

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on July 20, 2015 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, Nash, Nelson, Wendling and Mayor Hansen

Members Absent: None

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

Visitors: Olivia Koester, ABC Newspaper  
Jason Miller, Smith Schafer & Associates  
Kyle Roach, SunShare Community Solar Gardens  
Peter Allen, Water Resources Engineer, Stantec

### 3. Pledge of Allegiance

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

### 5. Consent Agenda:

Mayor Hansen reviewed the following Consent Agenda items:

- A. Approval of Minutes – July 6, 2015
- B. Disbursements
  - 1. General Fund Disbursement Claim No. 15-11 -- \$787,392.93
  - 2. Liquor Fund Disbursement Claim No. 15-12 -- \$212,562.67
- C. Renewal Application for Optional 2 AM License – Biff's Billards Sports Bar
- D. Contractor's License
- E. Sign Permits
- F. Correspondence

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

### 6. Discussion From The Floor – None

## 7. Presentations

### A. 2015 MS4 Permit Annual Public Meeting

Peter Allen from Stantec presented the 2015 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 Stormwater 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 and completed the MS4 Annual reports to submit to the MPCA.

Councilmember Nelson inquired if there is any funding available to the smaller cities for unfunded mandates related to stormwater management. Mr. Allen stated that he was not aware of any funding sources however; he will check with the MN Stormwater Coalition to see if the organization has funds available.

### B. 2014 Audit Presentation – Jason Miller, Smith Schafer & Associates

Jason Miller, Smith Schafer & Associates, presented the 2014 Financial Report and reviewed the various financial statements.

Mr. Miller stated that the City’s financial statements present fairly, in all material aspects, the respective financial position of the government activities, the business-type activities, each major fund and the aggregate remaining fund information of the City of Spring Lake Park as of December 31, 2014 and the reflective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States.

He stated that there were two material weaknesses identified by the audit: segregation of duties and material audit adjustments. He stated these are common among small cities and are not a major concern.

He expressed appreciation to Accountant Anderson, Recycling Coordinator Brown and Administrator Buchholtz for their assistance with the audit.

## 8. Police Report

Police Chief Ebeltoft reviewed the June 2015 department statistics.

Chief Ebeltoft stated that the Police Department responded to four hundred and twenty-six calls for service in 2015 compared to four hundred and fifty-nine calls for service in June 2014. He stated that the Police Department issued one hundred and thirty-four citations in June compared to one hundred and fifty-two citations in June 2014. He noted that the police department for the month of June 2015 has deployed the speed trailer ten times at different locations around the City to help those driving on our local streets to monitor their speeds.

Chief Ebeltoft reported in addition to addressing the day to day operations of the Department he attended numerous meetings including: a Department Head meeting; a meeting with Mark Warner from FurnitureWorx regarding research for office staff chairs for the Police Department and City Hall; a meeting with Scott Adkisson of Diversion Solutions, LLC. to finalize set up of the Traffic Education Program; assisted with the City celebration "Tower Days" parade with staffing the parade route and monitoring the festivities associated with it; attending the Council meetings for the month of June; a workshop meeting with the Mayor, City Council and Department Heads regarding the City's "Capital Improvement Plan"; a meeting with the Anoka County Chiefs of Police; a webinar regarding equipment research for the police department sponsored by Taser, Inc.; a phone meeting with Larry Johnson of Emmanuel Christian Center regarding the event "Convoy of Hope" to be held at the Spring Lake Park High School on August 1, 2015; a meeting of the Governance Committee for Public Safety Data System; a meeting with Administrator Buchholtz, Law Enforcement Labor Services Representative Adam Burnside and an employee and performed departmental evaluations of the Spring Lake Park Police Department Sergeants.

Mayor Hansen shared with the Council thank you pictures and notes from the Parks and Recreation Youth program expressing their gratitude towards the Police Department.

## 9. Parks and Recreation Report

Parks and Recreation Director Rygwall reviewed the June 2015 department statistics.

Ms. Rygwall stated that the Parks and Recreation Commission met and reviewed volunteer opportunities for Tower Day events and softball tournament plans. She stated the wrap up meeting for Tower Days was held and the dates for next year were set. She reported that Tower Days will be June 9-12, 2016 with many of the same events and entertainment returning. She expressed her gratitude to the Public Works staff for all their hard work with the preparation and clean up of the Tower Days celebration.

Ms. Rygwall reported the Parks and Recreation Department has been busy with the summer program at Able Park, softball tournament planning and budget preparation. She stated that there are volunteer opportunities available for the softball tournaments for anyone interested.

## 10. Ordinances and Resolutions

### A. Ordinance 417 – Liquor Ordinance Update

Administrator Buchholtz reported that at the April 13, 2015 workshop, staff reviewed a proposed liquor ordinance with the City Council. He stated that the proposed ordinance, based on a template provided by the League of Minnesota Cities, would repeal and replace the existing liquor ordinance. Administrator Buchholtz

reported that the Council reviewed the draft and authorized staff to send the proposed ordinance to our liquor licenses for review and comment. He reported that the City did not receive any calls or written comments in regards to the ordinance.

Administrator Buchholtz provided a summary of the proposed liquor ordinance explaining to the Council that many of the items in the ordinance were not new but are more understandable and stated more clearly.

Councilmember Nash asked for clarification on Section 111.20 (B), the rules pertaining to minors on the premises of an establishment with a liquor license. He inquired if this section would apply to a minor if the minor was attending a wedding reception where liquor is served. Administrator Buchholtz stated that the ordinance is worded similar to state law, with the exception of the words "on premises that qualify as a restaurant." He stated that removal of those words should clarify that minors can be on premises to attend a wedding reception. Consensus of the City Council was to remove the words "on premises that qualify as a restaurant" from Section 111.20 (B).

MOTION BY COUNCILMEMBER MASON TO APPROVE ORDINANCE NO. 417 REPEALING AND REPLACING CHAPTER 111 OF THE SPRING LAKE PARK CITY CODE REGULATING THE POSSESSION, SALE AND CONSUMPTION OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR WITH THE CITY OF SPRING LAKE PARK WITH THE AMENDMENT OF SECTION 111.20 (B) . ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

## 11. New Business

### A. Consideration of SunShare Community Solar Proposal

Kyle Roach from SunShare Community Solar Gardens presented to the Council a proposal for the City to consider subscribing to the program that offers solar energy systems that are connected directly to Xcel Energy's grid. He explained to the Council that residents, businesses, institutions, and governmental customers can opt to purchase electricity from a Community Solar Garden and receive the benefits of clean energy without having to install panels on their roof or property. He stated that Community Solar subscribers receive solar credits, which lower their overall electricity costs.

Mr. Roach reported that SunShare is one the first and largest Community solar companies in the United States. He stated that SunShare's mission is to make solar energy simple, affordable and accessible to everyone. He stated that in Minnesota, SunShare currently has 89 MW of the Community Garden applications deemed complete by Xcel Energy.

Mr. Roach stated that SunShare will work with the City to create and participate in many community programs to promote solar energy. Mr. Roach explained the proposal as having no upfront cost and minimal risk, while providing long-term savings for 25 years.

Councilmember Nelson inquired if the solar gardens are located in Minnesota. Mr. Roach stated that the gardens can be located in Anoka County or any surrounding county as long as the subscriber is an Xcel Energy customer. He stated that currently there are none in Anoka County.

Councilmember Mason inquired if the panels are in a fenced in area or on the rooftops and if they are durable. Mr. Roach stated that the panels are made from very durable materials that withstands hailstones and weather conditions. He added that they make no noise and the energy that is produced is added to Xcel's power grid.

Mr. Roach explained that the energy credits earned are based on the amount of energy produced by the gardens and are given back to the City. He stated that residents and the City would not get back less than what was produced.

Councilmember Wending stated that online research limited the amount of clustered solar gardens to 5MW. Mr. Roach stated that information was correct and the 5MW is a total amount of clustered panels. He stated that many developers wanted to place bigger gardens than what the footprint was.

Councilmember Nelson inquired what the benefits to the City would be if the proposal was agreed on at the meeting. Mr. Roach stated that bill credits from the energy created and applied to the Xcel would be seen in the year 2016. He stated that the proposal before the Councilmembers is a non-binding letter of intent to reserve capacity in the solar garden.

Councilmember Nelson inquired to City Attorney Carson if he could foresee complications with the proposal. Attorney Carson stated that the proposal at this time is a non-binding letter of intent and does not see any complications.

Attorney Carson inquired how SunShare makes their profits. Mr. Roach stated that SunShare receives a portion of the rebate from the bill credits offered from Xcel. He stated that Sunshare is able to achieve its profit margin due to rebate amounts and an investor tax credit.

Attorney Carson inquired if at any time the City wanted to opt out of the program are there any penalties and what the timeline is once the contract is received. Mr. Roach stated that for a resident to opt out of the program with no penalties however; there are penalties to the City of opting out of the proposal. He stated that the non-binding letter of intent lasts 60 days but SunShare will work with the City to obtain signatures.

MOTION MADE BY COUNCILMEMBER NASH TO APPROVE NON-BINDING SUNSHARE COMMUNITY SOLAR PROPOSAL. ROLL CALL VOTE. VOTING AYE: COUNCILMEMBERS MASON, NASH, NELSON AND MAYOR HANSEN. VOTING NAY: COUNCILMEMBER WENDLING. MOTION CARRIED.

B. Authorization to Begin Testing Process for Police Officer Position

Police Chief Ebeltoft reported that with the pending retirement of Officer Gary King on September 30, 2015, he is requesting to start the testing process on July 22, 2015 by advertising the position of police officer, accepting applications, provide written testing and conduct interviews to determine top candidates for the position.

Chief Ebeltoft stated that it is his intent to create an eligibility list for the future hire of a police officer which will allow the City of Spring Lake Park and the Police Department to be able to proceed with doing background checks on the top candidates, and then make a tentative job offer to the appropriate candidate pending passing psychological, chemical and physical examines.

Chief Ebeltoft stated that he is seeking authorization at this time for this process to minimize the amount of time that the Police Department will be short staffed and to maximize the ability to provide the citizens of our community with the police services that they are accustomed to and expect.

MOTION BY MAYOR HANSEN TO AUTHORIZE THE TESTING PROCESS FOR THE POLICE OFFICER POSITION. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Accept Maureen Goertz Resignation and Authorize Recruitment of Position

Administrator Buchholtz reported that Maureen Goertz submitted her letter of resignation of Thursday, July 16, 2015. He stated that Ms. Goertz has served as the City's Payroll/Assessment Clerk for 17 years. He stated that he would like to sincerely thank Ms. Goertz for her service to the citizens of Spring Lake Park.

Administrator Buchholtz stated that staff is in the process of reviewing and updating the job description for the Payroll/Assessment Clerk position to reflect changes in the position over the years. He stated that once that is complete, staff will begin the work of recruiting for the position and recruitment will include advertising for the position, accepting and scoring the applications and conducting interviews to determine a finalist to present to the City Council for approval.

Administrator Buchholtz recommended that the City Council accept Ms. Goertz's letter of resignation with sincere thanks for her years of service to the City and authorize staff to proceed with candidate recruitment for the position.

MOTION MADE BY MAYOR HANSEN TO ACCEPT MAUREEN GOERTZ RESIGNATION AND AUTHORIZE STAFF TO PROCEED WITH CANDIDATE RECRUITMENT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

12. Engineer's Report

Engineer Gravel provided the Engineer's Project Status Report to the Council. He noted that the public assessment hearing for the 2014-2015 Street Improvement Project on 81<sup>st</sup> Avenue, Arthur Street and the TH65 Service Drive will be held on August 17, 2015.

13. Attorney's Report – None14. OtherA. Multi-City Residential Recycling Drop Off Day

Mayor Hansen informed the residents of Spring Lake Park of a Multi-Residential Recycling Drop Off Event on Saturday, July 25, 2015 located at the Fridley Public Works Garage. She stated that residents will have an opportunity to recycle old fluorescent tubes and bulbs, electronics, appliances, mattresses, scrap metal, old bikes and several other items.

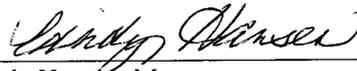
B. Administrator Reports

Administrator Buchholtz reminded the residents that City updates are available on Facebook, Twitter and the City's website.

14. Adjourn

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

The meeting was adjourned at 8:28 P.M.

  
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Cindy Hansen, Mayor

Attest:  
  
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Daniel R. Buchholtz, Administrator, Clerk/Treasurer