

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 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, Building Official Baker, Police Chief Ebeltoft, Engineer Gravel, Attorney Thames, Administrator Buchholtz

VISITORS

Virginia Moucha, 8037 6th Street NE

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz requested that a Right of Way Application for Telcom Construction be added to the Consent Agenda as Item 6.I.

5. DISCUSSION FROM THE FLOOR - None

6. CONSENT AGENDA

- A. Approval of Minutes - December 7, 2020 City Council Work Session
- B. Approval of Minutes - January 11, 2021 Work Session
- C. Approval of Minutes - February 16, 2021 City Council Meeting
- D. Approval of Payment of First Half Assessment to Suburban Rate Authority
- E. Approve Resolution 21-09 Approving State of MN Joint Powers Agreements with the City of Spring Lake Park on Behalf of Its City Attorney and Police Department
- F. Right of Way Application - CenterPoint Energy
- G. First Quarter Billing for 2022 Payable 2023 Property Tax Assessment - Ken Tolzmann
- H. Contractor's Licenses
- I. Right of Way Application – Telcom Construction

Motion made by Councilmember Delfs 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 ice rinks are no longer being maintained due to the warm weather. He stated that garbage and recycling continues to be picked up twice weekly at the parks. He reported that the Public Works Department plowed three times in the month of February and during the cold weather days staff performed maintenance on the trucks as well as cleared snow from the mailbox side of the street and cleaned the catch basins. He stated that staff has been trimming trees.

Mr. Randall reported a water main break at Osborne and Carriage Oaks Drive and four frozen water meters. He stated that antenna changeouts on the water towers are taking place and good progress is being made on the Arthur Street water treatment plant.

B. Code Enforcement Report

Building Official Baker reported the monthly permit and inspection statistics. He reported that 19 administrative citations were issued for the month of February. He stated that final rental license letters have been sent. He stated that several inspections have taken place at Hy-Vee and progress is going well.

8. ORDINANCES AND/OR RESOLUTIONS

A. Resolution 21-10, Approving Rear Yard and Side Yard Variance to Allow Construction of an Accessory Building at 8037 6th Street NE

Administrator Buchholtz reported that the City received an application for a variance from the rear yard and side yard setback to set a 200 square foot utility shed on the rear and side property line at 8039 6th Street NE. He reported that staff initially reviewed the application and recommended denial of the variance, due to the fact that the applicant did not appear to meet the practical difficulties test.

Administrator Buchholtz reported that the Planning Commission held a Public Hearing on February 22, 2021, and after reviewing the application and hearing testimony provided by the applicant, the Commission unanimously recommended approval of the variance application.

Mayor Nelson stated that he supports the variance as many of the sheds in the neighborhood were constructed before ordinances were in place. He stated that this new shed will be a benefit to the community.

Councilmember Goodboe-Bisschoff inquired why the complaint was filed. Ms. Moucha stated that the complaint came from a near-by neighbor who she has had difficulties with in the past. She noted that the shed is not near their property.

Councilmember Goodboe-Bisschoff inquired as to why Ms. Moucha had a survey completed. Ms. Moucha stated that it was required for the variance. She stated that the bumper of the shed is on the property line of the neighbor.

Councilmember Delfs stated that Ms. Moucha is doing the right thing to apply for the variance and zoning applications despite what has been done in the past with other residents. He encouraged residents to contact staff at City Hall for the current requirements for new or replacement of sheds.

Motion made by Mayor Nelson to approve Resolution 21-10, Approving Rear Yard and Side Yard Variance to Allow Construction of an Accessory Building at 8037 6th Street NE.

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

B. Resolution 21-11, Expressing Support for SF 1044/HF 1034, A Bill Extending Eligibility for Unemployment Benefits to Secondary Students

Councilmember Dircks requested that a resolution be presented to the City Council expressing the City's support for SF 1044 / HF 1034. She reported that the bill, before the Legislature, would extend eligibility for unemployment benefits to secondary (high school) students. She stated that with the pandemic many high school students are either the main suppliers to their family income or help support their family. She reported that high school students are not eligible to collect unemployment benefits. She stated that there are specific requirements that an individual must meet to be eligible for unemployment benefits.

Councilmember Dircks stated that the bill is bipartisan, with supporters on both sides of the aisle. She stated that all employers pay into unemployment benefits.

Mayor Nelson stated that he contacted several local businesses and learned that many of the business would not hire younger students if this bill should pass as it could cause students to collect unemployment benefits from their employer and not be motivated to search for a new job.

Councilmember Dircks stated that there are many young individuals that have necessities now that they cannot afford versus what will happen in the future. She stated that many of

the students provide for their family members when parents cannot and many of the students could be living on their own. She stated that unemployment criteria must be met by the individual to be paid unemployment benefits. She stated that this bill impacts many residents and people who are in the community.

Councilmember Delfs stated that many business hire younger people so that benefits do not need to be paid. He stated that by approving the Resolution, it is only stating that the Council supports the bill. He reported that he has knowledge of students who were often not able to attend classes, before the pandemic, due to having to work to help support their family.

Mayor Nelson stated that he was not initially supportive of the bill; however, after reviewing the proposed language in the bills, he understands it more clearly. He stated that he hopes that the changes do not hurt jobs in the future and cause automation of jobs that are often filled by students.

Councilmember Wendling stated that many of the businesses he spoke to stated that the businesses did not know what they paid in unemployment rates and are not sure how they would handle having to pay unemployment to younger workers.

Motion made by Councilmember Dircks to approve Resolution 21-11, Expressing Support for SF 1044/HF 1034, A Bill Extending Eligibility for Accessory Building at 8037 6th Street NE.

Voting Yea: Mayor Nelson, Councilmember Delfs, Councilmember Goodboe-Bisschoff, Councilmember Dircks

Voting Nay: Councilmember Wendling.

Motion carried.

9. NEW BUSINESS

A. Zoning Compliance Agreement - 7739 Monroe St NE

Administrator Buchholtz reviewed that staff memo. He reported that staff drafted a Zoning Compliance Agreement and the property owner at 7739 Monroe Street NE has executed the agreement. He stated that it is similar to an agreement that has been done with other property owners in the past and has been successful.

Councilmember Goodboe-Bisschoff inquired if the drawing that was provided to the Council is the final plan for the driveway. Building Official Baker stated that the drawing was submitted by the contractor and there are no major changes to the driveway. He stated that the driveway will not change and there will be no new curb cuts. He reported that the proposed driveway and corrections provide plenty greenspace and flooding will not be an issue.

Councilmember Delfs inquired if it has been verified that all the vehicles are currently operable and licensed. Building Official Baker stated that the vehicles that are visible and those that are able to be seen from his allowable viewing area are licensed and operable.

Councilmember Goodboe-Bisschoff inquired if it has been verified that no business is being conducted at the home and the vehicles belong to the residents. Building Official Baker stated that the vehicles belong to the family members living at the property.

Motion made by Mayor Nelson to approve Zoning Compliance Agreement for 7739 Monroe Street NE.

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

B. Request for Work Session - March 8, 2021

Administrator Buchholtz requested that a Work Session be scheduled for Monday, March 8, 2021 at 5:30 PM. The consensus of the Council was to schedule the work session.

10. REPORTS

A. Attorney's Report – No report

B. Engineer's Report

Engineer Gravel provided his staff report in the Council packet. He had no new items to report.

C. Administrator Report

Administrator Buchholtz reported that he toured Hy-Vee and major changes and progress has been made to the interior of the building. He stated that construction is on track scheduled to open the end of May.

Administrator Buchholtz reported that he met with Anoka County regarding the mill and overlay project scheduled for work on CSAH 35. He reported that that he participated in a meeting on regional collaboration between Spring Lake Park Blaine Mounds View Fire and Centennial Fire.

11. OTHER

A. Request for Closed Session pursuant to M.S. 13D.05(3) - Attorney Client Privilege - Garfield Pond Project

Motion made by Mayor Nelson to close the meeting pursuant to Minnesota Statute 13D.05(3), Attorney-Client Privilege, to discuss possible claims and litigation regarding the Garfield Pond project.

Voting Yea: All. Motion carried.

Meeting was closed at 7:53 PM.

The City Council reconvened at 8:30 PM.

Attorney Thames reported that the City Council went into closed session to discuss possible claims and litigation regarding the Garfield Pond project. He reported that staff was given direction on how to proceed.

12. ADJOURN

Motion made by Councilmember Wendling to adjourn.

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

The meeting adjourned at 8:31 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer