

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on February 01, 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

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, Building Official Baker, Attorney Thames, City Planner Carlson and Administrator Buchholtz

VISITORS

Reverend Isaac Mitchell, Bethel City of Hope Church
Joyce Browne
Reverend Kopper
Walter Urey
David Wilson
Brian Lunseth
Peter Lunseth
Mike Cotton

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz reported a Work Session request has been added at Item 9.D.

5. DISCUSSION FROM THE FLOOR - None

6. CONSENT AGENDA

- A. Approval of Minutes - January 21, 2021 City Council Meeting
- B. Resolution No. 21-04 Accepting Monetary Donation
- C. Contractor's Licenses
- D. Sign Permit

Councilmember Wendling thanked the donor for their generous donation to the Police Department.

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 Director Randall reported that the Public Works Department continues to collect garbage and recycling from the parks and the hockey rinks continue to be maintained daily. He reported that the department plowed three times in the month of January.

Mr. Randall reported that the Public Works Department responded to two water main breaks. He reported that the Public Works Department continues with truck maintenance after the plowing is completed.

Mayor Nelson thanked the Public Works Department and Valley Rich for their work on the water main breaks.

Councilmember Goodboe-Bisschoff complimented the Public Works Department on their plowing efforts.

B. Code Enforcement Report

Building Official Baker reviewed his staff report with the Council.

Councilmember Wendling inquired on the requirements of snow removal for the homeowner who has a fire hydrant on or near their property. Mr. Baker stated that it is the homeowner's responsibility to clear three feet around the fire hydrant.

8. ORDINANCES AND/OR RESOLUTIONS

A. Resolution 21-05, Granting Approval of Conditional Use Permit for Bethel City of Hope Church

City Planner Carlson reviewed the staff memo and provided the Council with an updated memo regarding available on-site and proposed parking spaces.

Mayor Nelson inquired if the reserved parking spaces at Fastenal are still in place for Eaglebrook Church and nearby businesses. He stated that in the past, those parking at those spaces were not ideal due to pedestrians having to cross 85th Avenue.

Planner Carlson stated that he was not sure if those spaces existed or not. He agreed that crossing at 85th Avenue is dangerous and would require that pedestrians use the crosswalk access at the intersection of Highway 65 and 85th Avenue.

Councilmember Wendling inquired if the food truck that is located in the parking lot will move on Sunday's to accommodate more parking spaces. He stated that the taco truck consumes six parking spaces. He inquired how the snow removal would be handled in the parking lot.

Mr. Lunseth reported that there are many factors that can be used to assist with the parking issues. He stated that the food truck does not have a contract, therefore, the owner of the truck could be asked to move on Sunday's to accommodate up to six additional parking spaces. He stated that snowplowing has never been a problem and they would haul away the snow to avoid large snow banks. He stated that additional parking spaces have been verbally agreed to by Wells Fargo and Fastenal. He stated that there are additional parking spaces that can be created in the back of the building and paving, along with striping, of the back lot will happen this spring.

Mr. Lunseth stated that O'Riley's Auto store is the only business that is open on Sunday. He stated that the business is not as busy on Sunday compared to during the week. He suggested that there will be a person from the church directing incoming traffic if needed and additional services could be added if there is a need.

Mike Cotten, Napa Auto-Cotten's, expressed his concern with the parking spaces dedicated for his auto store. He stated that he does not have an issue with the church establishing in the building, however, he would like his 17 parking spaces to be protected for his customers.

Mayor Nelson stated that he is very concerned with the parking. He stated that other businesses in Spring Lake Park have experienced many parking issues and he does not want to see new parking concerns created in this space. He stated that with future expansion of businesses in the area parking will become a major issue for surrounding businesses.

Councilmember Wendling inquired as to how the construction company feels about the church establishing in the nearby building and how much will the parking have an impact on the construction business location. Mr. Lunseth stated that the construction company is set up as a showroom and there is little traffic at their building. He stated that supplies are picked up and delivered to the business but he does not see parking an issue with them.

Councilmember Dircks inquired if O'Riley's Auto is the only business open on Sunday and would there be a large overlap in the hours that the store is open and when the church would be holding services. Mr. Lunseth stated that O'Riley's has regular business hours so there could be approximately three to four hours of overlap in parking.

Councilmember Dircks inquired on how many handicap spaces would be required.

Administrator Buchholtz stated that the church use requires four handicap-accessible spaces to comply with the Minnesota Accessibility Code.

Mayor Nelson inquired how many parking spaces will be lost because of the required handicap spaces. Building Inspector Baker stated that there are already spaces in place for the building along with required ramps. He stated that there will be only a few spaces that will need to be added.

Councilmember Goodboe-Bisschoff inquired the distance required for a church to be located near a liquor establishment. She expressed her concerns with another church taking up residency in the city. Administrator Buchholtz stated that the distance is 500 feet.

Administrator Buchholtz reminded that the Conditional Use Permit application should be reviewed as its broader use which is assembly use. He stated that parking issues should be reviewed for assembly usage and reminded that assembly use could be any use such as a bowling alley, movie theater or a gathering space.

Councilmember Goodboe-Bisschoff inquired as to how long the proposed lease will be for the church. Reverend Mitchell stated that the proposed lease will be three to five years. He stated that he does not see parking as an issue and the church is willing to work any conditions that are set upon them. He stated that a mini van shuttle could be used if the additional parking spaces need to be utilized at Wells Fargo or Fastenal. He stated that the church has been in the Fridley Community Center for four years without any problems. He stated that the Spring Lake Park location would eliminate the need to set up and tear down each week. He stated that more services can be added if there is an increase in membership. He stated that there would be 60 people on a Sunday including staff. He reported that the church would be using the space on Sunday from 9:00 AM - 1:00 PM. He stated that there is very little weekday traffic other than staff.

Councilmember Goodboe-Bisschoff stated that she has concern with leasing the space to a church since the city currently has a lot of churches. She is concerned that there is no tax revenue coming into the City from the churches. Attorney Thames reminded the Council that it is important that they evaluate the application so that the proposed business is in compliance with the City Zoning Code. He reported that the church is permitted use with a Conditional Use Permit. He stated that the parking issue is most relevant at this time.

Councilmember Dircks inquired as to what percentage growth the church expects to see in a one year time. Reverend Mitchell stated that they have been growing 5% per year. He stated that the total number members for both services presently is 100 -125 people including children.

Councilmember Delfs suggested that 60 parking spaces could be established for the church to use on Sunday and 55 spaces for use during the week. He stated that the number of spaces would allow for some spaces when the church membership grows. He stated that

the time may come where the church outgrows the building space. Councilmember Dircks agreed with the parking spaces proposed.

Administrator Buchholtz reminded the Council that the CUP applies to the unit in the building and not to the entire building. He stated that the CUP would need to be amended if there is significant growth in the church membership for parking or for space needs.

Motion made by Councilmember Wendling to approve Resolution 21-05, Granting Approval of Conditional Use Permit for Bethel City of Hope Church subject to the following conditions:

1. The property owners will sign an agreement with the City indicating the use of 60 parking spaces on site reserved for the church on Sundays and 55 spaces other days. The spaces for church use will be clearly marked and the building owner will enforce the use of them. If parking becomes a problem, in the City's opinion, on site or on the street, the City reserves the right to review the Conditional Use Permit and impose additional conditions, limit the use of the space, or revoke the Conditional Use Permit for the church.
2. The church or property owners will apply for a sign permit if and when the church wishes to install new signage, which will comply with the City's sign regulations.
3. Any changes proposed to the exterior of the building or site as a result of this church use, other than signage, will be reviewed by City staff to see if such changes require review of the Conditional Use Permit. In such a case, the City reserves the right to refer the Conditional Use Permit to the Planning Commission and City Council and impose additional conditions or limit the use of the space.
4. The property owner shall comply with the requirements of the Minnesota Accessibility Code.

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

9. REPORTS

- A. Attorney's Report – No report
- B. Engineer's Report

Engineer Gravel provided his report in the Council packet.

- C. 2021 Municipal State Aid Account Allocation

Administrator Buchholtz reported that total combined construction and maintenance allocation for 2021 is \$289,560. He reported that the 2021 total allotment is a decrease of \$22,954 from last year. He stated that the amount of gas tax revenue available to the municipalities decreased by 8.2 percent from the previous year.

D. Administrator Report

Administrator Buchholtz provided his report in the Council packet. He requested that a work session be scheduled for Monday, February 8, 2021 at 5:30 PM.

10. OTHER**A. Correspondence**

Mayor Nelson reported that he, Public Works employee Ken Prokott, Sergeant Long and Officer Chlebeck provided a tour of City Hall and a presentation on the City's operations to a group of Cub Scout Webelos on Saturday, January 30, 2021. He thanked the staff who participated and for their time.

Mayor Nelson reported that the Beyond the Yellow Ribbon Committee will be holding the pork chop dinner on the fourth Monday of the month and will be serving burgers during the Lions bingo on Tuesdays at the VFW.

11. ADJOURN

Motion made by Councilmember Wendling to adjourn the meeting.

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

The meeting adjourned at 8:30 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer