

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on June 20, 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

Mayor Robert Nelson  
Councilmember Ken Wendling  
Councilmember Barbara Goodboe-Bisschoff  
Councilmember Lisa Dircks  
Councilmember April Moran

#### STAFF PRESENT

Public Works Director Terry Randall, Police Chief Josh Antoine, Recreation Director Kay Okey, Peter Allen (Stantec), Administrator Daniel Buchholtz

#### VISITORS

None

### 3. PLEDGE OF ALLEGIANCE

### 4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz requested that the following additions be made to the agenda: 1) that Item 9C, Resolution 2023-26 Summary Publication of Ordinance 487 be added; 2) that Item 10C, the Professional Services Agreement with Northland Securities be added.

### 5. DISCUSSION FROM THE FLOOR

None

### 6. CONSENT AGENDA

- A. Approval of Minutes – May 15, 2023 City Council Work Session
- B. Approval of Minutes – June 5, 2023 Council Meeting
- C. Approval of Claims – General Disbursement No 23-09 - \$427,066.48
- D. Resolution 2023-25, Authorizing 2022 Year-End Fund Transfers and Budget Adjustment
- E. Contractor's Licenses

Motion made by Councilmember Wendling to approve Consent Agenda.

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

## 7. DEPARTMENT REPORTS

### A. Police Report

Chief Antoine reported that the Police Department responded to 853 calls for service in May 2023 compared to 834 calls for service for the month of May 2022. He said that School Resource Officer Imig reported handling 17 calls for service in May, as well as handling 28 student contacts, 19 student escorts, and 9 follow-up investigations.

Chief Antoine said Investigator Bennek handled 29 cases for the month of May, 28 of which were felony in nature and 1 misdemeanor. He said Investigator is monitoring 5 active forfeiture cases.

Chief Antoine stated that he and Sergeant Fiske visited the TLC Toy Company, which is a group of volunteers who make toys for Police Departments to distribute when they are interacting with kids on a call.

### B. Recreation Report

Director Okey thanked all of the volunteers, staff, and organizations for their assistance during the Tower Days Festivities.

## 8. PUBLIC HEARING

### A. Public Hearing to Comment on City's Storm Water Pollution Prevention Program and 2022 MS4 Annual Report

Peter Allen from Stantec presented the 2022 MS4 Annual review. He addressed the Council and provided a slide presentation that showed what an MS4 Permit consists of, as well as who is involved with the Storm Water Management Regulation in Spring Lake Park. He stated that three groups regulate it: The State of Minnesota, Federal Programs and local watershed management organizations.

Mr. Allen explained the Storm Water Regulatory Documents that impact municipal operations, which include: the NPDES MS4 Permit, Local Surface Water Management Plans and Watershed Management Plans and Rules.

Mr. Allen reviewed the basic components of the MS4 Permit, known as "Best Management Practices", or BMP's. He stated that each BMP addresses one or more of the six main elements of the permit referred to as "Minimum Control Measures" which include public education and outreach; public participation and involvement; illicit discharge detection and elimination;

construction site storm water runoff control; post construction storm water management and pollution prevention and good housekeeping for municipal operations.

Mr. Allen reported on how Spring Lake Park is currently in compliance with the MS4 Permit. He stated that the City has formed partnerships with the Watershed Districts and other MS4's, created City Ordinances and LWMP requirements, created Storm Sewer System Maps along with related brochures and articles, performed inspections on illicit discharge, construction and MS4 system, performed street sweeping, staff training; conducted a Facilities Inventory Assessment, Pond Assessment and completed the MS4 Annual reports to submit to the Minnesota Pollution Control Agency.

Motion by Councilmember Wendling to open the public hearing at 7:20 PM.

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

No one came forward to speak on the City's SWPPP.

Motion made by Councilmember Wendling to close the public hearing at 7:20 PM.

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

B. Public Hearing on Interim Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Growing, Transporting, Delivery and Distribution of Cannabis Products in the City of Spring Lake Park

Administrator Buchholtz gave an overview of the Interim Ordinance. He stated that the proposed interim ordinance utilizes powers under existing law to prohibit the sale, testing, manufacturing, cultivating, commercial growing, transporting, delivery and distribution of cannabis products within the City. He said that the proposed ordinance allows the City to utilize the additional time in 2023 Session Law Ch. 63 to adopt an interim ordinance regulating or prohibiting the operation of cannabis businesses until January 1, 2025.

Administrator Buchholtz said that the interim ordinance will allow the City time to review the Session Law, determining appropriate changes to City Code, including any zoning changes. Administrator Buchholtz stated that the proposed ordinance gives the City time to allow the Office of Cannabis Management to rule make and draft model ordinances which will aid the City Council in its process of considering restrictions on the operation of cannabis businesses.

Administrator Buchholtz stated that the interim ordinance is effective July 1, 2023 in accordance with the 2023 Session Law.

Councilmember Dircks asked for clarification on the moratorium date of January 1, 2025, inquiring if the City Council could cancel the moratorium if the zoning changes and ordinance are in place before that date. Administrator Buchholtz stated that the Council could end the moratorium early; otherwise the moratorium will automatically expire on January 1, 2025.

Motion made by Councilmember Goodboe-Bisschoff to open the public hearing at 7:27 PM.

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

No one came forward to speak on the proposed Interim Ordinance.

Motion made by Councilmember Goodboe-Bisschoff to close the public hearing at 7:27 PM.

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

## 9. ORDINANCES AND/OR RESOLUTIONS

- A. Ordinance 487, Interim Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Growing, Transporting, Delivery and Distribution of Cannabis Products in the City of Spring Lake Park

Motion made by Councilmember Wendling Authorizing Ordinance 487, Interim Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Growing, Transporting, Delivery and Distribution of Cannabis Products in the City of Spring Lake Park.

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

Administrator Buchholtz said the Interim Ordinance takes effect July 1, 2023 and after publication.

- B. Resolution 2023-24, Authorizing Participation in the Performance Measurement Program

Administrator Buchholtz gave an overview of the Performance Measurement Program. He stated that the Minnesota Legislature created the Council on Local Results and Innovation.

Administrator Buchholtz said that the benefits to the City of participating include eligibility for a reimbursement as set by State Statute and the exemption from levy limits for property taxes. He stated that the City Council has adopted and implemented at least 10 of the performance measures.

Motion made by Councilmember Dircks to Approve Resolution 2023-24, Authorizing Participation in the Performance Measurement Program.

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

- C. Resolution 2023-26, Authorizing Summary Publication of Ordinance 487, An Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Commercial Growing, Transporting, Delivery, And Distribution of Cannabis Products in the City of Spring Lake Park

Motion made by Councilmember Wendling Approving Resolution 2023-26, Authorizing Summary Publication of Ordinance 487, An Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Commercial Growing, Transporting, Delivery, And Distribution of Cannabis Products in the City of Spring Lake Park.

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

## 10. NEW BUSINESS

- A. Approval of Joint Powers Agreement for the Reconstruction of Sanburnol Drive from Elm Drive NE to University Avenue Service Drive in the Cities of Blaine and Spring Lake Park

Administrator Buchholtz said staff negotiated a Joint Powers Agreement with the City of Blaine to oversee the reconstruction of Sanburnol Drive NE. He stated that the agreement specifies that the City of Spring Lake Park will lead the project. The Joint Powers Agreement specifies how the construction costs, survey work, design services/project administration, city utilities, change orders, final completion and payment will happen.

Motion made by Councilmember Wendling to Authorize Approval of Joint Powers Agreement for the Reconstruction of Sanburnol Drive from Elm Drive NE to University Avenue Service Drive in the Cities of Blaine and Spring Lake Park.

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

- B. City Hall Siren Relocation and Replacement

Police Chief Antoine gave an overview of the Early Warning Siren project. He stated that he and Administrator Buchholtz discussed moving the siren to the NW corner of the detached Public Works garage. Ready Watt Electric recommended replacing the existing siren at the same time.

Police Chief Antoine stated the current siren is 27 years old and is AC-powered. It is recommended that a DC backup battery power be installed at City Hall. He received two quotes for the project. He stated the quote from Federal Signal Corporation for the siren

replacement is \$13,955. The Ready Watt Electric quote for installing the new siren pole and all electrical work is \$20,513.

Councilmember Dircks stated that Anoka County was looking at a Countywide replacement of the early warning sirens. She inquired if the new City system would be compatible.

Administrator Buchholtz said the existing control panel would work and once Anoka County decided what system to use for replacement the City change their controller.

Motion made by Mayor Nelson to approve City Hall Siren Relocation and Replacement project.

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

C. Approval of Professional Services Agreement with Northland Securities

Motion made by Councilmember Goodboe-Bisschoff to Authorize Approval of Professional Services Agreement with Northland Securities.

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

## 11. REPORTS

A. Attorney's Report

None

B. Engineer's Report

Report accepted as presented. Public Works Director Randall updated City Council on the Seal Coat Project.

C. Administrator Report

Administrator Buchholtz informed City Council he would be attending the League of MN Cities Conference. He updated the Council on the judges order for 8064 Garfield. Administrator Buchholtz stated he would be out of the office July 31, 2023 - August 8, 2023.

## 12. OTHER

A. Correspondence

None

**13. ADJOURN**

Motion made by Councilmember Wendling to adjourn.

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

The meeting was adjourned at 7:57 PM.

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Robert Nelson, Mayor

Attest:

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Daniel R. Buchholtz, Administrator, Clerk/Treasurer