

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on June 18, 2018 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: None

Staff Present: Building Official Brainard; Police Chief Ebeltoft; Parks and Recreation Director Rygwall; Attorney Thames; Administrator Buchholtz and Executive Assistant Gooden

Visitors: Peter Allen, Stantec
Paddy Jones, Ham Lake
Olivia Alveshere, ABC Newspaper

3. Pledge of Allegiance

4. Additions or Corrections to Agenda

Administrator Buchholtz requested that Item 10 D., Osborne Road Trail Restoration – Phase 1, be added to the agenda.

5. Discussion From The Floor - None

6. Consent Agenda:

Mayor Hansen reviewed the following Consent Agenda items:

- A. Approval of Minutes – June 4, 2018
- B. Disbursements
 - 1. General Fund Disbursement Claim No. 18-09 -- \$306,009.89
 - 2. Liquor Fund Disbursement Claim No. 18-10 -- \$ 34,907.26
- C. Budget to Date/Statement of Fund Balance – May 2018
- D. 2nd Quarter Billing for 2019 Payable 2020 Property Tax Assessment – Ken Tolzmann
- E. Poll Book Agreement
- F. Contractor's Licenses
- G. Correspondence

MOTION BY COUNCILMEMBER WENDLING APPROVING THE CONSENT AGENDA. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

7. PresentationA. MS4 Permit Annual Report

Mayor Hansen opened the public hearing at 7:09 PM.

Peter Allen from Stantec presented the 2018 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.

Councilmember Nelson inquired if any unfunded mandates are going to take place. Mr. Allen stated that the EPA has been working on a new application and permitting process but at this time, it is not ready for cities to use. He stated that he hoped that the permit will be available later in the fall.

Mayor Hansen asked for public comment. Hearing no further public comments, Mayor Hansen closed the public hearing at 7:20 PM.

8. Police Report

Police Chief Ebeltoft reviewed the May 2018 department statistics.

Chief Ebeltoft reported that the Police Department responded to six hundred nineteen calls for service for the month of May 2018 compared to five hundred thirty one calls for service in May 2017.

Chief Ebeltoft reported that Officer Chlebeck reported handling thirteen calls for service at the local schools in the month of May. He stated that Officer Chlebeck conducted seven classroom presentations for the month and that he attended the Spring Lake Park High School Prom.

Chief Ebeltoft reported that Investigator Baker reported handling a caseload of fifty three cases for the month of May 2018. He stated that Investigator Baker noted that he has been able to reduce his current forfeiture

caseload to one case.

Chief Ebeltoft reported, in addition to addressing the day-to-day operations of the Department, he attended numerous meetings throughout the month representing Spring Lake Park Police Department and the City of Spring Lake Park.

Councilmember Nelson extended his sympathies to the City of Blaine Police Department for their loss of an officer and his wife. Chief Ebeltoft reported that the Police Department would be assisting the Blaine Police Department during the memorial service and reported that he had extended sympathies on behalf the of the Police Department, City Council, the City and staff.

9. Parks and Recreation Report

Parks and Recreation Director Rygwall reported that the Parks and Recreation Commission met and approved Gaga Ball for Terrace Park. She reported that the committee reviewed other new games for the parks. She reported that the Committee approved the lighting poles and style of the lights for Triangle Park.

Ms. Rygwall reviewed the monthly department statistics and reported that staff has been preparing for Tower Days, summer programs, softball schedules and starting to work on fall programs. She reported that the raised garden beds are installed at Sanburnol Park and thanked the Public Works Department for building and installing the garden beds.

Ms. Rygwall thanked the Public Works and Police Departments as well as the City Council for their assistance with Tower Days. She stated that it was a very successful event.

10. New Business

A. Naloxone-Narcan Deployment for Spring Lake Park Officers

Police Chief Ebeltoft reported that the nation is in the midst of an unprecedented opioid epidemic. and many Law Enforcement Agencies around the county have starting issuing Naloxone/Narcan to their police officers on the basis of being able to potentially save the lives of those experiencing an opioid overdose or possibly save the lives of the police officer who may be accidentally exposed to synthetic opioid's, such as fentanyl and cartfentanil.

Chief Ebeltoft reported that by having Naloxone/Narcan deployed with the police officers, the Spring Lake Park Police Department will have the ability to more appropriately handle life threatening situations of opioid overdoses and officer accidental exposer incidents. He stated that it will also provide the officers a temporary remedy for the citizens and officers to facilitate the necessary time for continued treatment at a medical facility.

Chief Ebeltoft stated that he has done considerable research into the deployment of the Naloxone/Narcan for the Police Department. He stated that there is a cost for the deployment, He explained that the officers will need to be trained in the administration of the Naloxone/Narcan, a standing doctor's order will need to be obtained for the City to purchase and the officers to be able to administer the Naloxone/Narcan.

Chief Ebeltoft stated that he was able to find a grant through the "Metropolitan Emergency Services Board" in St. Paul, Minnesota that would reimburse the cost of the purchase of the Naloxone/Narcan for a 4 mg dose at \$37.50 per does or \$75.00 for a twin pack. He stated that the grant will not cover the cost for the officer training for administrating Naloxone/Narcan but can be covered by budgeted Police Department funds for training. He

stated that the grant is in effect until June 6, 2019.

Chief Ebeltoft reported that he has been able to locate the required training for the Spring Lake Park Officers for the administration of Naloxone/Narcan through the Allina External Training and Education Department. He stated the training would be conducted at the Police Department and will be MN POST approved. He reported that the cost for the training for all the Spring Lake Park Police Officers would be \$418.00. He stated that the training would also provide the required "Doctor's Standing Order" for the application of Naloxone/Narcan for the officers and would meet the statutory and grant requirements.

Chief Ebeltoft stated that upon City Council approval of the deployment of Naloxone/Narcan for the Spring Lake Park Officers, he requests that the initial funds to facilitate this purchase be taken from Fund 428 (Traffic Education Fund) and budgeted Police training funds. He stated that any reimbursement funds received from the grant would then replace money taken from the Fund 428. He stated he would then budget for 2019 the purchase of Naloxone/Narcan as needed and continue to utilize the grant as long as it is in existence.

Chief Ebeltoft reported that it is his recommendation that every officer be assigned one twin pack of Naloxone/Narcan, one twin pack be purchased for the Evidence room and two twin packs be purchased for replacement after an officer uses theirs during the course of their duties. He stated that the Naloxone/Narcan has a "shelf life" of three years.

Reimbursed Amounts

Twin Pack Naloxone/Narcan - \$75.00 x 11 (Officers)	\$825.00
Twin Pack Naloxone/Narcan - \$75.00 x 1 (Evidence Room)	\$ 75.00
Twin Pack Naloxone/Narcan - \$75.00 x 2 (Replacement)	<u>\$150.00</u>
Total Expenditure	\$1,050.00 (Fund 428)

Not Reimbursed Amounts

Allina Training	\$480.00 (Training Funds)
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Combined Total

\$1,468.00

Chief Ebeltoft requested from the Mayor and City Council to institute the deployment of Naloxone/Narcan to Spring Lake Park Officers, to assist with providing the residents and officers with the necessary ability to help address the opioid epidemic and accidental exposures to officers.

Councilmember Goodboe-Bisschoff inquired if any officers have been exposed to any opioid incidents. Chief Ebeltoft responded that they have not been however; other local agencies have encountered situations.

Councilmember Goodboe-Bisschoff stated that the Minneapolis Police Department implemented the Naloxone/Narcan to their officers in April and she feels it is in best practice to see how that Department does with their implementation. She shared information that she had researched regarding the Naloxone/Narcan effects on a person it is administered to and the officer's responsibilities. She expressed a concern over the officer's safety and the liability to the City.

Chief Ebeltoft stated that the officers will be trained by Allina in a two-hour training. He stated that per state statute there is no liability on the City for an officer deploying Narcan. He stated that the officers will be given a standing doctors order that will allow the deployment of Narcan. He explained that the Naloxone/Narcan is a drug that were it administered to a person was not suffering from a drug overdose, there would not be any negative side effects. He stated that the Naloxone/Narcan is distributed through a nasal inhalant.

Councilmember Goodboe-Bisschoff inquired if all the Spring Lake Park Officers are in favor of the deployment of Naloxone/Narcan. Chief Ebeltoft explained several officers have inquired when the Department would be receiving the Naloxone/Narcan to have a tool to help save a life if they are put in a situation where it is needed. He stated that he would not ask or implement anything onto his officers in which he would not be comfortable doing himself.

Councilmember Nelson stated that he is in full support of the deployment. He stated that if it had been available years ago, there would still be many lives that would have been saved.

Councilmember Delfs reminded the Council that the Police Department are the first responders on a call and they are putting their lives in danger on any type of call. He thanked Chief Ebeltoft for finding the funding for the deployment and the research that he has done. He expressed that he feels this is a very important tool that is necessary for the officers to do their job and he commends any agency who is implementing a similar deployment.

Mayor Hansen thanked Chief Ebeltoft for researching and applying for the grant.

MOTION MADE BY MAYOR HANSEN TO APPROVE NALOXONE/NARCAN DEPLOYMENT FOR SPRING LAKE PARK POLICE DEPARTMENT OFFICERS. ROLL CALL VOTE: COUNCILMEMBERS NELSON-AYE; WENDLING-AYE; DELFS-AYE; MAYOR HANSEN-AYE AND COUNCILMEMBER GOODBOE-BISSCHOFF – NAY. MOTION CARRIED.

B. Torg Brewery SAC/WAC Deferral

Administrator Buchholtz reported that Torg Brewery, LLC has filed an application with the City to defer the SAC and WAC fees associated with the repurposing of the property located at 8421 University Avenue NE for a brewery and taproom business.

Administrator Buchholtz stated that the City Council approved entering into the Master SAC Deferral Agreement with the Metropolitan Council to defer the Sewer Availability Charges (SAC) owed to MCES. He stated that the City Council also implemented a similar program to defer payment of the City's Water Availability Charges (WAC).

Administrator Buchholtz reported that the Metropolitan Council Environmental Services (MCES) determined that the new use will result in 10 new local SAC units. He stated that the City determined that the new use will result in 10 new local WAC units.

Administrator Buchholtz reported that the MCES charges from the project are \$24,850 for SAC. He stated that the City charges are \$10,500 for WAC and \$850 for Local SAC.

Administrator Buchholtz explained that the deferral project requires the property owner to pay 20% of the charges upfront and to defer the remaining 80% of the charges over a period of 10 years at an interest rate as determined by the MCES policy.

Administrator Buchholtz stated that staff has drafted an agreement between Torg Brewery, LLC, building owner Gordon Lee Properties, LLC and the City outlining the arrangement. He stated that if the owner is in default, the owner defaults the right to appeal the City's assessment of the unpaid balance against the property. He stated that if the business ceases operation before the 10 year period is up, there will be no further

changes upon notification to MCES.

Administrator Buchholtz stated that staff recommends approval of the proposed deferral agreement and reported that Attorney Thames had reviewed the agreement.

MOTION MADE BY MAYOR HANSEN TO APPROVE TORG BREWERY SAC/WAC DEFERRAL AGREEMENT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Triangle Park Lighting

Parks and Recreation Director Rygwall reported that the scheduled park improvements at Triangle Park continue to make progress. She reported that the sidewalk expansion has been completed and paid for by Dominion. She explained that per the construction agreement, Dominion will also be paying for four of the 10 light poles that will be installed to provide sidewalk lighting in the park.

Ms. Rygwall reported that the Parks and Recreation Committee has reviewed the various pole and luminary options and made their recommendation. She stated that the project is now ready for the scheduling of the lighting installation. She reported that she requested a quote from Eagle Builders (Dominium Project) and Aid Electric who does a majority of the park electrical work.

Ms. Rygwall provided the following quotes:

Medina Electric (Eagle Builders)	\$20,417.50
Aid Electric	\$15,700.00

Ms. Rygwall stated that staff recommends Aid Electric to install and connect the 10 light poles at Triangle Park in the amount of \$15,700.00 with funds from the Park Acquisition and Improvement Fund.

Councilmember Wendling inquired what amount Dominion was paying for per the agreement. Administrator Buchholtz explained that Dominion will be paying for the acquisition and installation of the four poles.

Councilmember Nelson inquired if the style of lights will be available long term should additional lighting need to be added. Ms. Rygwall stated that the 10 poles will provide adequate lighting and in the future, a gazebo could be added with a single light inside of it.

Public Works Director Randall explained that he is requesting the electrical contractors put "T" connection in the piping to allow for easy connection of the future gazebo light.

MOTION MADE BY COUNCILMEMBER NELSON TO APPROVE AID ELECTRIC TO PERFORM ELECTRICAL WORK AT TRIANGLE PARK IN THE AMOUNT OF \$15,700.00. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

D. Osborne Road Trail Restoration

Administrator Buchholtz reported that Engineer Gravel contracted three firms – Astech Corporation, Fahrner Asphalt, and Struck and Irwin Paving Inc. to solicit quotes for the Phase I of the Osborne Road Trail Restoration. He stated that one firm; Struck and Irwin Paving, Inc. submitted a quote for the work.

Administrator Buchholtz reported that the quote from Struck and Irwin Paving is as follows:

	<u>Quote</u>	<u>Engineer's Estimate</u>
Osborne Road Trail	\$11,555.00	\$12,000.00
Old Central Avenue Trail	<u>\$10,399.50</u>	<u>\$12,000.00</u>
TOTAL	\$21,954.50	\$24,000.00

Administrator Buchholtz reported that staff recommends awarding the project to Struck and Irwin Paving, Inc. in the amount of \$21,954.50, with proceeds coming from the Revolving Construction fund (Fund 400). He stated that the quote is below the Engineer's estimate of \$24,000.

Mayor Hansen inquired if the City was familiar with the contractor. Administrator Buchholtz reported that Engineer Gravel has worked with the contractor in other cities. Public Works Director Randall stated that the contractor typically does airport runways and is certain that they will do a good job.

MOTION MADE BY MAYOR HANSEN TO APPROVE STRUCK AND IRWIN PAVING, INC. FOR OSBORNE ROAD TRAIL RESTORATION – PHASE 1 IN THE AMOUNT OF \$21,954.50. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. Engineer's Report

Engineer Gravel was absent from the meeting however, his report was included in the Council packet.

Councilmember Wendling inquired on a correspondence item regarding the Radium levels water report. Public Works Director Randall explained that results from a water test showed that there was a higher level of Radium in the water than previous tests. He stated that changes have been made to the chemical levels, the mixing chambers and water lines have since been thoroughly cleaned. He reported that the water will be tested again in the next few weeks. He stated that the City has been doing everything possible to correct the high level and noted that the levels recorded are not any danger to residents.

Administrator Buchholtz stated that the required Radium levels have dropped over the past 10 years and the required amount was much higher than what is required now. He stated that a notice to the residents will be mailed with their next utility bill.

12. Attorney's Report

Attorney Thames reported that contracts for the 2018 Sanitary Sewer Project are almost completed. He reported that property that was reassessed for the Arthur Street Improvement project has re-appealed their new assessment. Attorney Thames reported that he has filed for a summary judgment on behalf of the City. He stated that the hearing will take place next month.

13. Reports - None

14. Administrator Reports

Administrator Buchholtz reported that the Sunset Grill opened on Monday, June 18, 2018. He reported that the 2019 budget process has started and department meetings will start next week.

Administrator Buchholtz reported that the North Suburban Hospital District will be closing on the property with Allina very soon and the land transfer should then take place in late summer.

Councilmember Goodboe-Bisschoff inquired if it was known that a Phase I or environmental inspection had been done on the 525 Osborne property. Administrator Buchholtz stated that he would check with the Hospital District on the status of a Phase I inspection.


15. Other


Councilmember Nelson reported that on July 9, 2018, the Beyond the Yellow Ribbon would be hosting a hamburger and hot dog event at 5:00 PM at Kraus-Hartig VFW.

16. Adjourn

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

The meeting was adjourned at 8:09 PM.

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer


Cindy Hansen, Mayor