

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on April 1, 2019 at the Spring Lake Park Community Center, 1301 81st Avenue N.E., at 7:00 P.M.

### 1. Call to Order

Mayor Hansen called the meeting to order at 7:00 P.M.

### 2. Roll Call

Members Present: Councilmembers Wendling, Delfs, Goodboe-Bisschoff and Mayor Hansen

Members Absent: Councilmember Nelson

Staff Present: Police Chief Ebeltoft; Public Works Director Randall; Attorney Thames; Parks and Recreation Director Rygwall; Administrator Buchholtz and Executive Assistant Gooden

Visitors: Christine Jones, 8081 Garfield Street NE  
Ron Geir, 8081 Garfield Street NE

### 3. Pledge of Allegiance

### 4. Additions or Corrections to Agenda

Administrator Buchholtz requested that a price quote from Alpha Video for replacement of HDMI distribution equipment in the Council chambers be added as Item 6F.

### 5. Discussion From The Floor

Ms. Jones, 8081 Garfield Street NE, inquired on the Garfield Pond project. She was inquiring as to when work the project would begin and what the timeline looks like for completion. She is concerned with the impact the project will have on the neighboring properties and what work will be completed this year. She expressed that it would be a good idea if the project was done in the current year, as flooding of the properties tends to occur twice a year.

Administrator Buchholtz explained that the project will assist with flood control. He stated that some of the work will include dredging the pond of sediment. He reported that there are no plans or design for the project at this time. He stated that there will be an open house regarding the work to be done on the project and will allow the residents to offer their input. He stated that there is no construction date scheduled for project to begin.

### 6. Consent Agenda:

Mayor Hansen reviewed the following Consent Agenda items:

- A. Approval of Minutes – March 18, 2019
- B. Approval of Exempt Off-Site Gambling Application – Spring Lake Park Lions – Tower Days  
June 9, 2019 – Lakeside Park
- C. Sign Permit

- D. Contractor's Licenses
- E. Correspondence
- F. Approval of Price Quote – Alpha Video

MOTION BY COUNCILMEMBER DELFS TO APPROVE THE CONSENT AGENDA. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

#### 7. Public Works Report

Public Works Director Randall reported that the Public Works Department has been patching potholes and cutting trees along 83<sup>rd</sup> Avenue and Monroe Street as well as in Sanburnol Park. He reported that fire hydrant flushing will begin on April 15, 2019 and will take approximately two weeks to complete. He reported that street sweeping will begin on April 15, 2019 and should be completed within 48 hours.

Mr. Randall reported that Well No. 5 will be up and running on April 2, 2019. He stated that all the work is completed. He reported that a new sewer liner was installed along Arthur Street where the existing liner had failed. He stated that the new liner is holding and working well.

Councilmember Goodboe-Bisschoff inquired if the trees on Maple Street could be trimmed. Mr. Randall stated that he was aware of the trees in need of trimming however; they are in the power lines so he has contacted Xcel Energy for their contractor to trim the trees.

Councilmember Wendling inquired if a traffic count could be conducted on 81<sup>st</sup> Avenue. Mr. Randall stated that a count can be done after the street sweeping is completed. He stated that the count would be done in three areas of 81<sup>st</sup> Avenue.

#### 8. Code Enforcement Report

Administrator Buchholtz stated that Building Official Brainard reported that he attended the City Council meetings on March 4 and 18; a Department Head meeting on March 5; the North Suburban Code Official meeting on March 12; an Association of Minnesota Building Offices Director meeting on March 14; a meeting with MNSPECT on March 21 and the North Suburban Building Officials meeting on March 26.

Administrator Buchholtz reported that in March 2019, a total of 13 building permits were issued compared to 13 in 2018. He reported that three mechanical permits were issued compared to 11 in March 2018. He reported that seven plumbing permits were issued compared to eight in 2018. He stated that 98 inspections were conducted within the month of March and a vacancy listing for March 2019 was provided.

Administrator Buchholtz reported that the Hy-Vee main building continues to proceed as the roof bar joist are complete and steel deck is being applied for closure of the structure. He reported that construction on the Public Storage Interior Climate Control building is now proceeding for framing of the second floor.

Administrator Buchholtz reported that Inspector Caldwell's last of employment was March 8, 2019. He reported that Mr. Brainard submitted his last Code Enforcement report for the month of March. Mr. Brainard stated in his report that it was an honor and a pleasure to serve the citizens of Spring Lake Park in the last 19 years of his service with the City.

Administrator Buchholtz provided a "Disaster Response" handout for information to residents. He reported that the handout is intended to inform all the Spring Lake Park property homeowners of what their building

inspection department will be doing at the time of a disaster to help make damaged home and businesses functional again.

#### 9. Ordinances And Resolutions

##### A. Ordinance 451 Amending Chapter 150 of the Spring Lake Park City Code Relating to the State Building Code

Administrator Buchholtz reported that the City of Spring Lake Park executed a contract with MNSPECT, LLC to perform building inspection duties within the City of Spring Lake Park.

Administrator Buchholtz stated that as part of the contract, MNSPECT, LLC has received delegation authority from the State of Minnesota to do plumbing plan review. He stated that in order to utilize that delegation, the City must adopt an ordinance amendment that allows the building official to conduct plumbing plan review and inspections. He reported that the ordinance amends Chapter 150 to authorize the plumbing plan review.

Administrator Buchholtz stated that in addition, there are a number of statutory references in a portion of Chapter 150 that are out of date. He stated that the ordinance corrects those statutory references. He stated that the ordinance also adopts the Minnesota Plumbing Plan Review Fee Schedule by reference into the City's fee schedule.

Councilmember Delfs inquired if a future City Building Official will have the authority for plumbing plan review since MNSPECT currently has been granted authority. Administrator Buchholtz stated that plumbing plan review requires a master plumber license so it is more than likely that MNSPECT would continue with the plan review process.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE ORDINANCE 451 AMENDING CHAPTER 150 OF THE SPRING LAKE PARK CITY CODE RELATING TO THE STATE BUILDING CODE. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

##### B. Ordinance 452 Amending Chapter 119 of the Spring Lake Park City Code Relating to Massage Services

Administrator Buchholtz reported that City staff has drafted a number of amendments to the City's massage therapy ordinance in order to protect the health, safety and welfare of the residents of Spring Lake Park. He stated that these amendments update the standards for massage therapists who practice and massage therapy enterprises who operate in the City of Spring Lake Park.

Administrator Buchholtz reported that the ordinance updates the definitions sections to clarify which programs and institutions are accredited. He stated that there have been some applicants that have had educations from accredited institutions or accredited programs that have been outside the definition of the ordinance. He stated that his change will correct those situations. He reported that in addition, the ordinance amends the definition of massage therapist to address those situation where the therapist had the required 500 hours from a program or institution that was once accredited but is no longer in existence; allowing the City, in its discretion, to accept those hours for the purpose of the license.

Administrator Buchholtz stated that the ordinance requests additional information from the applicants, which will allow law enforcement more information for which to conduct their background check. He stated that the ordinance requires the applicant to submit the results of a comprehensive national criminal background check from a background investigative provider approved by the city, which is to be obtained and paid for by the

applicant. He stated that the ordinance also allows the City and the Police Department to conduct any additional investigations necessary in reviewing the application.

Administrator Buchholtz reported that the ordinance prohibits therapeutic enterprise license from being issued to locations that are out of compliance with the State Building and Fire Codes, as well as City ordinance as well as to enterprises who have hired two therapists whose licenses have been suspended or revoked within any 12-month period.

Councilmember Goodboe-Bisschoff inquired how many current therapists are licensed in the City. Police Chief Ebeltoft reported that there are three businesses with four or five licensed therapists at this time.

Councilmember Goodboe-Bisschoff inquired if there had been any problems with past license applications. Administrator Buchholtz stated that there were a few situations that the licenses were close to be denied but the applicants withdrew before they were brought to the Council for approval.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE ORDINANCE 452 AMENDING CHAPTER 119 OF SPRING LAKE PARK CITY CODE RELATING TO MASSAGE SERVICES. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Resolution 19-04 Authorizing Summary Publication of Ordinance 451, An Ordinance Amending Chapter 150 of the Spring Lake Park City Code Relating to the State Building Code

MOTION MADE BY MAYOR HANSEN TO APPROVE RESOLUTION 19-04 AUTHORIZING A SUMMARY PUBLICATION OF ORDINANCE 451, AN ORDINANCE AMENDING CHAPTER 150 OF THE SPRING LAKE PARK CITY CODE RELATING TO THE STATE BUILDING CODE. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

D. Resolution 19-05 Authorizing Summary Publication of Ordinance 452, An Ordinance Amending Chapter 119 of the Spring Lake Park City Code Related to Massage Services

MOTION MADE BY MAYOR HANSEN TO APPROVE RESOLUTION 19-05 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 452, AN ORDINANCE AMENDING CHAPTER 119 OF THE SPRING LAKE PARK CITY CODE RELATED TO MASSAGE SERVICES. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

10. Engineer's Report – None

11. Attorney's Report

Attorney Thames had no new items to report.

12. Reports

A. Beyond the Yellow Ribbon Report

Councilmember Wendling reported a very large turnout for the March pork chop dinner.

13. OtherA. Notice of Cancellation of Purchase Agreement for 525 Osborne Road NE

Administrator Buchholtz reported that in September 2018, the City executed a purchase agreement with Interstate LLC to sell the 525 Osborne Road NE property for development. He stated that the City has received written notice of termination of the purchase agreement, effective March 21, 2019.

Administrator Buchholtz reported that he would be submitting the property listing to the Anoka County Economic Development Authority for any interested buyers that inquire on the property. He stated that Request For Proposals could be sent out to potential developers as a way to market the property. He stated that the City could seek presentation from a commercial broker to list the site.

Administrator Buchholtz stated that there is no action required from the City Council on this item.

B. Administrator Reports

Administrator Buchholtz reported that there will be an open house regarding the Osborne Road Project on April 4, 2019 from 4:30 PM – 6:30 PM at Emmanuel Christian Center. He reported that there will be a brief presentation and Anoka County staff will be present to answer questions.

Administrator Buchholtz reported that the transition to with MNSPECT occurred on April 1, 2019. He reported that staff met with MNSPECT staff last week.

14. Adjourn

MOTION BY COUNCILMEMBER WENDLING TO ADJOURN. VOICE VOTE: ALL AYES. MOTION CARRIED.

The meeting was adjourned at 7:36 P.M.

Attest:

  
Daniel R. Buchholtz, Administrator, Clerk/Treasurer

  
Cindy Hagen, Mayor