

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on February 1, 2016 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 Mason, Nelson, Wendling and Mayor Hansen

Members Absent: Councilmember Nash

Staff Present: Police Chief Ebeltoft; Public Works Director Randall; Building Official Brainard; Attorney Thames; Engineer Gravel; Park and Recreation Director Rygwall; Administrator Buchholtz and Executive Assistant Gooden

Visitors: Olivia Alveshere, ABC Newspaper

### 3. Pledge of Allegiance

### 4. Additions or Corrections to Agenda - None

### 5. Discussion From The Floor - None

### 6. Consent Agenda:

Mayor Hansen reviewed the following Consent Agenda items:

- A. Approval of Minutes – January 19, 2016
- B. Approval of Resolution No. 16-01 Approving State of Minnesota Joint Power Agreement with the City of Spring Lake Park on Behalf of Its City Attorney and Police Department
- C. Contractor Request for Payment No. 2 – Visu-Sewer \$89,871.14
- D. Sign Permit
- E. Contractor's Licenses
- F. Correspondence

MOTION BY COUNCILMEMBER WENDLING 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 plowed one time; salted three times and plowed the sidewalks four times in the month of January; repaired and rehabbed the aging bobcat trailer and continued to maintain the skating rinks daily.

Mr. Randall stated that of the one hundred water meters radios that needed repair last month approximately all but ten have been completed. He reported a water main break near Wlydwood Lane and Buchanan Street.

Mr. Randall reported he is working with a well contractor for work at Well Number 1. He stated that the motor and bearings are starting to wear out. He stated that the pump will need to be pulled out and repaired. He reported that it was suggested that the pump be pulled up from the well every ten years and the City's pump has been in service for thirteen years. He stated the estimated cost for the repairs could be \$40,000 and the funds would come out of the Public Utilities Renewal and Replacement Fund. He stated that more information will be provided at a future Council meeting.

#### 8. Code Enforcement Report

Building Official Brainard reported that attended the Council meetings on January 4<sup>th</sup> and 19<sup>th</sup>; a Department Head meeting on January 5<sup>th</sup>; a City Council Workshop for Zoning Review on January 11<sup>th</sup> and the Building Official Conference on January 11<sup>th</sup>-15<sup>th</sup>.

Mr. Brainard stated that in January 2016, three building permits were issued compared to six in 2015. He reported that six mechanical permits were issued in January 2016 compared to two in 2015. He reported that two plumbing permits were issued in January 2016 compared to four in 2015 and one zoning permit was issued compared to none in the month of January 2015. He reported that additionally two fire suppression permits were issued in January 2016 compared to none in 2015.

Mr. Brainard reported that rental registrations and inspections continue to progress with all but five units registered for 2016. He stated that he has issued several notices and administrative offense tickets to the owners of the five rental units that have failed to register their property and will continue to do so as long as they remain in violation.

Mr. Brainard reported that the January 2016 vacancy listing shows that there are 18 vacant/foreclosed residential properties currently posted and/or soon posted by the Code Enforcement Department, which remains the same from last month. There is one vacant/foreclosed commercial property, which remains the same from last month; and 19 residential properties currently occupied and ready for Sheriff Sale's redemption, which is up three last month. He reported that he did not post any abandoned and/or vacant property notices in month of January. He reported in January of 2016, a total of seven Administrative Offense Tickets and four violation notices were issued by the Code Enforcement Department. He stated five of the Administrative Offenses were issued for rental registration violations and two for special use permit violations.

Mr. Brainard provided a handout on mold in homes. He stated that the handout is provided for any Spring Lake Park property owner and tenant that is looking for information on what effect, how to detect, and cleaning and removal of mold. He stated that the handout also directs concerned citizens to the Minnesota Department of Health to attain more information regarding mold.

#### 9. Resolutions and/or Ordinances

##### A. Ordinance No. 423 Amending Chapter 153 of the Spring Lake Park Code of Ordinance Relating to Zoning

Administrator Buchholtz reported that the City Council at its January 11, 2016 workshop session, authorized staff to move forward on a number of amendments to the recently adopted Zoning Code to make corrections to the Code to match the City Council's intent. He stated that in addition, the City Council also authorized staff to draft compromise language on recreational vehicle parking in residential zoning districts.

Administrator Buchholtz noted the proposed changes outlined in Ordinance 423 as the following:

- *Repeal Section 153.052(A)(2).* This language requires a conditional use permit for any commercial use abutting a residential district in the City. A focus on the update was to increase performance standards in this situation. Therefore this language was intended to be removed from the Code. It was stricken from Appendix A but not from this provision. This change would achieve the Council's intent
- *Amend Section 153.060(E)(2) to increase allowable square footage of accessory structures from 1,000 square feet to 1,200 square feet.* This was discussed by the Planning Commission during the Zoning Code update process but was inadvertently left out of the final draft. The city was routinely granting property owner variances to this 1,200 square foot standard, so this change matches present City proactive and should reduce the number of variances that will come before the Planning Commission in the future.
- *Amend Section 153.065(A) to reflect that standards apply to both commercial and Industrial zoning districts.* This is a clarification to the Code resulting from the title change of the I-1 District from Commercial/Industrial to Light Industrial.
- *Amend Section 153.065(B)(2)(b) to only allow tenants of multi-family properties to store recreational vehicles in those parking lots.* This language reflects the City Council's compromise on this topic. The Commission had originally prohibited the parking of recreational vehicles, boats and trailers in the R-2 and R-3 districts, but the Council determined it was overly restrictive. The Commission discussed this language and questioned the ease in which it could be enforced. They did add clarifying language 153.065(B)(2)(b)(3) to state "Boats and trailers not exceeding 30 feet in length" in effort to ease enforcement. This is how the language is currently enforced and thus is not a change in policy.
- *Amend Section 153.120(A)(4) to add the word not.* The language in this section, as it currently reads, is the opposite of the City's intent. The word not was inadvertently omitted from the first sentence. A reading of the remainder of the section demonstrates the City's original intent.
- *Repeal Section 153.201(D) to preserve the Character of the City's I-1, Light Industrial District.* This change would prohibit the placement of assembly uses by conditional use permit in a district in which the use is excluded by the provisions of the chapter. These uses are not listed within the I-1, Light Industrial District.

Administrator Buchholtz reported that the Planning Commission held a public hearing on the proposed changes at its January 25 meeting and unanimously recommended approval of the proposed changes. Councilmember Nelson commented that the changes covers all the topics that were discussed at the workshop.

MOTION BY COUNCILMEMBER NELSON TO APPROVE ORDINANCE NO. 423 AMENDING CHAPTER 153 OF THE SPRING LAKE PARK CODE OF ORDINANCE RELATING TO ZONING.  
ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Resolution No. 16-02 Authorizing Summary Publication of Ordinance 423, An Ordinance Amending Chapter 153 of the Spring Lake Park Code of Ordinance Relating to Zoning

MOTION MADE BY MAYOR HANSEN TO APPROVE RESOLUTION 16-02 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 412, AN ORDINANCE AMENDING CHAPTER 153 OF THE SPRING LAKE PARK CODE OF ORDINANCE RELATING TO ZONING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. New Business

A. Surety Reduction Request – Substance Church

Administrator Buchholtz reported that Substance Church has requested that the City consider a reduction in the financial surety covering the CSAH 35 Sidewalk and Turn Lane Improvements. He stated that the surety was established to cover payments associated with the city administered public improvements.

Administrator Buchholtz reported that a substantial amount of the work on the project has been completed. He stated that some of the remaining items by the contractor include seeding, removal of the silt fence, and punch-list work. He stated that some of the engineering items include record plan preparation and the close-out process for the wetland impact and watershed permits.

Administrator Buchholtz reported that at this time, the financial surety could be reduced to \$53,500 based on the following:

Estimated remaining construction	\$28,500
Estimated remaining engineering	<u>\$14,300</u>
Subtotal	\$42,800
Plus 25 percent contingency	<u>\$10,700</u>
Total remaining surety amount	\$53,500

Administrator Buchholtz reported that this request is very standard with large construction projects and noted that all invoices that have been paid in a timely manner. He stated that the City Engineer agrees that approval should be granted to reduce the amount of the required surety to \$53,000.

MOTION BY COUNCILMEMBER MASON TO APPROVE THE SURETY REDUCTION OF SUBSTANCE CHURCH TO \$53,000. ROLL CALL VOTE. ALL AYES. MOTION CARRIED.

B. Anoka County Agreement for Residential Recycling Program 2016

Administrator Buchholtz presented Council with a copy of the 2016 Residential Recycling Agreements with Anoka County. He stated that the 2016 Municipal Reimbursement Funding Allocation calls for Anoka County to pay the City a base allocation of \$10,000, plus \$5.00 per household, as well as funds to encourage for other recycling opportunities.

Municipal Grant Funding (\$10,000 + \$5 per household):	\$22,985.00
Monthly Drop-Off Center:	\$10,000.00
Municipal Park/Community Event Recycling:	\$ 2,000.00
Multi-Unit/Curbside Recycling:	\$ 4,000.00
Organics Collection:	\$ 2,597.00
Recycling Enhancement Grant:	<u>\$ 2,597.00</u>
	\$44,179.00

Administrator Buchholtz stated that the Recycling Enhancement Grant covers the cost of promotional pieces, presentations to residents at community events and increases our recycling availability for residents through additional drop-off opportunities or creating a mini onsite drop-off center at City Hall. He said the City will be requesting \$44,179.00 for the recycling program this year.

Councilmember Mason inquired as to what Organics Collection was. Administrator Buchholtz replied that organics collection includes any waste that has been in contact with food or has food on it such as plates, napkins or food scraps. He stated that organic waste products are heated at a high temperature, speeding decomposition and turning the organic wastes into rich soil.

MOTION MADE BY MAYOR HANSEN TO APPROVE THE ANOKA COUNTY AGREEMENT FOR RESIDENTIAL RECYCLING PROGRAM 2016. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

#### 11. Engineer's Report

Engineer Gravel reported that the 2015 Sanitary Sewer Lining Project is complete and Public Work Randall has reviewed the inspection televising tapes and determined which service wyes need to be grouted. Mr. Gravel stated that payment to the contractor has been submitted for approval.

Mr. Gravel reported that he met with Emmanuel Christian Center on the expansion at their facility. He stated that the expansion plans are minor. Councilmember Nelson inquired if the expansion plans will interfere with the storm water drains and create more drainage issues on Terrace Road. Mr. Gravel stated that the church is not planning to expand their hard surface area and plans may include adding additional islands in the parking lot to increase drainage. Administrator Buchholtz commented that there is a pond on site and it may be required to be dredged to help with the drainage.

#### 12. Attorney's Report

Attorney Thames introduced himself and thanked the Council for the warm welcome to the City and he expressed that he is looking forward to working with the City of Spring Lake Park.

#### 13. Reports - None

#### 14. Other

##### A. Administrator Reports

Administrator Buchholtz reported that the Osborne Road Construction Open House will be held on February 9, 2016 at 7:00 PM at Woodcrest Elementary. He encouraged residents to attend and lobby for funding for repairs to the bituminous trail.

Administrator Buchholtz reported that the City now accepts credit cards as a form of payment as of February 1, 2016. Councilmember Mason suggested that Parks and Recreation promote the payment option on their extended trips to encourage more participation.

Administrator Buchholtz reported that the new adopted ordinances are now ready for codification and once that process is completed, the new updates will be published on the website and in the official code book.

B. City Hall Closed – February 15, 2016 for President’s Day Holiday

Administrator Buchholtz reminded everyone that City Hall will be closed on Monday, February 15, 2016 in observation of the President’s Day holiday.

15. Adjourn

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

The meeting was adjourned at 7:30 P.M.



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Cindy Hansen, Mayor

Attest:



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Daniel R. Buchholtz, Administrator, Clerk/Treasurer