

7. DEPARTMENT REPORTS

A. Public Works Report

Public Works Director Randall stated that the Department plowed five times which includes all parking lots and sidewalks. As time permits staff is cleaning snow out in front of the mailboxes. He noted that there were two water main breaks and Valley Rich made the repairs.

Director Randall stated that staff removed snow from the boulevards along 81st Avenue from Hwy 65 to Pleasant View Drive, and along 81st Avenue from University Avenue to Terrace Road NE. He noted that all the catch basins have been opened.

B. Code Enforcement Report

Building Official Baker stated Inspector Morris is halfway through a college course “Building Construction for the Fire Service” and noted that once the course is complete, inspector Morris will be eligible to take his ICC RB1 test. He said the RB1 is the International Code Council’s equivalent to the State of Minnesota’s Building Official Limited Certification.

Building Official Baker updated the City Council on on-going construction projects. He stated that the water lines for Take 5 Carwash have been stubbed under the footings and the framing for the footings will start during March.

8. ORDINANCES AND/OR RESOLUTIONS

A. Resolution 2023-10, Approving a Variance from the Minimum Lot Size Requirement to Permit a Two-Family Dwelling at 1409 Osborne Road NE

Administrator Buchholtz stated that the City received an application from Greg and Colleen Pettersen, 1409 Osborne Road NE, for a variance and conditional use permit that would permit a 2-family dwelling at the property.

Administrator Buchholtz noted that Section § 16.56.030, F of the zoning code outlines the findings required prior to issuance of a conditional use permit:

1. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;
2. The use will not, under the circumstances of the particular case, be detrimental to the

- health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity;
3. The proposed use will comply with the regulations specified in this title for the district in which the proposed use is to be located;
 4. The use is one of the conditional uses specifically listed for the district in which it is to be located;
 5. The proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity;
 6. The use will not lower property values or impact scenic views in the surrounding area;
 7. Existing streets and highways and proposed access roads will be adequate to accommodate anticipated traffic;
 8. Sufficient off-street parking and loading space will be provided to serve the proposed use;
 9. The use includes adequate protection for the natural drainage system and natural topography;
 10. The proposed use includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance; and
 11. The proposed use will not stimulate growth incompatible with prevailing density standards.

Administrator Buchholtz stated that the Planning Commission found the applicant demonstrated that the proposed use would be reasonable and would not alter the essential character of the location. He stated that the applicant's request meets the tests for a variance – the use itself is reasonable, the request would not alter the essential character of the locality, granting the variance is not for economic reasons alone, and there are circumstances unique to the property not created by applicant that make it impossible to meet the ordinance lot size standard.

Motion made by Councilmember Dircks to Approve Resolution 2023-10, Approving a Variance from the Minimum Lot Size Requirement to Permit a Two-family Dwelling at 1409 Osborne Road NE.

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

B. Resolution 2023-11, Approving a Conditional Use Permit to Allow a Two-Family Dwelling in the R-1 Zoning District at 1409 Osborne Road NE

Administrator Buchholtz stated that the use of the facility passed the practicality test for a Conditional Use Permit (CUP):

- The use will contribute to the general welfare of the neighborhood or community

- by creating a dwelling unit.
- The use will not be detrimental to the health, safety, morals or general welfare of persons residing or working the vicinity of the use or injurious to property values/improvements within the vicinity of the use as the second dwelling unit is located above the garage and maintains the residential character of the existing neighborhood.
 - The use complies with Chapter 16 of the City Code.
 - Existing infrastructure is adequate to accommodate anticipate traffic generated by the proposed use.
 - The use will not impact the natural drainage system and natural topography of the site.
 - Adequate measures are included to prevent or control offensive odor, fumes, dust, noise or vibration so that none of these will constitute a nuisance.
 - The use is compatible with prevailing density standards as the R-1 zoning district.

Administrator Buchholtz stated that the Planning Commission recommended approval of the variance and the conditional use permit.

Mayor Nelson inquired of Mr. Pettersen if adding the condition that a one of the two dwelling units needs to be owner-occupied would be an issue. Mr. Pettersen said he saw no problem with the request.

Motion made by Councilmember Dircks to Approve Resolution 2023-11, Approving a Conditional Use Permit to Allow a Two-Family Dwelling in the R-1 Zoning District at 1409 Osborne Road NE, With the Condition That One of the Units be Owner Occupied, and Direct the Administrator and the Attorney to Draft Language to That Affect.

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

9. **REPORTS**

A. Attorney Report

Attorney Thames updated the Council on the sale of the McKinley Lot.

C. Engineer's Report

Engineer Gravel gave an update on the review of the Storm Water Permit. He stated the sewer lining and seal coat projects will be bid in April.

Mayor Nelson inquired if there about the potholes on Sanburnol and what can be done about them in conjunction with Blaine.

C. Administrator Report

Administrator Buchholtz, on behalf of Councilmember Moran asked to have the No Mow May Initiative put on a future work session agenda. He stated that Councilmember Goodboe-Bisschoff and he will be at the Capitol for City Day on the Hill, Thursday March 9, 2023, and noted that they will meet with Senator Kunesh and Representative Koegel. Administrator Buchholtz noted that North Metro Mayors will be having a Day on the Hill on Wednesday, March 15, 2023. Councilmembers Wendling and Goodboe-Bisschoff indicated their intention to attend.

10. OTHER

A. Correspondence - None

B. Mayor Nelson updated the Council on the activities of the Beyond the Yellow Ribbon.

11. ADJOURN

Motion made by Councilmember Wendling to adjourn.

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

The meeting was adjourned at 7:50 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer