



**CITY COUNCIL AGENDA
TUESDAY, SEPTEMBER 3, 2019
7:00 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADDITIONS OR CORRECTIONS TO AGENDA
5. DISCUSSION FROM THE FLOOR
6. **CONSENT AGENDA:**
 - A. Approval of Minutes – August 19, 2019
 - B. Resolution 19-28 Approve Minnesota Premises Permit for Lawful Gambling for Spring Lake Park Lions Club Located at Dala Thai Restaurant and Banquet Hall, 8407 Plaza Blvd NE
 - C. Resolution 19-29 Approve Minnesota Premises Permit for Lawful Gambling for Spring Lake Park Lions Club Located at Torg Brewery, 8421 University Avenue NE
 - D. Resolution 19-30 Transferring Funds From Fund 400, Revolving Construction, to Fund 333, Spring Lake Park Debt Service (Blaine)
 - E. Suburban Rate Authority Second Half Assessment
 - F. Third Quarter Billing for 2020 Payable 2021 Property Tax Assessment
 - G. Contractor’s Licenses
 - H. Sign Permit
 - I. Correspondence
7. PUBLIC WORKS REPORT
8. CODE ENFORCEMENT REPORT
9. ORDINANCES AND/OR RESOLUTIONS
 - A. Resolution 19-25, A Resolution Adopting Proposed 2019 Taxes Collectable in 2020
 - B. Resolution 19-26, A Resolution Cancelling or Reducing Bond Levies – 2019/2020
 - C. Resolution 19-27, A Resolution Appointing a Council Member
 - D. Resolution 19-31, A Resolution Approving a Variance to Allow Construction of a Garage Addition at 8216 Polk Street NE
 - E. Resolution 19-32, A Resolution Approving a Variance to Allow Construction of a Building and Parking Lot Addition at 8301 Sunset Road NE
10. NEW BUSINESS
 - A. Police Officer Candidate Tentative Job Offer
11. ENGINEER’S REPORT
12. ATTORNEY’S REPORT
13. REPORTS
 - A. Beyond the Yellow Ribbon Report
14. OTHER
 - A. Administrator Reports
15. ADJOURN

**SEE REVERSE SIDE FOR RULES FOR PUBLIC HEARINGS AND
DISCUSSION FROM THE FLOOR**

RULES FOR PUBLIC HEARINGS AND DISCUSSION FROM THE FLOOR

DISCUSSION FROM THE FLOOR

- ** Limited to 3 minutes per person to state their concern.
- ** Action: Council direction to staff for resolution or take this matter under advisement for action at the next regularly scheduled meeting.

PUBLIC HEARINGS

Advise audience that the purpose of the public hearing is to receive citizen input on the proposal to (name of project). (This is not a time to debate the issue.)

The following format will be used to conduct the hearing:

- ** The presenter will have a maximum of 10 minutes to explain the project as proposed.
- ** Councilmembers will have an opportunity to ask questions or comment on the proposal.
- ** Citizens will then have an opportunity to ask questions and/or comment on the project. Those wishing to comment are asked to limit their comments to 3 minutes, except in cases where there is a spokesperson representing a group wishing to have their collective opinions voiced. The spokesperson should identify the audience group her/she is representing and may have a maximum of 10 minutes to express the views of the group.
- ** People wishing to comment are asked to state any new facts they may have within the 3 minutes allotted. Please be specific and to the point.
- ** Everyone will be given the opportunity to express their agreement or disagreement even if they have no new points to make. (This is not a time to debate the issue.)
- ** People wishing to speak twice will be given 2 minutes to comment on any new facts brought forward since the last time they spoke.

Following public input, the Council will have a second opportunity to ask questions of the presenter and/or citizens.

The public hearing will then be adjourned with the Council taking the matter under advisement until the next regularly scheduled Council meeting. At the next regular meeting, the Council will debate the issue, if necessary, state their positions and make a decision. NO further public input will be received at that time.

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on August 19, 2019 at the Spring Lake Park Community Center, 1301 81st Avenue N.E., at 7:00 P.M.

1. Call to Order

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

2. Roll Call

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

Members Absent: None

Staff Present: Public Works Director Randall; Police Chief Ebeltoft; Engineer Gravel; Building Inspector Baker; Parks and Recreation Director Rygwall; Administrator Buchholtz and Executive Assistant Gooden

Visitors: Kay Okey, City of Spring Lake Park employee
LuAnn Larson, City of Spring Lake Park employee
Representative Erin Koegel
George Serumgard, Metro Transit

3. Pledge of Allegiance

4. Additions or Corrections to Agenda

Administrator Buchholtz request that a Right of Way Application from CenterPoint be added as Item 6H.

5. Discussion From The Floor - None

6. Consent Agenda:

Acting Mayor Nelson reviewed the following Consent Agenda items:

- A. Approval of Minutes – August 5, 2019
- B. Disbursements
 1. General Fund Disbursement Claim No. 19-13 - \$600,134.12
- C. Contractor's Request for Payment No. 1 – 2019 Seal Coat and Crack Repair Project
- D. Approve MNSPECT LLC Invoice – July Billing
- E. Sign Permit
- F. Contractor's Licenses
- G. Correspondence
- H. Approval of Right of Way Application - CenterPoint

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

7. Police Report

Police Chief Ebeltoft reviewed the July 2019 department statistics.

Chief Ebeltoft reported that the Police Department responded to seven hundred thirty eight calls for service for the month of July 2019 compared to five hundred eighty six calls for service in July 2018.

Chief Ebeltoft reminded the residents of Spring Lake Park that school will be starting soon. He stated that more school buses will be on the roadways and students walking/driving to and from school. He stated that the Police Department would like to ask for the community's assistance with allowing extra time for traveling to where ever they may be going to be watchful of the school traffic.

Chief Ebeltoft reported that Investigator Bennek reports to handling a caseload of 36 cases for the month of July 2019. He stated that Investigator Bennek noted having 13 active forfeiture cases. He noted that Investigator Bennek reported that the City as well as other cities across the metro area are seeing an increase in theft from motor vehicles.

Chief Ebeltoft reported that Investigator Bennek noted that the Police Department has seen an uptick in "crimes of opportunity" in the city. He reported that individuals are targeting unlocked vehicles in driveways during overnight hours looking for valuable items to steal.

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

Councilmember Wendling inquired about the correspondence that was provided to the Councilmembers from the Minneapolis Auto Club Foundation for Safety Grant Recipients.

Chief Ebeltoft reported that he had applied for a grant from the Minneapolis Auto Club Foundation to be able to purchase portable mountable speed signs. He reported that the City received a \$500.00 grant. He stated that he was able to apply the funds received to two of the signs that were purchased.

9. Parks and Recreation Report

Parks and Recreation Director Rygwall reported that the Parks and Recreation Commission met and evaluated their Tower Day participation; the softball tournaments and the possible location of a future splash pad at Sanburnol park. She reported that the Spring Lake Park Youth Hockey Association is interested in assisting with improving the hockey rinks for more usable ice time for their association.

Ms. Rygwall thanked the Public Works and Police Department staff for their assistance with the Tower Days celebration. She reported that the Tower Days committee met and discussed ideas and contracts for 2020.

Ms. Rygwall reported that the Music in the Park has been very successful at Lakeside Park. She reported that a few Wednesday evening events remain. She provided the monthly program statistics and a recap of the day trips that were offered.

Mayor Nelson thanked Ms. Rygwall for her dedication Parks and Recreation Department and all her years of service with the City.

9. Ordinances And/Or ResolutionsA. Resolution 19-24 Opposition to the Relocation of the Northtown Transit Center

Administrator Buchholtz reported that the current Northtown Transit Hub is located on University Avenue, north of the 85th Avenue entrance to Northtown Mall. He reported that mall ownership is working with Metro Transit to relocate the transit hub to the overflow parking lot on the south side of the mall, between Northtown Drive (the Mall ring road) and Sanburnol Drive. He stated that this relocation would be facilitated by a land swap thereby Metro Transit vacates its property and MnDOT right-of-way along Trunk Highway 47 (University Avenue) in exchange for the overflow parking lot land.

Administrator Buchholtz stated that with the significant bus traffic that services the Transit Hub, staff believes that it could be harmful to the Sanburnol residential neighborhood. He stated that staff is working with Representative Erin Koegel on this issue at the Metropolitan Council. He reported that in addition, staff recommends City Council approve a resolution requesting the City of Blaine deny a preliminary plat and conditional use permit requests made by the Mall to facilitate the transaction.

George Serumgard, Project Manager with Metro Transit reported that Metro Transit and Northtown mall management has been working on the project since 2005. He stated that all the options have not been exhausted and Metro Transit is working with Stantec to prepare plans for screening and sound walls for the possible move of the Transit Hub.

Representative Koegel stated that she has been facilitating conversations with Metro Transit and the residents. She stated that this is an important issue to her as she is also affected by the possible move of the Transit Hub.

Mr. Serumgard stated that it is the hope that Metro Transit will purchase the property where the new Transit Hub would sit and design the property in an attractive way for it not to effect the neighboring homes and residents.

Councilmember Wendling inquired as to what the eviction process is for Metro Transit from the mall. Mr. Serumgard reported that Metro Transit received a 70 day notice however through negotiations with the mall, 180 days was granted. He stated that with the options being worked on with Stantec and the management company of the mall, there is hope that the days would be extended.

Councilmember Wendling requested that the City of Spring Lake Park and the Sanburnol residents see the plans as they proceed. He stated that a number of busses already use the streets near Sanburnol.

Councilmember Goodboe-Bisschoff inquired what the consensus of the Blaine City Council is on the change to the Transit Hub. Mr. Serumgard reported that the Blaine City Council has not met or discussed the project. He stated that it has only been discussed with staff at this time.

Mayor Nelson reported that Spring Lake Park staff has been in contact with the Blaine City Council and staff. He stated that it is important to have communication with them and he feels that a joint meeting with all the parties involved would be very beneficial. He stated that there has not been any workshops or formal discussions at this time.

Administrator Buchholtz reported that the City of Blaine will have a Planning Commission meeting to discuss the lot subdivision and there will have to be application made for a Conditional Use Permit. He stated that a public hearing would be held and a representative from the City of Spring Lake Park could attend for opposition

of the change in location. He stated that the city is willing to talk with all the parties involved to help protect the neighborhood of Spring Lake Park.

MOTION MADE BY MAYOR NELSON TO APPROVE RESOLUTION 19-24 OPPOSITION TO THE RELOCATION OF THE NORTHTOWN TRANSIT CENTER. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

10. New Business

A. Authorization to Conditionally Hire Parks and Recreation Director – Kay Okey

Administrator Buchholtz reported that on behalf of the selection committee, he was pleased to present Kay Okey's name to the City Council for appointment to serve as the next Parks and Recreation Director.

Administrator Buchholtz reported that the City Council authorized staff to begin a hiring process to fill the Parks and Recreation Director position. He stated that the current Parks and Recreation Director Marian Rygwall informed the City of her intention to retire from her position effective August 31, 2019. He stated that the City is grateful for Director Rygwall's service to the City, in a variety of roles, over the past 41 years.

Administrator Buchholtz reported that a selection committee was formed to evaluate candidates and present a candidate to the City Council for approval. He expressed his gratitude to Police Chief Ebeltoft, Public Works Director Randall, Executive Assistant Gooden and Parks and Recreation Commission Chair Barbara Harlan for participating in the selection committee.

Administrator Buchholtz stated that fifteen individuals applied for the Parks and Recreation Director position. He stated that the applicants were evaluated based on the criteria set forth in the job description. He stated the five candidates were selected to participate in the interview process, which occurred on August 8, 2019. He stated that the candidates were asked to put together a 10-15-minute presentation outlining a plan of action for how he/she would address what he/she perceives to be the most pressing issues facing the Parks and Recreation Department; indicating, in priority order, what issues he/she would address and what his/her plan of action would entail. He stated that the candidate then sat down for a formal interview with the panel.

Administrator Buchholtz reported that the selection committee was impressed with all the candidates. He stated that four of the five members of the selection panel listed Kay Okey as their first choice and the fifth member listed Kay as their second choice.

Administrator Buchholtz provided the City Council with an overview of the variety of education and experience that Kay possesses. He reported that Ms. Okey has served as a Recreation Coordinator with the City for the past five years, where she has planned classes, day trips and special events for youth, adults, families and senior citizens, as well as leading the extended tour program.

Administrator Buchholtz reported that staff is recommending that Ms. Okey start at Step 2 of the salary schedule for the Parks and Recreation Director, which is \$34.80/hour (\$72,384/year). He stated that this salary recommendation is made in light of her years of service with the City of Spring Lake Park, as well as her past management experience.

Councilmember Delfs thanked the selection committee for their participation and noted the panel was made up of a good variety of members who carry different roles within the City. He stated that he is looking forward to the new paths that the Parks and Recreation Department will go with the change in leadership.

MOTION MADE BY COUNCILMEMBER DELFS TO APPROVE HIRE OF KAY OKEY FOR THE PARKS AND RECREATION DIRECTOR. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Authorize Hiring Process for Recreation Program Supervisor

Administrator Buchholtz reported that with the appointment of Kay Okey to Parks and Recreation Director, staff is seeking authority from the City Council to begin a hiring process for a Recreation Program Supervisor.

Administrator Buchholtz stated that the salary range for the Recreation Coordinator position is \$24.32-\$31.19/hour (\$50,585 - \$64,875/ year.) He provided a copy of the proposed job description for review. He stated that staff recommends the City Council authorizes staff to begin a hiring process to fill the vacant Recreation Program Supervisor position.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE HIRING PROCESS FOR RECREATION PROGRAM SUPERVISOR. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Authorize PERA Phased Retirement to Marian Rygwall

Administrator Buchholtz reported that with the Parks and Recreation Department being short staffed due the pending retirement of Director Marian Rygwall and the appointment of Kay Okey to fill the Director position, staff is seeking authorization to allow Ms. Rygwall to continue working for the City on a part-time basis until staff is able to fill the Recreation Program Supervisor position.

Administrator Buchholtz reported that PERA offers a "Phased Retirement" option which allows Ms. Rygwall to continue working with the City for up to 1,044 hours per year while being able to begin collecting her pension. He stated that Ms. Rygwall would to a part-time status, which would significantly reduce her benefits costs as she would no longer be eligible for health insurance. He stated that as she would begin collecting her pension, she would be exempt from PERA as well, saving 7.5% salary.

Administrator Buchholtz stated that the "Phased Retirement" designation would be valid for one year or her working 1,044 hours whichever came sooner. He stated that it is anticipated that Ms. Rygwall will continue on with the City until the conclusion of the hiring process for the Recreation Program Supervisor. He stated that this is especially critical for September as Ms. Okey will be out of the office leading to extended trips that month.

MOTION MADE BY MAYOR NELSON TO AUTHORIZE PERA PHASED RETIREMENT TO MARIAN RYGWALL. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. Engineer's Report

Engineer Gravel reported that the 2019 Street Seal Coat and Crack Fill Project is almost completed. He stated that the striping and markings still need to take place. He reported that the trail paving is complete on the Osborne Road Trail Improvement and restoration and seeding will take place in September.

12. Attorney's Report

Attorney Thames reported that he has been reviewing a new lease with Verizon and the contract should be ready for the Council to approve in the next few weeks.

13. ReportsA. Administrator Reports

Administrator Buchholtz congratulated Representative Koegel on receiving the 2019 Legislator of Distinction award from the League of Minnesota.

Administrator Buchholtz thanked the residents who participated in the Night to Unite on August 6, 2019. He stated it was a great opportunity to interact with the residents.

14. OtherA. Closed Session to Discuss Offer to Sell 525 Osborne Road NE

Mayor Nelson stated that the City Council will be going into a closed session to discuss an offer to sell 535 Osborne Road NE property.

MOTION MADE BY COUNCILMEMBER WENDING TO CLOSE REGULAR COUNCIL MEETING. ALL AYES. MOTION CARRIED.

Mayor Nelson recessed the regular Council meeting at 7:53 PM.

Mayor Nelson reconvened the regular Council meeting at 8:24 PM.

Attorney Thames stated that the City Council discussed an offer for the 525 Osborne Road NE property and stated that staff was advised to proceed.

15. Adjourn

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

The meeting was adjourned at 8:25 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer

RESOLUTION NO. 19-28

RESOLUTION APPROVING MINNESOTA PREMISES PERMIT FOR LAWFUL GAMBLING FOR SPRING LAKE PARK LIONS CLUB LOCATED AT DALA THAI RESTAURANT AND BANQUET HALL, 8407 PLAZA BLVD NE, SPRING LAKE PARK

WHEREAS, the Spring Lake Park Lions Club has submitted an application to the City of Spring Lake Park requesting City approval of a Minnesota Gambling Premises Permit application located at Dala Thai Restaurant and Banquet Hall, 8407 Plaza Blvd NE, Spring Lake Park; and

WHEREAS, it has been demonstrated that the organization is collecting gambling monies for lawful purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, that the City Council does hereby approve the premises permit for lawful gambling at Dala Thai Restaurant and Banquet Hall, located at 8407 Plaza Blvd NE.

BE IT FURTHER RESOLVED that the City Clerk of the City of Spring Lake Park is hereby instructed to transmit a certified copy of this resolution to the Minnesota Gambling Control Board.

The foregoing resolution was moved for adoption by Councilmember .

Upon roll call, the following voted aye: Councilmembers

And the following voted nay: .

Whereupon the Mayor declared said resolution duly passed and adopted this 3rd day of September, 2019.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator

State of Minnesota)
Counties of Anoka and Ramsey)ss
City of Spring Lake Park)

I, Daniel R. Buchholtz, duly appointed and qualified City Administrator in and for the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, do hereby certify that the foregoing is a true and correct copy of Resolution No. 19-28, A Resolution Approving Minnesota Premises Permit For Lawful Gambling for Spring Lake Park Lions Club Located At Dala Thai Restaurant And Banquet Hall, 8407 Plaza Blvd Ne, Spring Lake Park, adopted by the Spring Lake Park City Council at their regular meeting on the 3rd day of September 2019.

Daniel R. Buchholtz, Administrator

(SEAL)

Dated: _____

LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

Mail the application and required attachments to:

Minnesota Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: Spring Lake Park Lions Club License Number: 00584

Chief Executive Officer (CEO) Pete Yelle Daytime Phone: 612-718-1384

Gambling Manager: Amanda Jackson Daytime Phone: 763-286-5039

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Dala Thai Restaurant and Banquet Hall

List any previous names for this location:

Povlitzki's on 65

Street address where premises is located: 8407 Plaza Blvd NE
(Do not use a P.O. box number or mailing address.)

City: OR Township:	County:	Zip Code:
Spring Lake Park	Anoka	55432

Does your organization own the building where the gambling will be conducted?

Yes No **If no, attach LG215 Lease for Lawful Gambling Activity.**

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Northeast Bank Bank Account Number: 10012805

Bank Street Address: 200 Coon Rapids Blvd City: Coon Rapids State: **MN** Zip Code: 55433

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
_____	_____	MN	_____
_____	_____	MN	_____
_____	_____	MN	_____

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

**CITY APPROVAL
for a gambling premises
located within city limits**

City Name: _____

Date Approved by City Council: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of City Personnel:

Title: _____ Date Signed: _____

**Local unit of government
must sign.**

**COUNTY APPROVAL
for a gambling premises
located in a township**

County Name: _____

Date Approved by County Board: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of County Personnel:

Title: _____ Date Signed: _____

TOWNSHIP NAME: _____

Complete below only if required by the county.
On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.
2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.
3. I have read this application and all information submitted to the Board is true, accurate, and complete.
4. All required information has been fully disclosed.
5. I am the chief executive officer of the organization.

6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.
7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.
8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.
9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.
10. I understand the fee is non-refundable regardless of license approval/denial.

Signature of Chief Executive Officer (designee may not sign) _____

Date 8/28/19

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION

Organization:	License/Site Number:	Daytime Phone:
Spring Lake Park Lions	00584	763-784-9179
Address:	City:	State: Zip:
8433 Center Drive	Spring Lake Park	MN 55432
Name of Leased Premises:	Street Address:	
Dala Thai Restaurant and Banquet Hall	8407 Plaza Blvd NE	
City:	State: Zip:	Daytime Phone:
Spring Lake Park	MN 55432	763-999-6930
Name of Legal Owner:	Business/Street Address:	
Sam Yang	8407 Plaza Blvd NE	
City:	State: Zip:	Daytime Phone:
Spring Lake Park	MN 55432	763-999-6930
Name of Lessor (if same as legal owner, write "SAME"):	Address:	
SAME		
City:	State: Zip:	Daytime Phone:

Check applicable item:

New or amended lease. Effective date: 9-1-19. Submit changes at least ten days **before** the effective date of the change.

New owner. Effective date: _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

<input checked="" type="checkbox"/> Pull-Tabs (paper)	<input checked="" type="checkbox"/> Electronic Pull-Tabs
<input type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input checked="" type="checkbox"/> Electronic Linked Bingo
<input checked="" type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo	Electronic games may only be conducted:
<input checked="" type="checkbox"/> Tipboards	1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
<input checked="" type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table	2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: _____%, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750**.
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 15%, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: 20%, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: _____%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 - ⇒ **Rent may not be paid for bar bingo.**
 - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

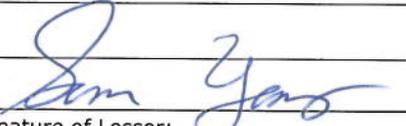
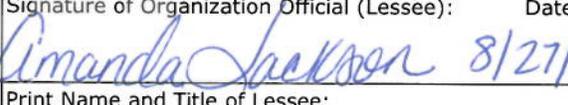
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor:  Date: 8/27/19	Signature of Organization Official (Lessee):  Date: 8/27/19
Print Name and Title of Lessor: Sam Yang	Print Name and Title of Lessee: Amanda Jackson Gambling Manager

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:
 Minnesota Gambling Control Board
 1711 W. County Road B, Suite 300 South
 Roseville, MN 55113
 Fax: 651-639-4032

RESOLUTION NO. 19-29

RESOLUTION APPROVING MINNESOTA PREMISES PERMIT FOR LAWFUL GAMBLING FOR SPRING LAKE PARK LIONS CLUB LOCATED AT TORG BREWERY, 8421 UNIVERSITY AVENUE NE, SPRING LAKE PARK

WHEREAS, the Spring Lake Park Lions Club has submitted an application to the City of Spring Lake Park requesting City approval of a Minnesota Gambling Premises Permit application located at Torg Brewery, 8421 University Avenue NE, Spring Lake Park; and

WHEREAS, it has been demonstrated that the organization is collecting gambling monies for lawful purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, that the City Council does hereby approve the premises permit for lawful gambling at Torg Brewery, located at 8421 University Avenue NE.

BE IT FURTHER RESOLVED that the City Clerk of the City of Spring Lake Park is hereby instructed to transmit a certified copy of this resolution to the Minnesota Gambling Control Board.

The foregoing resolution was moved for adoption by Councilmember .

Upon roll call, the following voted aye: Councilmembers

And the following voted nay: .

Whereupon the Mayor declared said resolution duly passed and adopted this 3rd day of September, 2019.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator

State of Minnesota)
Counties of Anoka and Ramsey)ss
City of Spring Lake Park)

I, Daniel R. Buchholtz, duly appointed and qualified City Administrator in and for the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, do hereby certify that the foregoing is a true and correct copy of Resolution No. 19-29, A Resolution Approving Minnesota Premises Permit For Lawful Gambling for Spring Lake Park Lions Club Located At Torg Brewery, 8421 University Avenue NE, Spring Lake Park, adopted by the Spring Lake Park City Council at their regular meeting on the 3rd day of September 2019.

Daniel R. Buchholtz, Administrator

(SEAL)

Dated: _____

MINNESOTA LAWFUL GAMBLING
LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

- 1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
- 2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

Mail the application and required attachments to:
Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: Spring Lake Park Lions Club License Number: 00584
Chief Executive Officer (CEO) Pete Yelle Daytime Phone: 612-718-1384
Gambling Manager: Amanda Jackson Daytime Phone: 763-286-5039

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Torg Brewery

List any previous names for this location:

Street address where premises is located: 8421 University Ave NE
(Do not use a P.O. box number or mailing address.)

City: Spring Lake Park **OR** Township: _____ County: _____ Zip Code: _____

Does your organization own the building where the gambling will be conducted?
 Yes No **If no, attach LG215 Lease for Lawful Gambling Activity.**

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Northeast Bank Bank Account Number: 10012805

Bank Street Address: 300 Coon Rapids Blvd City: Coon Rapids State: **MN** Zip Code: 55433

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
_____	_____	MN	_____
_____	_____	MN	_____
_____	_____	MN	_____

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

**CITY APPROVAL
for a gambling premises
located within city limits**

City Name: _____

Date Approved by City Council: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of City Personnel: _____

Title: _____ Date Signed: _____

**Local unit of government
must sign.**

**COUNTY APPROVAL
for a gambling premises
located in a township**

County Name: _____

Date Approved by County Board: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of County Personnel: _____

Title: _____ Date Signed: _____

TOWNSHIP NAME: _____

Complete below only if required by the county.
On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

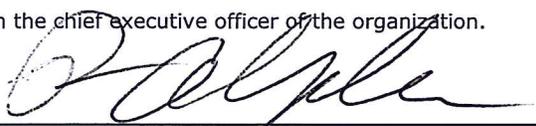
Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date Signed: _____

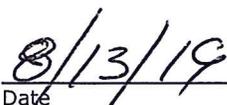
ACKNOWLEDGMENT AND OATH

1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.
2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.
3. I have read this application and all information submitted to the Board is true, accurate, and complete.
4. All required information has been fully disclosed.
5. I am the chief executive officer of the organization.



Signature of Chief Executive Officer (designee may not sign)

6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.
7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.
8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.
9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.
10. I understand the fee is non-refundable regardless of license approval/denial.



 Date

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public</p>	<p>information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;</p>	<p>Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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This form will be made available in alternative format, i.e. large print, braille, upon request.

LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION

Organization: Spring Lake Park Lions Club	License/Site Number: 00584	Daytime Phone: 763-784-9179
Address: 8433 Center Drive	City: Spring Lake Park	State: Zip: MN 55432
Name of Leased Premises: Torg Brewery	Street Address: 8421 University Ave NE	
City: Spring Lake Park	State: Zip: MN 55432	Daytime Phone: 763-639-0539
Name of Legal Owner: David Torgersen	Business/Street Address: 8421 University Ave NE	
City: Spring Lake Park	State: Zip: MN 55432	Daytime Phone: 763-639-0539
Name of Lessor (if same as legal owner, write "SAME"): Same	Address:	
City:	State: Zip:	Daytime Phone:

Check applicable item:
 New or amended lease. Effective date: 7-1-19. Submit changes at least ten days **before** the effective date of the change.
 New owner. Effective date: _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

<input type="checkbox"/> Pull-Tabs (paper)	<input type="checkbox"/> Electronic Pull-Tabs
<input type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input type="checkbox"/> Electronic Linked Bingo
<input checked="" type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo	Electronic games may only be conducted: 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.
<input type="checkbox"/> Tipboards	
<input checked="" type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table	

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: 10 %, not to exceed **10%** of gross profits for that month.
 • Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750**.
 • The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 10 %, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.
ALL OTHER GAMES: Monthly rent to be paid: 10 %, not to exceed **20%** of gross profits from all other forms of lawful gambling.
 • If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: _____ %, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
 - OR -
- Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 - ⇒ **Rent may not be paid for bar bingo.**
 - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

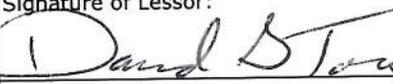
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor:  Date: 6 JUN 2019	Signature of Organization Official (Lessee):  Date: 6-6-19
Print Name and Title of Lessor: DAVID G TORGERSEN CEO, TORGERSEN JEWELRY	Print Name and Title of Lessee: Amanda Jackson Gambling Mgr

<p>Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. Data privacy notice: The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.</p>	<p>Mail or fax lease to: Minnesota Gambling Control Board 1711 W. County Road B, Suite 300 South Roseville, MN 55113 Fax: 651-639-4032</p>
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RESOLUTION NO. 19-30

RESOLUTION TRANSFERRING FUNDS FROM FUND 400, REVOLVING CONSTRUCTION, TO FUND 333, SLP FIRE DEBT SERVICE (BLAINE)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, that the City Council does hereby approve the following transfer:

	From	To
Fund 400, Revolving Construction	\$19,000	
Fund 333, SLP Fire Debt Service (Blaine)		\$19,000

The foregoing resolution was moved for adoption by Councilmember .

Upon roll call, the following voted aye: Councilmembers

And the following voted nay: .

Whereupon the Mayor declared said resolution duly passed and adopted this 3rd day of September, 2019.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator

State of Minnesota)
Counties of Anoka and Ramsey)ss
City of Spring Lake Park)

I, Daniel R. Buchholtz, duly appointed and qualified City Administrator in and for the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, do hereby certify that the foregoing is a true and correct copy of Resolution No. 19-30, A Resolution Transferring Funds from Fund 400, Revolving Construction, to Fund 333, SLP Fire Debt Service (Blaine), adopted by the Spring Lake Park City Council at their regular meeting on the 3rd day of September 2019.

Daniel R. Buchholtz, Administrator

(SEAL)

Dated: _____

SUBURBAN RATE AUTHORITY

470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9233

INVOICE**TO:**

Mr. Daniel Buchholtz
City Administrator
City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432-2116

DATE: 08/23/2019

<u>DESCRIPTION</u>	<u>NUMBER OF VOTES</u>	<u>AMOUNT</u>
2019 Membership Assessment: (\$452.00 per vote)	2	\$904
Assessment Paid:		\$452
<u>Second Half Assessment Due and Payable:</u>		<u>\$452</u>

Please Send Payment To:

Mr. Greg Sticha
Treasurer
Suburban Rate Authority
Chanhassen City Hall
P.O. Box 147
Chanhassen, MN 55317-0147



Offices in
Minneapolis
Saint Paul
St. Cloud

470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9300 telephone
(612) 337-9310 fax
www.kennedy-graven.com
Affirmative Action, Equal Opportunity Employer

JAMES M. STROMMEN
Attorney at Law
Direct Dial: (612) 337-9233
Email: jstrommen@kennedy-graven.com

August 23, 2019

Mr. Daniel Buchholtz
City Administrator
City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432-2116

Re: 2019 Second Half Suburban Rate Authority Assessment

Dear Mr. Buchholtz:

Enclosed is the second half assessment for 2019 membership in the SRA and a W-9 Form.

Thank you again for the City's important contribution to protecting municipal interests and the interests of residents and businesses within SRA cities on utility matters. The SRA anticipates an important Xcel Electric rate case will be filed this November seeking rates for the next four to five years.

Very truly yours,



James M. Strommen
General Counsel

Enclosure

cc: SRA Delegate

Kenneth A. Tolzmann, SAMA
Spring Lake Park City Assessor

August 25, 2019

City of Spring Lake Park
1301 81st Ave NE
Spring Lake Park, Mn 55432
Attn: Mr. Daniel Bucholtz, Admin.

Re: Third Quarter Billing for 2020 Payable 2021 Property Tax Assessment.

Dear Mr. Bucholtz,

The annual cost for assessment services in accordance with our contract is as follows:

1973 Residential improved parcels @ \$10.00 per parcel -----	\$19,730.00
313 Commercial/Ind/Apt parcels @ \$55.00 per parcel -----	17,215.00
39 Unimproved land parcels @ \$ 2.50 per parcel -----	97.40
93 Exempt parcels	nc

Total Cost for year 2020 assessment payable in 2021: \$37,042.40

Third Quarter Amt. Due: \$ 9,260.60

The above figures are in accordance with our contract for services dated December 17, 2018.

If you have any questions, please give me a call at 464-4862.

Sincerely,



Kenneth A. Tolzmann, SAMA#1939
Spring Lake Park City Assessor
24738 Hamlet Ave. N.
Forest Lake, Mn 55025

City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432

Contractor's License

September 3, 2019

Mechanical Contractor

Action Heating & AC

Plumbing Contractor

Dusty's Drain Cleaning dba North Anoka Plumbing

P & K Plumbing, LLC.

Roofing Contractor

Allweather Roof

Walker Roofing

Tree Contractor

Minnesota Tree Experts

City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432

Contractor's License

September 3, 2019

Sign Permit

Hy-Vee Fast & Fresh

8101 Hwy 65 NE



CITY OF SPRING LAKE PARK
1301 81st Avenue N E
Spring Lake Park, MN 55432
763-784-6491

Sign Permit Application

DATE: 8-20-19
NAME OF APPLICANT: Phil GARLAND NESPER SIGN INC.
ADDRESS OF APPLICANT: 4620 J. St. S.W. CEDAR RAPIDS, IOWA 52404
TELEPHONE NUMBER OF APPLICANT: 319-366-5312
NAME OF BUSINESS AND LOCATION of building structure, or lot to which or upon which the sign is to be attached or erected HY-VEE FAST + FRESH EXPRESS STORE
8101 Hwy #65 NE.
 New Construction Remodel: Word Change Only:

Attach a drawing or sketch showing the position of the sign in relation to the nearest building, structures, public streets, right-of-way and property lines. Said drawing to be prepared to scale.

Attach two (2) blueprints or ink drawings of the plans and specifications and method of construction or attachment to the building or in the ground, including all dimensions. Show location of all light sources, wattage, type and color of lights and details of light shields or shades.

Attach a copy of stress sheets and calculations showing the structure is designed for dead load and wind velocity in the amount required by this and all other Ordinances of the City, if requested by the Building Inspection Department.

Name of person, firm or corporation erecting the structure: NESPER SIGN INC.

Address: 4620 J. St. S.W. CEDAR RAPIDS, IOWA 52404

Is an Electrical Permit required? Yes by others

- I, the undersigned applicant, do further make the following agreement with the City of Spring Lake Park Mn:
- 1) To authorize and direct the City of Spring Lake Park to remove and dispose of any signs and sign structures on which a Permit has been issued but which was not renewed, if the owner does not remove the same within thirty (30) days following the expiration of the Permit.
 - 2) To authorize and direct the City of Spring Lake Park to remove said sign and sign structure, at the expense of the applicant, where maintenance is not furnished, but only after a hearing and after notice of sixty (60) days, specifying the maintenance required by the City.
 - 3) To provide any other additional information which may be required by the Building Inspection Department.


SIGNATURE OF APPLICANT

FOR OFFICE USE ONLY:*****
FEE: \$ 383.75 RECEIPT NUMBER: _____

DATE OF APPROVAL: _____ DATE OF ISSUE: _____

REASON FOR DENIAL: _____

ADDITIONAL REQUIREMENTS FOR SIGN PERMIT:

SQUARE FOOTAGE OF FRONT OF BUILDING: 23' x 95' = 2,185

SQUARE FOOTAGE OF ALL EXISTING SIGNS: New

SQUARE FOOTAGE OF PROPOSED SIGN OR SIGNS: 1~~A~~, 47~~A~~, 11~~A~~, 13~~A~~, 13~~A~~
Total 85~~A~~

INCLUDE A DRAWING SHOWING LOCATION AND MESSAGE ON SIGN.

IF YOU ARE NOT THE OWNER OF THE PROPERTY, INCLUDE A SIGNED LETTER FROM THE OWNER GIVING PERMISSION TO ERECT THE SIGN.

NOTE: ALL APPLICATIONS ARE DUE BY NOON ON THE TUESDAY PRECEEDING THE COUNCIL MEETING.

DRAWING:

Proposed

1~~A~~ - \$75
47~~A~~ - \$75 + (7 x 1.25)^{8.75} = \$83.75
11~~A~~ - \$75
13~~A~~ - \$75
13~~A~~ - \$75

\$ 383.75

656 - 30%
85~~A~~ - proposed

571~~A~~ - Remaining



JOB DESCRIPTION:

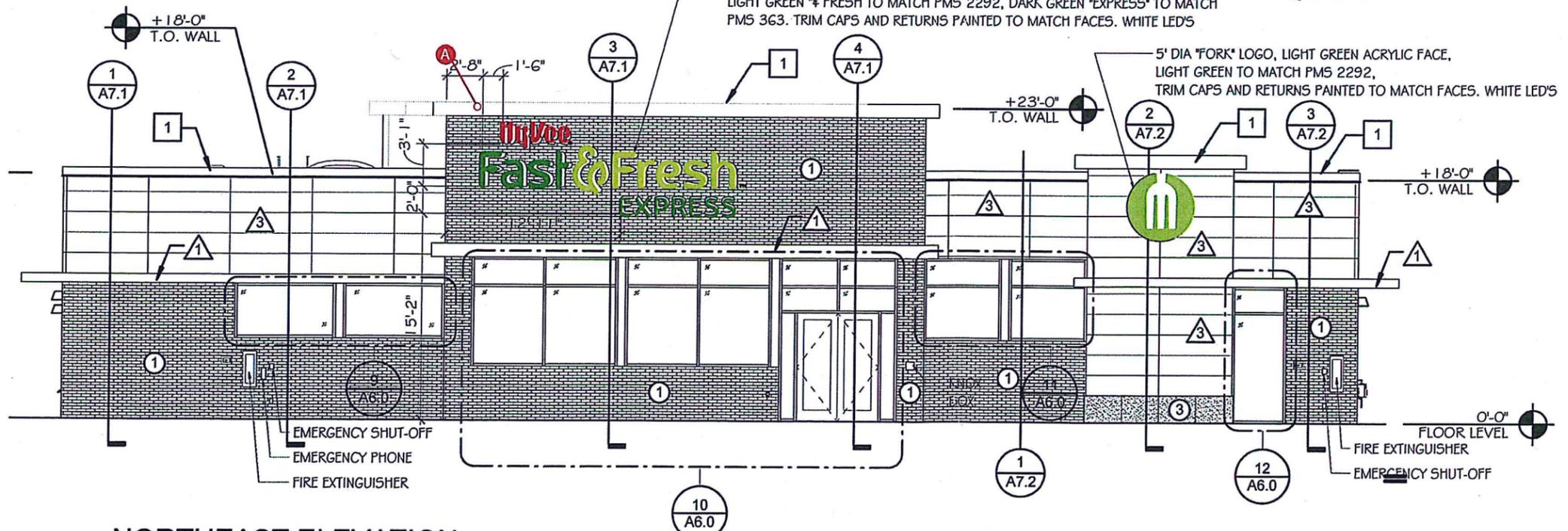
SIGN A
 FABRICATE AND INSTALL (1) SET OF
 FACE-LIT CHANNEL LETTERS

- FACES:** 3/16" WHITE ACRYLIC FOR "FAST,FRESH, EXPRESS" AND 3/16" HY-VEE RED ACRYLIC FOR "HY-VEE"
- TRIM CAP:** 1" HY-VEE RED AND PAINTED TO MATCH GREEN VINYL (SEE CHART)
- VINYL:** GREEN AND LT. GREEN (SEE CHART)
- RETURNS:** 5" HY-VEE RED AND MATCH GREEN (SEE CHART)
- ILLUMINATION:** WHITE L.E.D.S.

- POWER SUPPLY BY OTHERS
- ACCESS REQUIRED
- SURVEY REQUIRED

1"5" HIGH "HY-VEE" CHANNEL LETTERS, RED ACRYLIC FACES AND RED RETURNS, RED TRIM CAPS. 2"6" HIGH FAST & FRESH GREEN CHANNEL LETTERS. 1"4" HIGH EXPRESS GREEN CHANNEL LETTERS. DARK GREEN "FAST" TO MATCH PMS 363, LIGHT GREEN "& FRESH" TO MATCH PMS 2292, DARK GREEN "EXPRESS" TO MATCH PMS 363. TRIM CAPS AND RETURNS PAINTED TO MATCH FACES. WHITE LED'S

QTY1



- ACRYLIC:**
- HY-VEE RED
- TRANSLUCENT VINYL:**
- DARK GREEN MATCH PMS 363
 - LT. GREEN MATCH PMS 2292

1 NORTHEAST ELEVATION

SCALE: 1/8" = 1'-0"

DESIGN #: PG-577 VER.#: 3
 DATE: 8-20-19 DRAWN BY: ACG
 SALES: PHIL GARLAND
 JOB: HY-VEE FASH & FRESH EXPRESS
 LOCATION: SPRINGLAKE PARK, MN

DESIGN APPROVED BY:

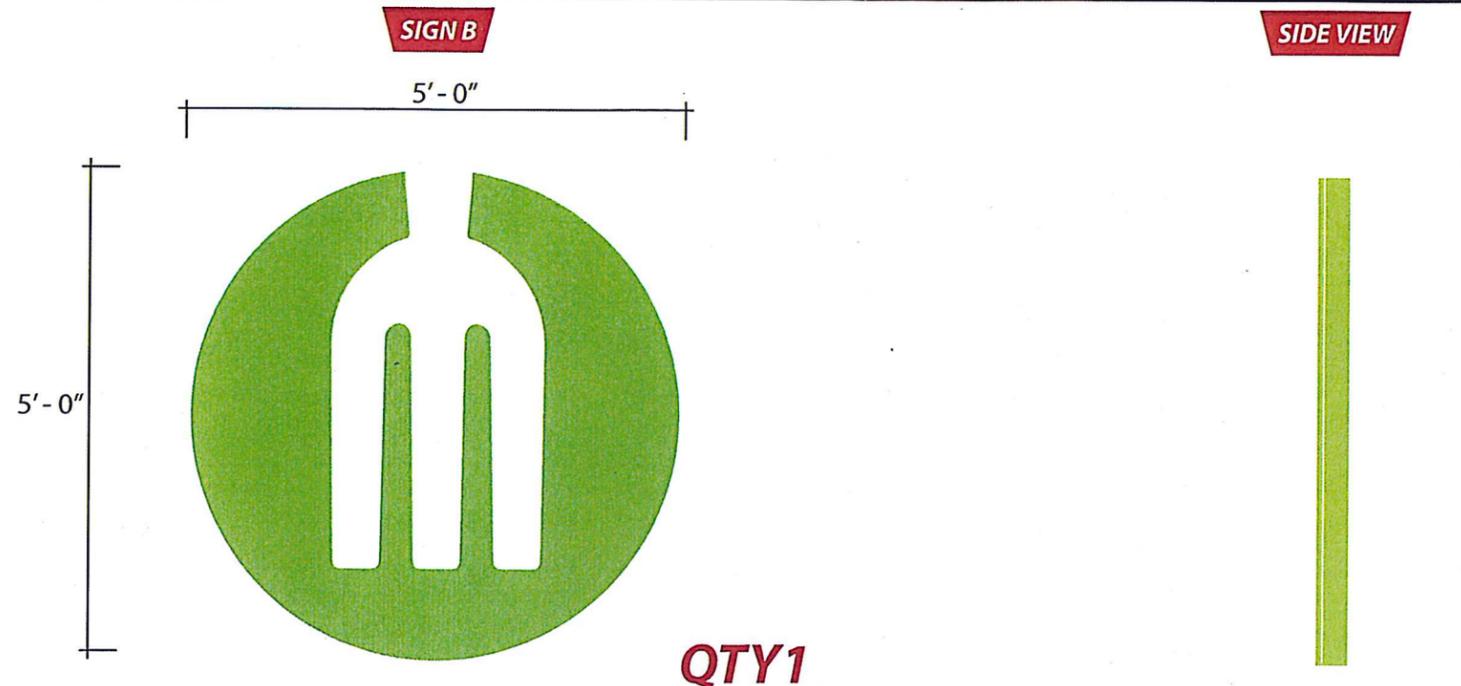
DATE:



4620 J STREET SW CEDAR RAPIDS IA 52404 / FAX 319-366-6493 / WWW.NESPERSIGN.COM

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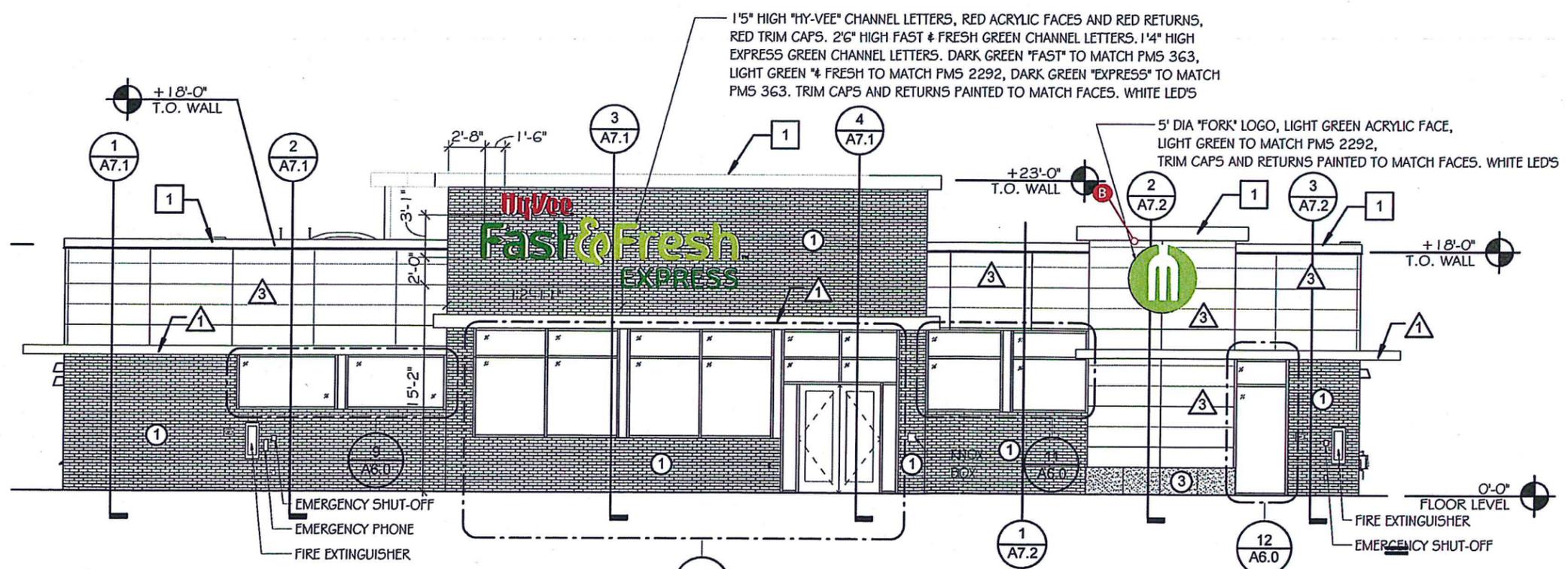
QTY1

JOB DESCRIPTION:

SIGN B
FABRICATE AND INSTALL (1) LOGO FACE-LIT CHANNEL LETTERS

- FACES:** 3/16" WHITE ACRYLIC
- TRIM CAP:** 2" WHITE PAINTED TO MATCH LT. GREEN PMS 376
- VINYL:** TRANS. LT. GREEN PMS 376
- RETURNS:** 3" MILL FINISH COIL PAINT TO MATCH GREEN
- ILLUMINATION:** WHITE L.E.D.S.

- POWER SUPPLY BY OTHERS
- ACCESS REQ'D
- SURVEY REQUIRED



1 NORTHEAST ELEVATION
SCALE: 1/8" = 1'-0"

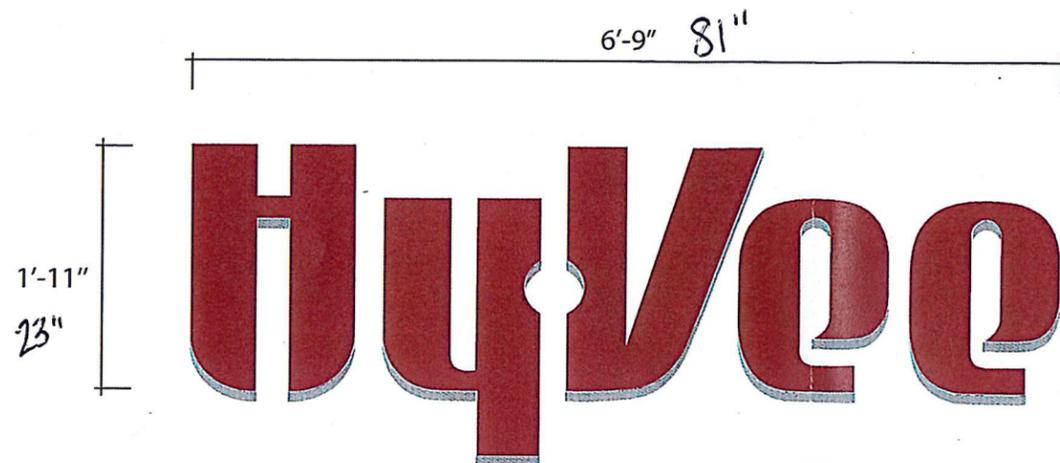
TRANSLUCENT VINYL:
LT. GREEN MATCH
PMS 2292

DESIGN #: PG-577 VER.#: 3
DATE: 8-20-19 DRAWN BY: ACG
SALES: PHIL GARLAND
JOB: HY-VEE FASH & FRESH EXPRESS
LOCATION: SPRINGLAKE PARK, MN

DESIGN APPROVED BY:

DATE:

SIGN C



132 x 2 = 264

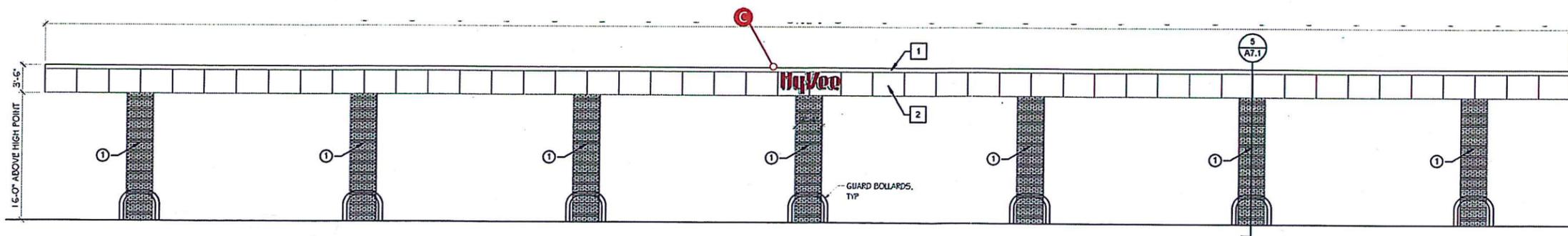
QTY 2

JOB DESCRIPTION:

SIGN C
FABRICATE AND INSTALL (2) SETS OF
CANOPY CHANNEL LETTERS

FACES: HY-VEE RED ACRYLIC
TRIM CAP: 1" WHITE
ILLUMINATION: RED L.E.D.S.
RETURNS: 5" RED COIL

- POWER SUPPLY BY OTHERS



ACRYLIC:
HY-VEE RED ■

5 GAS CANOPY NORTHEAST ELEVATION (SOUTHWEST SIMILAR)

SCALE: 1/8" = 1'-0"

FUEL CANOPY ELEVATIONS ARE FOR REFERENCE ONLY FOR
FINISH MATERIAL DESIGNATIONS ONLY. FUEL CANOPY WILL BE
CONSTRUCTED UNDER SEPERATE PERMIT.

DESIGN #: PG-577 VER.#: 3
DATE: 8-20-19 DRAWN BY: ACG
SALES: PHIL GARLAND
JOB: HY-VEE FASH & FRESH EXPRESS
LOCATION: SPRINGLAKE PARK, MN

DESIGN APPROVED BY:

DATE:



City of Spring lake Park
Code Enforcement Division
1301 Eighty First Avenue Northeast
Spring Lake Park, Minnesota 55432
(763) 783-6491 Fax: (763) 792-7257

REPORT

TO: Spring Lake Park City Council
FROM: Jeff Baker, Code Enforcement Official
RE: Code Enforcement Monthly Report for August 2019
DATE: August 28, 2019

The Spring Lake Park Code Enforcement department is the authority having jurisdiction for all fire, rental, property, nuisance, and zoning codes within Spring Lake Park.

In August 2019, a total of 19 building, 2 fire, 4 zoning, 6 mechanical, and 4 plumbing for a total of 35 permits issued compared to a total of 49 in 2018. Code Enforcement conducted 77 inspections in the month of August including 22 rental, 4 zoning, 50 nuisance and 1 fire inspection.

I have been working diligently with both the the Spring Lake Park police department and the SBM Fire Department on a couple of nuisance properties, trying to limit the call volume and resources both departments are using.

He-Vec grocery building is still moving, with outside concrete being poured and the exterior getting some final touches. There was no job superintendent on-site for any interior details. The Hy-Vec gas station has their footings poured and the underground is complete.

Public Storage is in the final stages, as the interior will be getting its final inspections the last week of August, first part of September. The job superintendent said that the project will hopefully be turned over to public storage at the end of September.

Also attached with this report, please find the August 2019 Spring Lake Park vacancies listings. The listings include both residential and commercial properties indicating vacant and foreclosure properties as well as upcoming Sheriff Sales. August 2019 vacancy listing summarizes the following:

- 12 vacant/foreclosed residential properties currently posted by the Code enforcement department and/or soon to be posted.
- 2 vacant/foreclosed commercial properties currently posted by the Code Enforcement department and/or soon to be posted.
- 3 residential properties currently occupied and ready for Sheriff Sale's redemption.

In August of 2019, the Code Enforcement Department posted one home for no occupancy due to fire and smoke damage from a basement fire. The home has working hours posted stating the times they are able to be in the home, ONLY to complete the work needed to make the home livable again. Also, in the month of August, Code Enforcement issued 4 administrative offense tickets.

In August of 2019, I also attended the following appointments:

- City Council meetings on August 5th and 19th.
- Department Head Meeting on August 6th.
- New construction meeting on August 7th.
- Council 2019 Budget Workshop on August 12th.
- MNSpect status meeting on August 13th.

This concludes the Code Enforcement Department monthly report for August 2019. If anyone has any questions or concerns regarding my report, I would be happy to answer them at this time.

Vacants, Foreclosed Properties & or Sheriff Sales		120 day	Initial	\$200. vac. fee	Add'l vac.	Abandoned Date	Res. CO	Year to Date	Utility Amt			
AUGUST 2019		Posted	120 day vac.	1 yr annlv.	annlv (A/D)	\$150. fee, appli	\$150.00	Ord fees Aug.	Due as of 8-19			
Residential Prop. Address	Name	Date	expiration	fee info	dates (A/D) of	& inspection	Res. CO	Year to Date	Utility Amt			
					orig. posting							
1	651 NE 83rd Ave	VERA JOHNSON	03/22/18	07/20/18	\$ DUE	A/D \$DUE	ALL Due	3/22/2018	\$DUE	OFF	\$ 550.00	\$0
2	7927 NE Buchanan	BLM Companies LLC	5/9/18	09/06/18	\$ DUE	A/D \$DUE		05/09/18	\$DUE	OFF	\$ 550.00	\$130.68
3	8064 NE GARFIELD ST	PETER BOROWITZ	06/06/12	10/04/12	Paid 7-21-16	Pd.2012-16		6/6/12	\$DUE	ON	\$ 750.00	(\$225.00)
4	1880 NE HWY 10	ARNOLD JOHNSON (Sr./dec'd)	06/26/15	10/24/15	\$ DUE	A/D \$DUE		6/26/15	\$DUE	ON	\$ 1,150.00	\$0
5	626 NE IONE AVE	DAVID STAHL /Son Doug	xx							ON	N/A	\$0
6	812 NE LUND AVE	RITA (Dec'd) HERR	05/23/12	09/20/12	\$ DUE	A/D \$DUE		10/4/13	\$DUE	ON	\$ 1,600.00	\$10.80 L/C's
7	8345 NE PIERCE ST	JOHN/KRISTA VYLASEK	5/29/13	09/26/13	Paid 12-6-13	A/D \$DUE		5/29/13	\$DUE	ON	\$ 1,350.00	\$0
8	7972 Pleasantview	DUSTIN(John/Jeanne) OTIS	4/13/18	08/11/18	\$ DUE	A/D \$DUE		4/13/18	\$DUE	ON	\$ 550.00	\$0
9	7818 NE Van Buren	FEDL NAT'L MTG	6/13/2019	10/11/19						OFF		
	Mowed Invc \$225	Former owner Mildred/died/Son Dave Schueller										
10	908 NE VICEROY	MINNESOTA HOME VENTURE INC	5/31/19	09/28/19						ON		
	Spring Lake Park Terrace/Mfgd. & Mobile Home Park		Posted	120 Day	120 Day Fee	1 Year Vacant		Abandoned	Res. CO Paid			
	8155 NE Cleveland	GIW Group LTD	Vacant	Expiration	Paid	Date		Date	Date	OFF	\$DUE	\$DUE
	8163 NE Cleveland	GIW Group LTD	03/02/17	06/30/17	\$ DUE	A/D \$ DUE		3/2/17	\$DUE	OFF	\$DUE	\$DUE
			3-28-16	07/26/16	\$ DUE	A/D \$ DUE		3/28/2016	\$DUE	ON	\$DUE	\$DUE
	SHERIFF SALES											
	Service Address	Name	Date									
			of SS									
1	8085 NE JEFFERSON ST	RICHARD COBBS JR	12/13/18					06/13/19		ON		
2	8020 NE MADISON ST	JEFFREY/RACHELLE WHITE	7/8/19					01/08/20		ON		
3	8431 NE TERRACE RD	KARWYN LINDAHL	XX									
	RECENT PROP CLOSINGS											
	7900 TERRACE/CLOSED 1-4	David/Beth Girard	7/25/18	11/22/18	PAID 1-9-19	Paid 7-30-19		7/28/18	\$DUE	ON	\$ 150.00	
	8355 University/SOLD	PESTELLO'S/CHET'S SHOES	5/20/15	09/17/15	\$ DUE TOTAL \$1,000.00	5/2016,2017,2018,2019			\$200 DUE	ON	\$ 200.00	
	Per Von Russman, with Chet's Shoes 6-24-19, they purchased prop/Closed on the prop. Noble Escrow advsd clsd 6-19-19. She will pursue Ord. fees for me.											



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: August 27, 2019

Subject: Resolution Adopting Proposed Levy for Taxes Collected in 2020

The City Council, at its August 12, 2019 workshop, reviewed the proposed 2020 Administrator's budget proposal. As the preliminary levy is required to be submitted no later than September 30, 2019, it is necessary for the City Council to take action to set the preliminary levy.

Resolution 19-25 establishes the proposed 2019, pay 2020, tax levy at \$3,553,246. This is an increase of 3.43% from the 2018, pay 2019, tax levy. The increase is due to a number of factors including employee salary and benefits, increased IT expenditures, increased capital expenditures for the SBM Fire Department, and a statutory increase in the City's contribution to the PERA Police and Fire pension fund.

The City has received preliminary tax capacity numbers from Anoka and Ramsey Counties. Based on those preliminary numbers, staff is estimating the tax rate for 2020 property taxes to be 45.75%, a significant decrease from the 2019 property tax rate of 48.81%. The decline is due to a combination of the City's growing tax base and the City Council's and staff's fiscal prudence.

The Resolution sets the date of the annual Truth-in-Taxation (TNT) public hearing for Monday, December 2, 2019 at 7pm at City Hall.

The preliminary tax levy establishes the maximum tax levy for 2019, pay 2020. The final tax levy, which will be set on December 16, 2019, can be the same or lower than the preliminary tax levy.

If you have any questions, please don't hesitate to contact me at 763-784-6491.

RESOLUTION NO. 19-25

RESOLUTION ADOPTING PROPOSED 2019 TAXES COLLECTABLE IN 2020

BE IT RESOLVED by the City Council of the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, that the following sums of money be levied for the current year, collectable in 2020, upon the taxable property in said City of Spring Lake Park, Minnesota:

General Revenue	\$3,285,402
2018A G.O. Equipment Certificate	\$ 177,844
2014A G.O. Improvement Bonds	<u>\$ 90,000</u>
TOTAL LEVY:	\$3,553,246

BE IT FURTHER RESOLVED that the City Clerk of the City of Spring Lake Park is hereby instructed to transmit a certified copy of this resolution to the County Auditors of Anoka and Ramsey Counties, Minnesota; and

BE IT FURTHER RESOLVED that the annual Truth in Taxation Public Hearing is scheduled to be held at 7:00 P.M. on Monday, December 2, 2019 in the Council Chambers, Spring Lake Park City Hall.

The foregoing resolution was moved for adoption by .

Upon roll call, the following voted aye:

And the following voted nay: .

Whereupon the Mayor declared said resolution duly passed and adopted this 3rd day of September, 2019.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator



Memorandum

To: Mayor Hansen and Members of the City Council
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: August 28, 2019
Subject: Cancel Bond Levies

State Law requires the County Auditor to levy the amount of debt service originally certified unless the City passes a resolution cancelling the levy. Resolution 19-26 would cancel three debt service levies and reduce a fourth due to the City having funds on-hand to make the debt service payment.

The following debt service levies would be reduced by the proposed resolution:

<u>Issue</u>	<u>Original</u>	<u>Proposed</u>
2013B GO CIP Bond (Public Works Building)	\$ 81,000	\$ 0
2014A GO Improvement Bond (Street Projects)	\$230,000	\$ 90,000
2016A GO Capital Note (NMTV cable upgrade)	\$ 13,275.36	\$ 0
2017A GO Equipment Certificate (SBM Equipment)	\$252,262.50	\$ 0

The following bonds are reduced due to a combination of Local Government Aid, Public Utilities funds, Special Assessments, Municipal State Aid funds, and General Fund budget allocations.

If you have any questions, please don't hesitate to contact me at 763-784-6491.

RESOLUTION NO. 19-26

RESOLUTION CANCELLING OR REDUCING BOND LEVIES – 2019/2020

BE IT RESOLVED by the City Council of the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, that there is irrevocably available and on-hand funds for the following General Obligation bonds:

1. The sum of \$81,000.00 for the 2020 installment of the 2013B G.O. Capital Improvement Plan Bond.
2. The sum of \$140,000.00 for the 2020 installment of the 2014A G.O. Improvement Bond.
3. The sum of \$13,275.36 for the 2020 installment of the 2016A GO Capital Note
4. The sum of \$252,262.50 for the 2020 installment of the 2017A GO Equipment Certificate

BE IT FURTHER RESOLVED that, in accordance with Minnesota Statutes Section 475.61, as amended from time to time, the County Auditors of Anoka and Ramsey Counties are hereby authorized and directed to reduce by the amounts above mentioned the tax that would otherwise be included on the rolls for 2019, collectable in 2020.

BE IT FURTHER RESOLVED that the City Clerk of the City of Spring Lake Park is hereby instructed to transmit a certified copy of this resolution to the County Auditors of Anoka and Ramsey Counties, Minnesota.

The foregoing resolution was moved for adoption by Councilmember .

Upon roll call, the following voted aye: Councilmembers

And the following voted nay: .

Whereupon the Mayor declared said resolution duly passed and adopted this 3rd day of September, 2019.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator

RESOLUTION NO. 19-27

A RESOLUTION APPOINTING A COUNCIL MEMBER

WHEREAS, a vacancy on the City Council occurred on July 1, 2019; and

WHEREAS, pursuant to Minnesota Statute 412.02, subd. 2a, the Council shall fill the vacancy by appointment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Counties of Anoka and Ramsey, Minnesota, that the City Council hereby appoints _____ to fill the vacant Council position for the remainder of the term, which expires on December 31, 2020.

The foregoing Resolution was moved for adoption by .

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 3rd day of September, 2019.

APPROVED BY:

Cindy Hansen, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator

State of Minnesota)
Counties of Anoka and Ramsey) ss
City of Spring Lake Park)

I, Barbara L. Nelson, duly appointed and qualified City Clerk in and for the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, do hereby Certify that the foregoing is a true and correct copy of Resolution No. 19-27, A Resolution Appointing a Council Member, adopted by the Spring Lake Park City Council at their regular meeting on the 3rd day of September 2019.

(SEAL)

Daniel R. Buchholtz, Administrator,
Clerk/Treasurer

Dated: _____

RESOLUTION NO. 19-31

A RESOLUTION APPROVING A VARIANCE TO ALLOW CONSTRUCTION OF A GARAGE ADDITION AT 8216 POLK STREET NE

WHEREAS, Dennis Heinzmann, 8216 Polk Street NE, has made application for a variance from Appendix D, Chapter 153 of the Zoning Code to allow a garage addition to be constructed within the required side and rear yard setbacks; and

WHEREAS, the property is legally described as follows:

Lot 6 Block 5 Fairview Court Addition, subject to easement of record; and

WHEREAS, mailed and published notice of a public hearing to consider the proposed variance was given; and

WHEREAS, a public hearing to consider the proposed variance was held on August 26, 2019; and

WHEREAS, the request was made for construction of a garage addition to be located seven feet from the side lot line and twenty eight feet from the rear lot line; and

WHEREAS, the Planning Commission has considered the application against the practical difficulties test as outlined in Section 153.224 of the Spring Lake Park Zoning Code; and

WHEREAS, the Planning Commission has recommended approval finding that the proposed variance is a reasonable use of the property, that the variance will not alter the essential character of the locality, the situation was not created by the property owner, and that the existing garage is within the five yard setback and the garage extension will be no closer than seven feet from the property line; and

WHEREAS, the Spring Lake Park City Council has reviewed the application and hereby accepts the findings and recommendation of the Spring Lake Park Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota that the City Council hereby approves the request of Dennis Heinzmann for a variance from the strict interpretation of Appendix D, Chapter 153 of the Zoning Code for a garage addition/extension at 8216 Polk Street NE with the condition that the addition must conform to architectural characteristics of the existing home to include, but not limited to, height, roof pitch, siding materials, roofing materials, and window placement to the satisfaction of the Zoning Administrator and applicant must apply for all building permits as required.

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof: Councilmembers

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 3rd day of September, 2019.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator

Memorandum

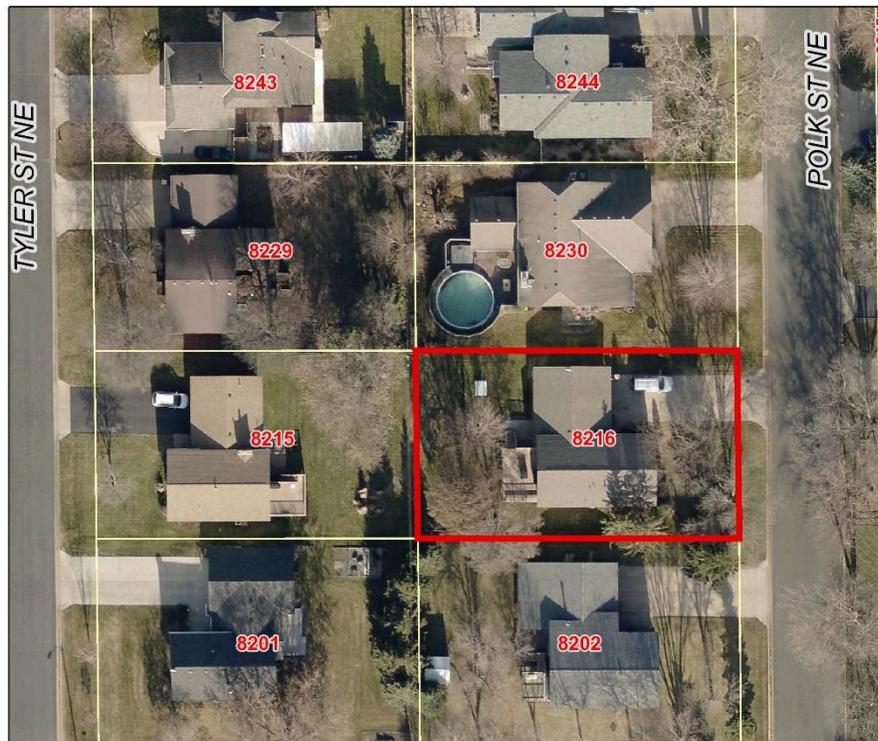
To: Mayor Nelson and Members of the City Council
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: August 20, 2019
Subject: Variance – 8216 Polk Street NE

Background

Dennis Heinzmann, 8216 Polk Street NE, has submitted an application for a variance from the side and rear yard setbacks and maximum lot coverage standard for a garage addition to his property.

The applicant is seeking a variance from the 10 foot side yard setback requirement and a variance from the 40 foot rear yard setback requirement, as set forth in Appendix E of the Spring Lake Park City Code.

The site is located on the 8200 block of Polk Street NE. The property is guided for low density residential in the 2040 Comprehensive Plan. The property is zoned R-1, Single Family Residential – allowed uses include single-family homes and duplexes. Property records show that the house on the property was constructed in 1983.



The City’s current yard setback standards for the R-1 zoning district is as follows:

Dwelling, single family – front yard	35 feet
Dwelling, single family – rear yard	40 feet

Dwelling, single family – side yard	10 feet
Accessory uses, rear yard	5 feet
Accessory uses, side yard	5 feet

Section §153.043(B) limits buildings or parts of buildings used for garages, sheds and agricultural buildings to 1,200 square feet in area or one story in height.

An attached garage to a single-family dwelling is part of the single-family dwelling and thus is subject to the 10-foot side yard setback. The existing attached garage is a legal non-conforming use as it is located within the 10-foot side-yard setback. There is no record of a variance on file for the existing structure.

Section 153.061 of the City of Spring Lake Park’s zoning code governs accessory buildings and uses

§ 153.061 ACCESSORY BUILDINGS AND USES.

....

(C) *Attached accessory buildings.* In case an accessory building is attached to the main building, it shall be made structurally a part of the principal building and shall comply in all respects with the requirements of this chapter applicable to the principal building.

(D) *Detached accessory buildings.* A detached accessory building shall not be located in any required front or side yard setback. A detached accessory building shall not be closer than eight feet to the principal building, except as otherwise provided in this chapter.

The applicant is seeking a three foot variance from the side yard setback (7 feet from the northern property line instead of 10 feet) and a twelve foot variance from the rear yard setback (28 feet from the western property line instead of 40 feet). The expansion of the garage will hit the limit of 1,200 square feet of garage/accessory buildings on site.

Previous applications: The applicant previously received a variance in 2014 from the rear yard setback to accommodate a deck on the south end of the house.

Variance

Section §153.224 of the City of Spring Lake Park’s zoning code outlines the criteria for considering variances:

“The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan. “Practical difficulties” as used in connection with granting of a variance means that the

property owner proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved.”

Recommendations

If the Planning Commission wishes to recommend approval of the variances, it would be with the following conditions:

1. Addition must architecturally match the existing structure in terms of height, roof pitch, siding materials, roofing materials, and window placement.
2. Applicant must apply for all building permits as required.

Staff understands the need for the side yard variance as the existing garage is located 7 feet from the north property line. If the Planning Commission wishes to deny the variance for the garage addition at 8216 Polk Street NE, it can do so with these findings:

1. The Code establishes setbacks to provide light and air to all properties, to be applied equally across the various properties in this zoning district. The size and dimensions of the garage could be adjusted without compromising the side yard and rear yard setbacks and therefore the requested variance is not in harmony with the general purposes and intent of the code.
2. The property can be reasonably used without the variance.
3. The property and buildings are similar to many others in the neighborhood and in the city. There are no unique circumstances on this property that make it difficult to build a garage addition/extension to be built within the setback.
4. The applicant could build the addition in such a way to reduce the depth of the garage addition to 14 feet deep and meet the rear setback, still creating a significant increase in square footage to the existing garage.

If you have any questions regarding this application, please don't hesitate to contact me at 763-784-6491.



City of Spring Lake Park
 1301 81st Avenue NE
 Spring Lake Park, MN 55432
 763-784-6491 (p) 763-792-7257 (f)
info@slpmn.org

For Office Use Only	
Case Number:	
Fee Paid:	8/12/19
Received by:	
Date Filed:	8/12/19
Date Complete:	8/12/19
Base Fee:	\$300. ⁰⁰ Escrow: \$150. ⁰⁰

DEVELOPMENT APPLICATION

TYPE OF APPLICATION (Check All That Apply)		
<input type="checkbox"/> Appeal <input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Ordinance Amendment (Text) <input type="checkbox"/> Rezoning <input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Site Plan/Building Plan Review <input type="checkbox"/> Conceptual Plan Review <input type="checkbox"/> Conditional Use Permit <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Street or Easement Vacation	<input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Lot Combination <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Other _____
PROPERTY INFORMATION		
Street Address: 8216 POLK ST. N.E. SPRING LAKE PARK MN, 55432		
Property Identification Number (PIN#):		Current Zoning:
Legal Description (Attach if necessary):		
APPLICANT INFORMATION		
Name: DENNIS HEINZMANN		Business Name: OWNER
Address: 8216 POLK ST. N.E.		
City: SPRING LAKE PARK, MN.		State: MN
Telephone: 612-968-1680		Fax: 763-786-8407
Contact: DENNIS HEINZMANN		Zip Code: 55432
		E-mail: milkman.fishing@gmail.com
		Title: OWNER
OWNER INFORMATION (if different from applicant) SAME		
Name:		Business Name:
Address:		
City:		State:
Telephone:		Fax:
Contact:		Zip Code:
		E-mail:
		Title:
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: Home		
Nature of Proposed Use: to build a 20'x26' addition to my garage		
Reason(s) to Approve Request: I'm spending \$25,000 to build this addition and would really like to make it 20'x26' which would be a total of 1200 sq. ft for my garage which is now ALLOWABLE		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name:		Date of Application:
Nature of Request:		
NOTE: Applications only accepted with ALL required support documents. See City Code		

APPLICATION FEES AND EXPENSES:

The City of Spring Lake Park requires all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

Minnesota Statute § 471.462 requires all cities to provide, upon request, a nonbinding estimate of consulting fees in connection with applications for permits, licenses, or other approvals relating to real estate development or construction. If the applicant requests the estimate, the application shall not be deemed complete until the City has (1) provided an estimate to the applicant; (2) received the required application fees, as specified by the City; (3) received a signed acceptance of the fee estimate from the applicant; and (4) received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application from the applicant.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

I wish to be notified of additional costs in the following manner (select one):

E-mail milkmanfish@gmail.com Fax _____ USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application, including all four requirements of Minnesota Statute § 471.462, should I request a written estimate of consultant fees. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant: Dennis Huynhman Date: 8-12-19

Owner: Dennis Huynhman Date: 8-12-19

**NOTE: Applications only accepted with ALL required support documents.
See City Code**

**City of Spring Lake Park
Variance Application**

A variance cannot be approved unless the Planning Commission and City Council find that the "practical difficulties" standard has been met. Please provide a response as to how/why your project will meet the following criteria. Use additional sheets if necessary and consult with the Zoning Administrator if you need clarification on the intent of any of the standards set below.

1. Applicant Information:

Name: DENNIS HEINZMAK
Address: 8216 POLK ST. N.E.
City/State/Zip: SP. LK. PK. MN. 55432

Telephone: 612-968-1680
Cell Phone: 612-968-1680
E-mail: MILKMANFISHING@gmail.com

2. Property Owner Information (if different from above):

Name: SAME
Address: _____
City/State/Zip: _____

Telephone: _____
Cell Phone: _____
E-mail: _____

3. Project Location (Address and Legal Description): 8216 POLK ST. N.E. SP. LK. PK. MN. 55432

4. Present Use of Property: Home

5. Description of Project: MAKE A ADDITION OF 20'x26' TO EXISTING GARAGE

6. Specify Section of the Ordinance from which variance is sought: THE NORTH SIDE OF ADDITION WILL BE 7' FROM THE LOT LINE AND THE WEST OR BACK SIDE OF ADDITION WILL BE _____ FEET FROM LOT LINE.

7. Explain how you wish to vary from the applicable provisions of this Ordinance: I WOULD LIKE TO MAKE A 20'x26' ADDITION TO MY GARAGE TOTALING 1200 SQ. FT. MY NEW ADDITION WOULD BE LESS THAN THE 40 FT. ALLOWED FOR THE BACK LOT LINE

8. Please attach a site plan or accurate survey as may be required by Ordinance.

9. Practical Difficulties Test: Please answer the following questions as they relate to your specific variance request.

a. In your opinion, is the variance in harmony with the purposes and intent of the Ordinance?

Yes No Why or why not?

My garage addition will be 1200 sq ft, ALLOWABLE FOR A ADDITION. I'M SPENDING APPROX \$25,000.00 FOR A GARAGE ADDITION AND WOULD REALLY LIKE TO MAKE IT 1200 SQ FT. TOTAL GARAGE & ADDITION WHICH IS ALLOWABLE.

b. In your opinion, is the variance consistent with the Comprehensive Plan?

Yes No Why or why not?

c. In your opinion, does the proposal put property to use in a reasonable manner?

Yes No Why or why not?

d. In your opinion, are there circumstances unique to the property? (physical characteristics of the property – i.e. sloping topography or other natural features like wetlands or trees)?

Yes No Why or why not?

e. In your opinion, will the variance maintain the essential character of the locality?

Yes No Why or why not?

There are other big garages + pools in the area + I don't think my additional will look poorly at all. The garage will have the same straight wall on the north side & will look like it was built originally in Sept of 1983.

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant Signature:

Dennis Hennigan

Date:

8-12-19

Fee Owner's (Property Owner) Signature:

Dennis Hennigan

Date:

8-12-19



City of Spring Lake Park - Code Enforcement

1301 81st Avenue NE • Spring Lake Park MN 55432 • Phone: 763-784-6491 • Fax: 763-792-7257 • www.slpmn.org



BUILDING PERMIT APPLICATION

Job Address 8216 Polk St. N.E. Sp.Lk.Pk. MN. 55432

Property Owner

Name Dennis Heinzmann

Address 8216 Polk St. N.E. Sp.Lk.Pk. Phone 612-968-1680

Email milkmanfishing@gmail.com

Contractor

Name NA

Address _____ Phone _____

Email _____

State License # _____ Exp. Date _____ Lead Cert. Date _____
dd/mm/yr dd/mm/yr

Applicant

Same as Property Owner Contractor

Name Dennis Heinzmann

Address 8216 Polk St. N.E. Sp.Lk.Pk. MN. 55432 Phone 612-968-1680

Email milkmanfishing@gmail.com

Type of Property

- Commercial Property
- Industrial Property
- Mobile Home Property
- Multi-Family Property
- Public Property
- Single Family Property

Type of Work

- Addition _____ Mobile Home
- Alteration _____ New _____
- Accessory <200 Sq.Ft. Pool
- Basement Finish Remodel
- Concrete Work Repair
- Deck Replace
- Demolition Roofing
- Door Replacement Shed < 200 Sq. Ft.
- Dumpster Enclosure Siding
- Egress Window Structural Work
- Gypsum Board Window Replacement
- Insulation Other _____
- Masonry Work

Describe Work Build garage addition attached to rear of existing garage. 528 sq ft available using 520 balanc 8 sq ft available

Value of Work Including Labor 25000.00 Start Date OCT 1, 2019 Estimated Completion Date Dec 2019
dd/mm/yr dd/mm/yr

Commercial/Industrial Submit two plan sets and specifications for commercial or industrial work.

Describe Building Use and/or Changes in Use _____

Notice

Separate permits are required for electrical, plumbing, heating, ventilating, and air conditioning. This permit becomes null and void if work or construction authorized is not commenced within 180 days or work is suspended or abandoned for a period of 180 days at any time after work is commenced.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other State or local law regulating construction or the performance of construction. Initial here _____

➡ Contractor Signature _____ Date of Application _____
dd/mm/yr

➡ Homeowner Doing Work in Homestead Signature Dennis Heinzmann Date of Application 8-12-19
dd/mm/yr

If application is not fully completed, it will be denied at time of processing. Please verify that all necessary information is legible and plans are included with job cost estimates. Contact Permit Technician to verify all necessary information is provided before submitting.

Payment: We accept cash, checks payable to City of Spring Lake Park, or credit cards (with additional processing fees), at the front counter only.



City of Spring Lake Park - Code Enforcement

1301 81st Avenue NE • Spring Lake Park MN 55432 • Phone: 763-784-6491 • Fax: 763-792-7257 • www.slpmn.org



BUILDING PERMIT APPLICATION

Building Permit Applicant: Property Owner

I understand that the State of Minnesota requires that all residential building contractors, remodelers and roofers obtain a state license unless they qualify for a specific exemption from the licensing requirements. By signing this document, I attest to the fact that I am building or improving this house myself. I hereby claim to be exempt from the state licensing requirements because I am not in the business of building on speculation or for resale and that the house for which I am applying for this permit, located at

_____ is the first residential structure I have built or improved the past twenty-four (24) months. I also acknowledge that because I do not have a state license, I forfeit any mechanic's lien rights to which I may otherwise have been entitled under Minnesota Statute 514.01. In the event that I do construct or improve another residential structure in the next 24 months, I will not do so until I obtain the required state license, per Minnesota Statute 326.84, understanding that failure to do so is a misdemeanor under state law.

Furthermore, I acknowledge that I may be hiring independent contractors to perform certain aspects of the construction or improvement of this house and I understand that some of these contractors may be required to be licensed by the State of Minnesota. I understand that unlicensed residential contracting; remodeling and/or roofing activity is a misdemeanor under Minnesota Statute 326.92, subdivision 1, and that I would forfeit my rights to reimbursement from the Contractor's Recovery Fund in the event that any contractors I hire are unlicensed.

I also acknowledge that as the contractor on this project, I am solely and personally responsible for any violations of the state building code and/or city ordinance in connections with the work performed on this property.

Dennis Heinyman

Signature of Property Owner

8-12-19

Date

dd/mm/yr

SUPPLEMENT to Sheds/Accessory Structures Permit Application
(MUST be included when applying for permit)

1. Size and spacing of footing: 8" prep x 20" w / rebar #4 & 8" blocks
2. Size and spacing of studs: 16" oc 2x4 studs
3. Type of lumber: Fir / Treated 1/2 sk
4. Size of beams: 14" micro Lam or 16" micro Lam if necessary
5. Size and spacing of rafters: 24" oc
6. Size of structure: 20 x 26 (520 sq ft) 528 allowed
7. Distance from property lines:

Side 1: 7'-0" (flush with existing 7' side lot line)

Side 2: _____

Rear: 28'-0"

Other: _____

8. Distance from house:

Side 1: Attached at garage

Side 2: _____

Rear: _____

Other: _____

9. Total height: 12'-4"

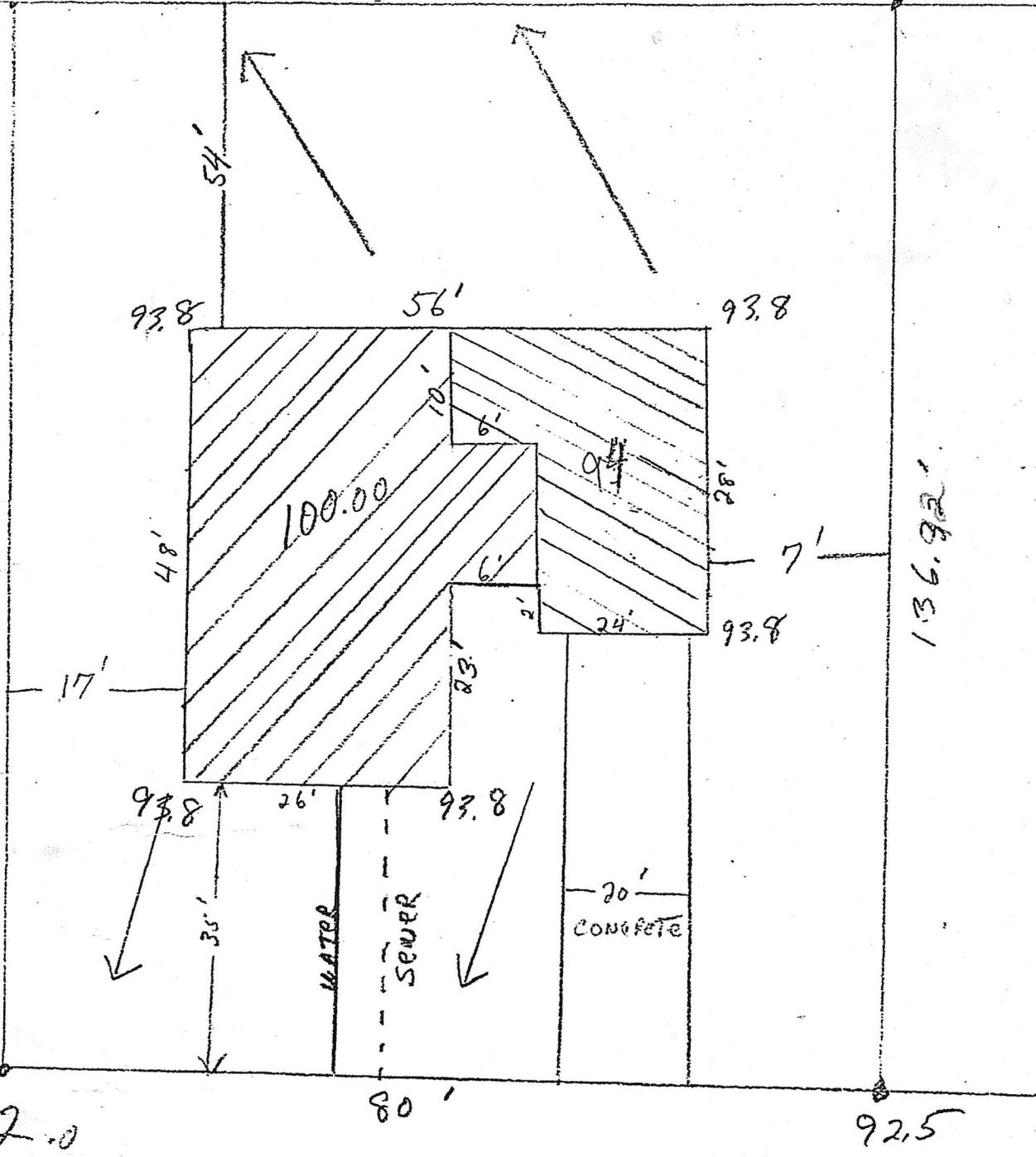
Rear yard $80 \times 54 + 320 \times .4 = 1728 \text{ sq ft}$

1728 is greater than allowed amount
 so 1200 sq ft is allowed

Allowed amount	1200
Existing garage	672
Balance	528

11/11/01

137.12
137.48



APPROVED

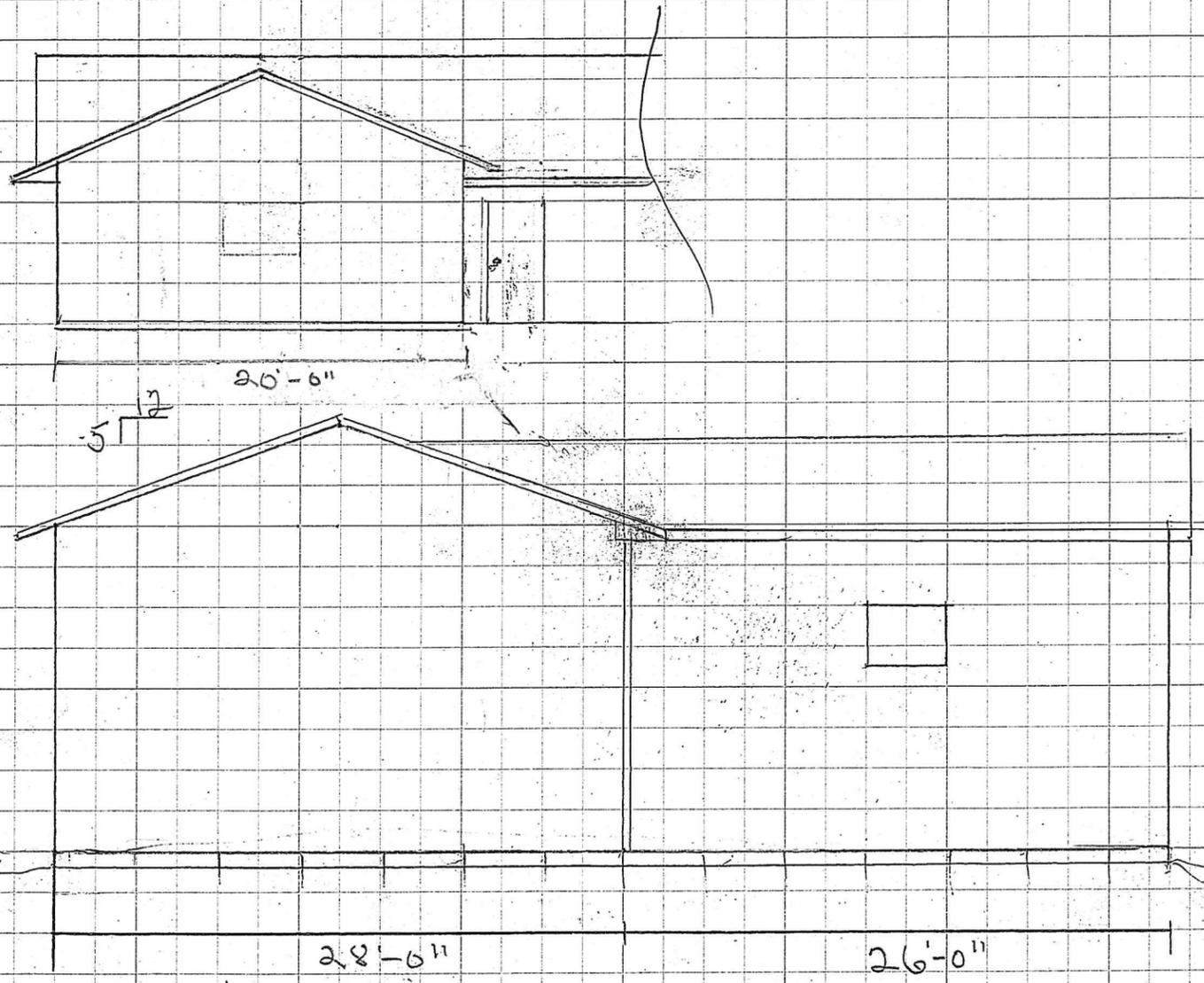
JUL 12 1933

SEWER & WATER
PLUMBING PERM.
ALL OTHER PERMITS
MAY BE OBTAINED FROM

Grade shall be maintained
24" within the center of
the street by 100' 50' more

Polk ST. FOR Domes & Carol Heizer

LOT 6 Block 5
FAIRVIEW COURT
EAST SPRING LAKE PARK



Notes

- 1 Pitch 5/12
- 2 1'-0" overhang on gable ends
- 3 24" overhang on sides
- 4 - Match siding, windows, roof
- 5 - match all existing wall heights

28'-6"
North Elevation

26'-0"

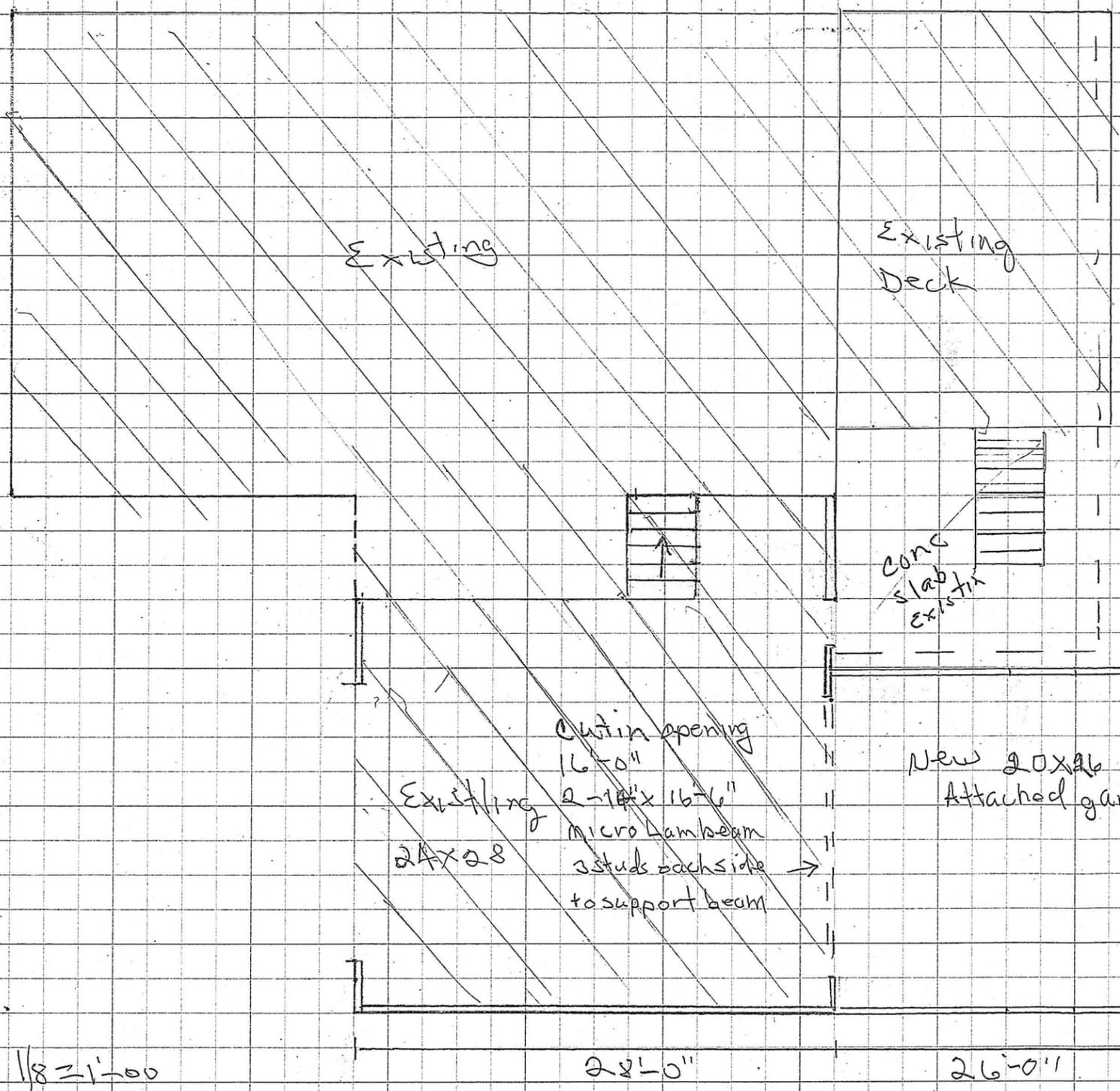
12'-4" ±

5 | 12

West Elevation
26'-0"

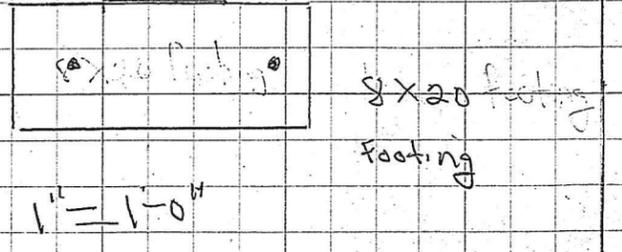
Elevation 5
1/8" = 1'-0"

Carol + Denny Heinzmann Garage Addition
 8215 Folk St NE
 Spring Lake Park MN 55432
 Elevations



Notes

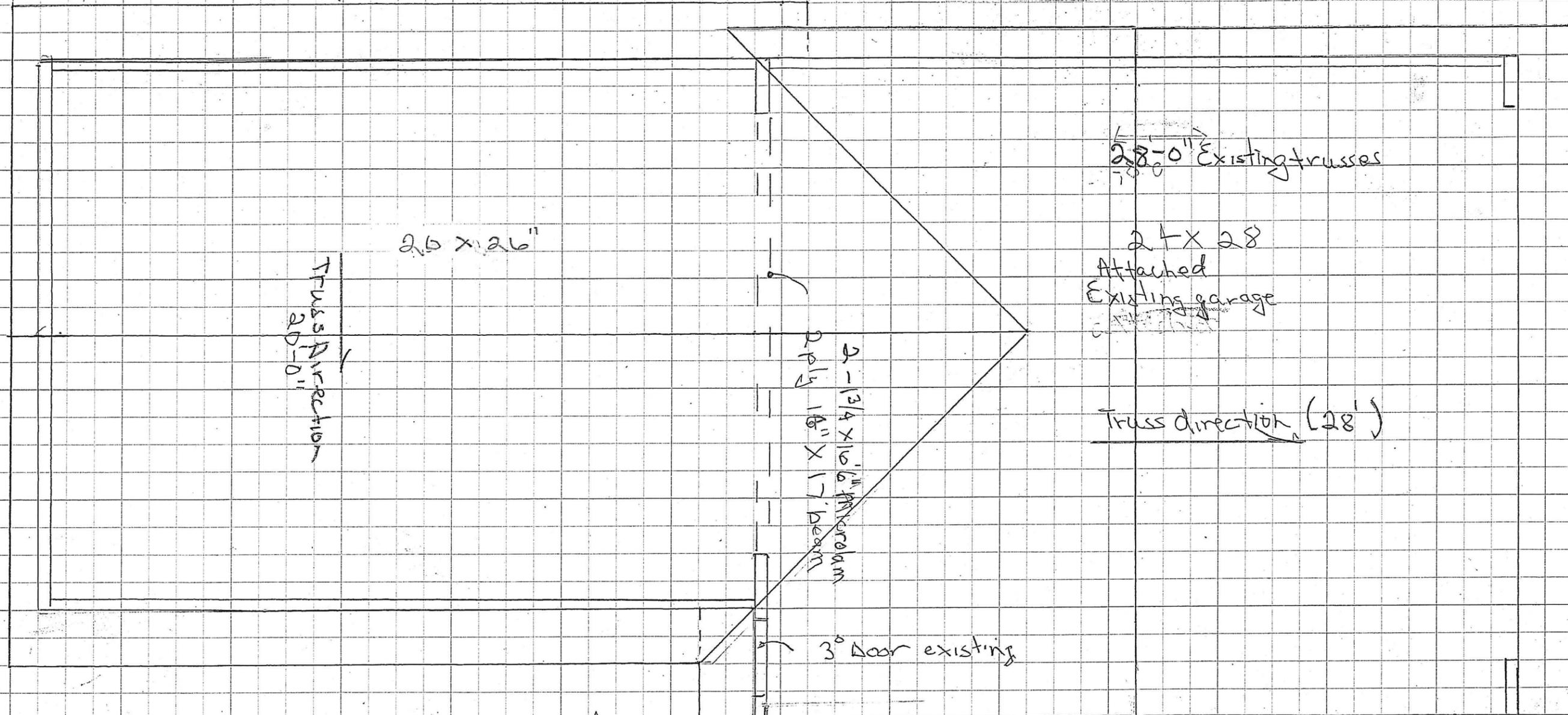
- 1 Walls 2x4
- 2 5/8" OSB exterior wall & roof
- 3 Match existing garage wall height
- 4 Move sprinkler box
- 5 3 1/2" concrete slab
- 6 Match roof, soffits & fascia
- 7 open existing wall 16'-0"
2- 1 3/4" x 16" x 16'-6" micro Lam beam
- 8) 12" Lap siding



Carol & Denny Heinzmann
 2216 Polk St NE
 Spring Lake Park Mn 55432

Garage Addition
 Floor plan

1) Remove existing trusses to make 28' (indicated by arrow pointing to 28'0" dimension)



Truss direction
28'-0"

2x6 x 26"

2 - 1 3/4 x 10 1/2" Att. beam
2 ply 16" x 17' beam

28'-0" Existing trusses

2 x 28
Attached
Existing garage

Truss direction (28')

3' door existing

Carol & Denny Heingmann Garage addition
8216 Polk St NE Sp
Spring Lake Park MN 55432
Roof plan

28'-0"

28'-0"

1/4" = 1'-0"

Cliff Fraser, Sunset Management, reported that the dance/music studio had moved out which created the available space for Buttermilk Basin, a quilting store, to move in. He stated that the existing space is not enough space for the new tenants and the addition would provide the space for their needs.

Stacy West, Buttermilk Basin, reported that this building will meet her space needs and reported that she has been using the existing space for her warehouse needs. She stated that she would not be adding any new employees to the space.

Commissioner Eischens inquired as to how much retail business there will be at the site.

Ms. West stated that she is unsure. She reported that at her current location, nearby, traffic is more increased on Friday and Saturday as she is open for retail on those two days. She stated that she holds sale events three or four times a year and has no plans of having the retail shop open seven days a week. She stated that she has not had any issues with the parking situation and Mr. Fraser has been very accommodating with making the parking spaces work.

Ben Murphy, 1595 83rd Avenue NE, reported that he is a nearby resident and does not have complaints with the proposed plans or retail. He reported that there is a lot of noise, especially welding noise, that is done late at night at one of the auto repair places. He stated that he has not reported it to the City.

Administrator Buchholtz advised Mr. Murphy to call the Police when there is noise occurring for documentation purposes as this is a violation of the Conditional Use Permit for the property. Mr. Fraser stated he was unaware of this complaint and also encouraged the property owner to contact him.

Hearing no further discussion from the floor, Chairperson Hansen closed the public hearing at 7:25 PM.

MOTION MADE BY COMMISSIONER JULIEN, SECONDED BY DIRCKS TO RECOMMEND APPROVAL OF VARIANCE APPLICATION FOR A VARIANCE FOR 8301 SUNSET ROAD NE WITH THE FOLLOWING CONDITIONS: 1.) APPLICANT SHALL CONSTRUCT THE BUILDING IN A MANNER CONSISTENT WITH THE ELEVATION SHOWN IN SHEET A-201, DATED 7/24/19 BY HPA ARCHITECTURE; 2.) THE BUILDING ADDITION SHALL BE PAINTED GRAY TO MATCH THE EXTERIOR OF THE EXISTING BUILDING; 3.) APPLICANT SHALL COMPLY WITH AND ENFORCE THE PARKING RESTRICTIONS AS OUTLINED IN THE SUPS ISSUED ON OCTOBER 1, 2007, JULY 6, 2010 AND OCTOBER 18, 2010; 4) ANY NEW LIGHTING ON THE ADDITION OR NEW PARKING LOT SHALL COMPLY WITH CITY STANDARDS-DOWNCAST CUTOFF FIXTURES SO AS NOT TO SPILL LIGHT ONTO NEIGHBORING PROPERTIES OR STREET RIGHT-OF-WAY; 5.) BUILDING AND PARKING LOT WILL FOLLOW ANY RECOMMENDATION OF THE CITY ENGINEER ON GRADING AND STORMWATER MANAGEMENT; 6.) APPLICANT SHALL OBTAIN ALL NECESSARY BUILDING PERMITS AND MUST OBTAIN A CERTIFICATE OF OCCUPANCY PRIOR TO OCCUPANCY OF THE BUILDING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

5. Public Hearing – Variance Application – Dennis Heinzmann – 8216 Polk Street NE

Administrator Buchholtz reported that the City received an application from Dennis Heinzmann, 8216 Polk Street NE, for a variance from the side and rear yard setbacks and maximum lot coverage standard for a garage addition to the property.

Administrator Buchholtz reported that the applicant is seeking a variance from the 10-foot side yard setback requirement and a variance from the 40-foot rear yard setback requirement, as set forth in Appendix E of the Spring Lake Park City Code.

Administrator Buchholtz reported that the site is located on the 8200 block of Polk Street NE. He stated that the property is guided for low density residential in the 2040 Comprehensive Plan. He stated that the property is zoned R-1, Single Family Residential – allowed uses include single-family homes and duplexes. He stated the property records show that the house on the property was constructed in 1983.

Administrator Buchholtz stated that the City’s current yard setbacks standards for the R-1 zoning district is as follows:

Dwelling, single family – front yard	35 feet
Dwelling, single family – rear yard	40 feet
Dwelling, single family – side yard	10 feet
Accessory uses, rear yard	5 feet
Accessory uses, side yard	5 feet

Administrator Buchholtz reported that Section §153.043 (B) limits buildings or part of buildings used for garages, sheds and agricultural buildings to 1,200 square feet in area or one story in height.

Administrator Buchholtz reported that an attached garage to a single-family dwelling is part of the single-family dwelling and thus is subject to the 10-foot side yard setback. He stated the existing attached garage is legal non-conforming use as it is located within the 10-foot side-yard setback. He stated that there is no record of a variance on file for the existing structure.

Administrator Buchholtz reported that Section 153.061 of the City of Spring Lake Park’s zoning code governs accessory building and uses.

Administrator Buchholtz stated that the applicant previously received a variance in 2014 from the rear yard setback to accommodate a deck on the south end of the house.

Variance

Administrator Buchholtz reported that Section §153.224 of the City of Spring Lake Park’s zoning code outlines the criteria for considering variances.

Administrator Buchholtz reported that if the Planning Commission wished to recommend approval of the variances, it would be with the following conditions:

1. Addition must architecturally match the existing structure in terms of height, roof pitch, siding materials, roofing materials and window placement.
2. Applicant must apply for all building permits as required.

Administrator Buchholtz reported that staff understands the need for the side yard variance as the existing garage is located 7 feet from the north property line. He stated that if the Planning Commission wished to deny the variance for the garage addition, it can do so with the following findings:

1. The Code establishes setbacks to provide light and air to all properties, to be applied equally across the various properties in this zoning district. The size and dimensions of the garage could be adjusted without compromising the side yard and rear yard setbacks and therefore the requested variance is not in harmony with the general purposes and intent of the code.
2. The property can be reasonably used without the variance.
3. The property and buildings are similar to many others in the neighborhood and in the city. There are no unique circumstances on this property that make it difficult to build a garage/addition to be built within in the setback.
4. The applicant could build the addition in such a way to reduce the depth of the garage addition to 14 feet deep and meet the rear setback, still creating a significant increase in square footage to the existing garage.

Commissioner Eischens stated that he visited the property and agreed that the garage addition would be offset and look out of place if the side yard variance was not granted.

Commissioner Dircks inquired if the homeowner had discussed his plans with the neighbors. She stated that she has concerns because the neighbors view will be a very long garage wall. Administrator Buchholtz stated that the owners of 8202 Polk Street submitted a letter stating they no objections to the request.

Chairperson Hansen opened the public hearing at 7:36 PM.

Dennis Heinzmann, 8216 Polk Street NE, informed the Commission that he had spoken with the neighboring properties and stated that they agree with the garage addition. He stated that many of the properties in the neighborhood have garage additions or four-season porches.

Commissioner Julien stated that with an addition of this size and amount of money being spent on it, he feels that the homeowner should be able to have the building built for what will be most useful for them. He stated that he agrees that without the variance the garage addition would look out of place.

Administrator Buchholtz reminded the Commission that even though a structure of 1200 square feet is allowed, if the setbacks are not met it may not be possible without the variance. He noted that the impervious surface amount is at its maximum and stormwater issues could be a factor. He stated that no other structures will be allowed to be built or placed on the property.

Mr. Heinzmann stated that he has no plans any sheds or structures in the yard. He stated that with this addition he will be able to store his boat inside and out of the elements.

Chairperson Hansen inquired if there will be a rear exit on the garage.

Mr. Heinzmann stated that the existing garage already has a rear exit and two windows in the garage.

Hearing no additional public comments, Chairperson Hansen closed the public hearing at 7:43 PM.

MOTION MADE BY COMMISSIONER EISCHENS, SECONDED BY COMMISSIONER JULIEN TO RECOMMEND APPROVAL OF VARIANCE APPLICATION FOR 8216 POLK STREET NE WITH THE FOLLOWING CONDITIONS: 1.) ADDITION MUST ARCHITECTURALLY MATCH THE EXISTING STRUCTURE IN TERMS OF HEIGHT, ROOF PITCH, SIDING MATERIALS, ROOFING

MATERIALS, AND WINDOW REPLACEMENT, 2.) APPLICANT MUST APPLY FOR ALL BUILDING PERMITS AS REQUIRED. ROLL CALL VOTE: ALL AYES. MOTION CARRIED

7. Other - None

8. Adjourn

MOTION BY COMMISSIONER JULIEN, SECONDED BY COMMISSIONER EISCHENS TO ADJOURN. VOICE VOTE: ALL AYES. MOTION CARRIED.

The meeting adjourned at 7:45 PM.

RESOLUTION NO. 19-32

A RESOLUTION APPROVING A VARIANCE TO ALLOW CONSTRUCTION OF A BUILDING AND PARKING LOT ADDITION AT 8301 SUNSET ROAD NE

WHEREAS, Cliff Fraser, owner of a commercial building at 8301 Sunset Road NE, has made application for a variance from Appendix D, Chapter 153 of the Zoning Code to allow a building addition to be constructed within the required side and rear yard setbacks; and

WHEREAS, the property is legally described as follows:

The N ½ of Lot 23 Spring Lake Park Plat A and the S ½ of Lot 24 Spring Lake Park plat A, subject to easement of record; and

WHEREAS, mailed and published notice of a public hearing to consider the proposed variance was given; and

WHEREAS, a public hearing to consider the proposed variance was held on August 26, 2019; and

WHEREAS, the request was made for construction of a building addition to be located ten feet from the side lot line and a parking lot addition to be located fifteen feet from the front lot line, as well as a variance from the required number of parking spaces; and

WHEREAS, the Planning Commission has considered the application against the practical difficulties test as outlined in Section 153.224 of the Spring Lake Park Zoning Code; and

WHEREAS, the Planning Commission has recommended approval finding that 1) the property owner is utilizing the property in a way that is consistent with the Industrial uses contemplated by the Comprehensive Plan and authorized under the Zoning Code; 2) the addition of a building and parking lot of similar design and construction to the existing building and with a similar setback as the adjacent building will not alter the essential character of the locality, which is an industrial park; 3) the proposed use will not alter the essential character of the neighborhood as the property is surrounded to the west and north by industrial uses. A new parking lot and a building addition are reasonable uses in an industrial zoning district; 4) the side yard setback requirement for the I-1 district for side yards not abutting residential is excessive in this instance. Requiring the full 25-foot setback to the adjacent use is not reasonable and makes it difficult to reasonably use the property while meeting the code standards. The property is adjacent to another industrial use with a 10-foot side yard setback; 5) the proposed use meets the test of not being granted on economic considerations alone; and 6) the applicant had no reasonable way to add the desired area to the building and meet the zoning code, no matter if there is additional expense. The issue is the required large setback, not economics; and

WHEREAS, the Spring Lake Park City Council has reviewed the application and hereby accepts the findings and recommendation of the Spring Lake Park Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota that the City Council hereby approves the request of Cliff Fraser for a variance from the strict interpretation of Appendix D, Chapter 153 of the Zoning Code for a building and parking lot expansion at 8301 Sunset Road NE, subject to the following conditions: 1) applicant shall conduct the building in a manner consistent with the elevations shown in Sheet A-201, dated 7/24/19 by HPA Architecture; 2) the building addition shall be painted gray to match the exterior of the existing building; 3) applicant shall comply with and enforce the parking restrictions as outlined in the SUPs issued on October 1, 2007, July 6, 2010 and October 18, 2010; 4) any new lighting on the addition or new parking lot shall comply with City standards – downcast cutoff fixtures so as not to spill light onto neighboring properties or street right-of-way; 5) building and parking lot will follow any recommendation of the City Engineer on grading and stormwater management; and 6) applicant shall obtain all necessary building permits and must obtain a certificate of occupancy prior to occupancy of the building.

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof: Councilmembers

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 3rd day of September, 2019.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator



Memorandum

To: Chair Hansen and Members of the Planning Commission
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: August 21, 2019
Subject: Request for Variance – 8301 Sunset Road NE

Background

Cliff Fraser, Sunset Management, owns the commercial property at 8301 Sunset Road NE. He is requesting a variance from the side yard setback of his property to allow a 44 foot by 112 foot expansion of the building to accommodate an expanding business that currently leases space in the building.

The property is located along County Highway 10 and Sunset Road NE and is approximately 85,000 square feet, or 1.95 acres. Directly to the east are single-family homes, to the north is a plastics manufacturer and to the south, Hy-Way House Motel is located across the highway. There is currently a 44 foot green space on the north side between the building and the north property line.

The site contains a L-shaped one-story 17,500 square foot multi-tenanted building with a surface parking lot of approximately 43 parking spaces. The tenant mix in the building is as follows:



Buttermilk Basin – warehouse	3,116 s.f.
M&D Welding - industrial	4,400 s.f.
Apple Carpentry – office/warehouse	700 s.f.
Grand Central Auto – auto repair	2,500 s.f.
American Eagle – auto repair	3,450 s.f.
A-Z Auto – auto repair	2,200 s.f.
Mountain of Fire Church – assembly	1,134 s.f.

The property has had a long history of code/SUP violations, primarily violations of businesses working after-hours, inoperable vehicles parked onsite, outdoor storage, handicap parking violation, and overnight parking of vehicle restrictions. Mr. Fraser applied for an amendment to the SUP in 2017 to seek flexibility on the previous SUP standards, but that request was denied by the City Council. Complaints in regards to this site have decreased significantly since that action in 2017.

Planning Issues Discussion

The property is guided Commercial/Industrial in the 2030 Comprehensive Plan. Zoning is I-1, Light Industrial. Allowed uses include, but are not limited to, auto repair, light manufacturing retail, offices, and storage and warehousing.

The applicable zoning dimension requirements for the I-1, Light Industrial District (Appendix E of the Spring Lake Park Zoning Code) are as follows:

Front yard setback	40 feet
Side yard setback	25 feet
Side yard parking/loading facilities setback	10 feet
Front yard parking/loading facilities setback	25 feet
Maximum impervious surface	75%

The building expansion will encroach into the required side yard setback by 15 feet, leaving a 10 foot setback between the proposed building and the property line. This 10 foot setback is the same as the setback between the building to the north of the site and the property line. Staff feels a 25 foot side yard setback in the I-1 zoning district is excessive and can be reduced to 10 feet. The proposed 10-space parking lot will encroach into the 25 foot front yard parking/loading facilities setback by 10 feet, leaving 15 feet between the parking lot and front property line.

The building expansion will increase the impervious surface of the property from 47,231 square feet (55.6% of the site) to 55,835 square feet (65.7% of the site). The maximum amount of impervious surface for this site is 63,750 square feet.

The site currently has 43 parking spaces located in a parking lot in front of the building. The proposed project would add 13 parking spaces to the parking lot for a total of 56 parking spaces. The current tenant mix requires the following parking requirement:

Buttermilk Basin (warehouse/office/manufacturing)	5 spaces
M&D Welding (manufacturing)	8 spaces
Apple Carpentry (office/warehouse)	2 spaces
Grand Central Auto (auto repair)	8 spaces
American Eagle (auto repair)	8 spaces
A-Z Auto (auto repair)	5 spaces

Mountain of Fire Church (assembly)
Total Parking Requirement

11 spaces
47 spaces

The proposed use of classroom, showroom and storage would require 15 parking spaces. This, added to the existing parking requirement of 47 spaces, equals 62 parking spaces. The applicant is proposing 56 parking spaces. This is a deficit of 6 parking spaces. The City's experience is that the parking lot is heavily used by the auto repair businesses to store vehicles waiting to be repaired. Some of these vehicles are prohibited by Section 153.120 of the Zoning Code, which prohibits outdoor storage of automobile parts or storage of inoperable or salvage vehicles. It is the responsibility of the property owner to manage these businesses shared interests.

Variance

Section §153.224 of the City of Spring Lake Park's zoning code outlines the criteria for considering variances:

"The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan. "Practical difficulties" as used in connection with granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved."

Findings of Fact/Recommendations

1. The property owner is utilizing the property in a way that is consistent with the Industrial uses contemplated by the Comprehensive Plan and authorized under the Zoning Code.
2. The addition of a building and parking lot of similar design and construction to the existing building and with a similar setback as the adjacent building will not alter the essential character of the locality, which is an industrial park.
3. The proposed use will not alter the essential character of the neighborhood as the property is surrounded to the west and north by industrial uses. A new parking lot and a building addition are reasonable uses in an industrial zoning district.
4. The side yard setback requirement for the I-1 district for side yards not abutting residential is excessive in this instance. Requiring the full 25-foot setback to the adjacent use is not reasonable and makes it difficult to reasonably use the property while meeting the code

standards. The property is adjacent to another industrial use with a 10-foot side yard setback.

5. The proposed use meets the test of not being granted on economic considerations alone. The applicant has no reasonable way to add the desired area to the building and meet the zoning code, no matter if there is additional expense. The issue is the required large setback, not economics.

The following conditions should be included with the variance:

- Applicant shall construct the building in a manner consistent with the elevations shown in Sheet A-201, dated 7/24/19 by HPA Architecture.
- The building addition shall be painted gray to match the exterior of the existing building.
- Applicant shall comply with and enforce the parking restrictions as outlined in the SUPs issued on October 1, 2007, July 6, 2010 and October 18, 2010.
- Any new lighting on the addition or new parking lot shall comply with City standards – downcast cutoff fixtures so as not to spill light onto neighboring properties or street right-of-way.
- Building and parking lot will follow any recommendation of the City Engineer on grading and stormwater management.
- Applicant shall obtain all necessary building permits and must obtain a certificate of occupancy prior to occupancy of the building.

If you have any questions regarding the proposed variance, please don't hesitate to contact me at 763-784-6491.



City of Spring Lake Park
 1301 81st Avenue NE
 Spring Lake Park, MN 55432
 763-784-6491 (p) 763-792-7257 (f)
 info@slpmn.org

For Office Use Only	
Case Number:	
Fee Paid:	
Received by:	
Date Filed:	
Date Complete:	
Base Fee:	Escrow:

DEVELOPMENT APPLICATION

TYPE OF APPLICATION (Check All That Apply)		
<input type="checkbox"/> Appeal	<input type="checkbox"/> Site Plan/Building Plan Review	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Comprehensive Plan Amendment	<input checked="" type="checkbox"/> Conceptual Plan Review	<input type="checkbox"/> Lot Combination
<input type="checkbox"/> Ordinance Amendment (Text)	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Rezoning	<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Street or Easement Vacation	<input type="checkbox"/> Other
PROPERTY INFORMATION		
Street Address: <u>B301 Sunset Road NE Spring Lake Park, MN</u>		
Property Identification Number (PIN#): <u>01-30-24-11-0062</u> Current Zoning: <u>Comm/Ind</u>		
Legal Description: <u>01-30-24-11-0063</u>		
(Attach if necessary): <u>The S1/2 of lot 24 Spring Lake Park Plat A, Subj to ease of</u>		
APPLICANT INFORMATION		
Name: <u>Clifford Fraser</u>	Business Name: <u>Sunset Management</u>	
Address: <u>5617 29th Avenue North</u>		
City: <u>Crystal</u>	State: <u>MN</u>	Zip Code: <u>55422</u>
Telephone: <u>612-868-0481</u>	Fax: <u>763-546-3154</u>	E-mail: <u>cfraser3131@hotmail.com</u>
Contact: <u>Clifford Fraser</u>	Title: <u>Owner</u>	
OWNER INFORMATION (if different from applicant)		
Name: <u>- Same -</u>	Business Name:	
Address: <u>- Same -</u>		
City:	State:	Zip Code:
Telephone:	Fax:	E-mail:
Contact:	Title:	
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: <u>Business</u>		
Nature of Proposed Use: <u>Same as existing</u>		
Reason(s) to Approve Request: <u>Business is expanding in Spring Lake Park</u>		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name:	Date of Application:	
Nature of Request: <u>None</u>		
NOTE: E-Applications only accepted with a valid email address and phone number.		
See City Code		

rec
 cover
 hotmail
 com

Legal Desc. Cont.

The N $\frac{1}{2}$ of lot 23 Spring Lake Park plat A,
subj to ease of rec

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**City of Spring Lake Park
Variance Application**

A variance cannot be approved unless the Planning Commission and City Council find that the "practical difficulties" standard has been met. Please provide a response as to how/why your project will meet the following criteria. Use additional sheets if necessary and consult with the Zoning Administrator if you need clarification on the intent of any of the standards set below.

1. Applicant Information:

Name: Clifford Fraser

Telephone:

Address: 5617 29th Avenue North

Cell Phone: 612-868-0481

City/State/Zip: Crystal, MN 55422

E-mail: Cfraser3131@hotmail.com

2. Property Owner Information (if different from above):

Name: - Same -

Telephone:

Address:

Cell Phone:

City/State/Zip:

E-mail:

3. Project Location (Address and Legal Description): 8301 Sunset Road NE
Spring Lake Park, MN

4. Present Use of Property: Business Rental

5. Description of Project: Addition to existing building

6. Specify Section of the Ordinance from which variance is sought:

I-1 Building side yard set-back

7. Explain how you wish to vary from the applicable provisions of this Ordinance:

Side yard set-back from to ~~10~~²⁵ feet to ~~25~~¹⁰ feet

8. Please attach a site plan or accurate survey as may be required by Ordinance.

9. **Practical Difficulties Test:** Please answer the following questions as they relate to your specific variance request.

a. In your opinion, is the variance in harmony with the purposes and intent of the Ordinance?
 Yes No Why or why not?

Not changing any present zoning. Not changing use of property.

b. In your opinion, is the variance consistent with the Comprehensive Plan?

Yes No Why or why not?

Comprehensive plan does not
anticipate any changes in this property.

c. In your opinion, does the proposal put property to use in a reasonable manner?

Yes No Why or why not?

Similar to present use

d. In your opinion, are there circumstances unique to the property? (physical characteristics of the property – i.e. sloping topography or other natural features like wetlands or trees)?

Yes No Why or why not?

We want to build in the set-back – same
as the neighbors.

e. In your opinion, will the variance maintain the essential character of the locality?

Yes No Why or why not?

Will be consistent of existing structures

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant Signature:

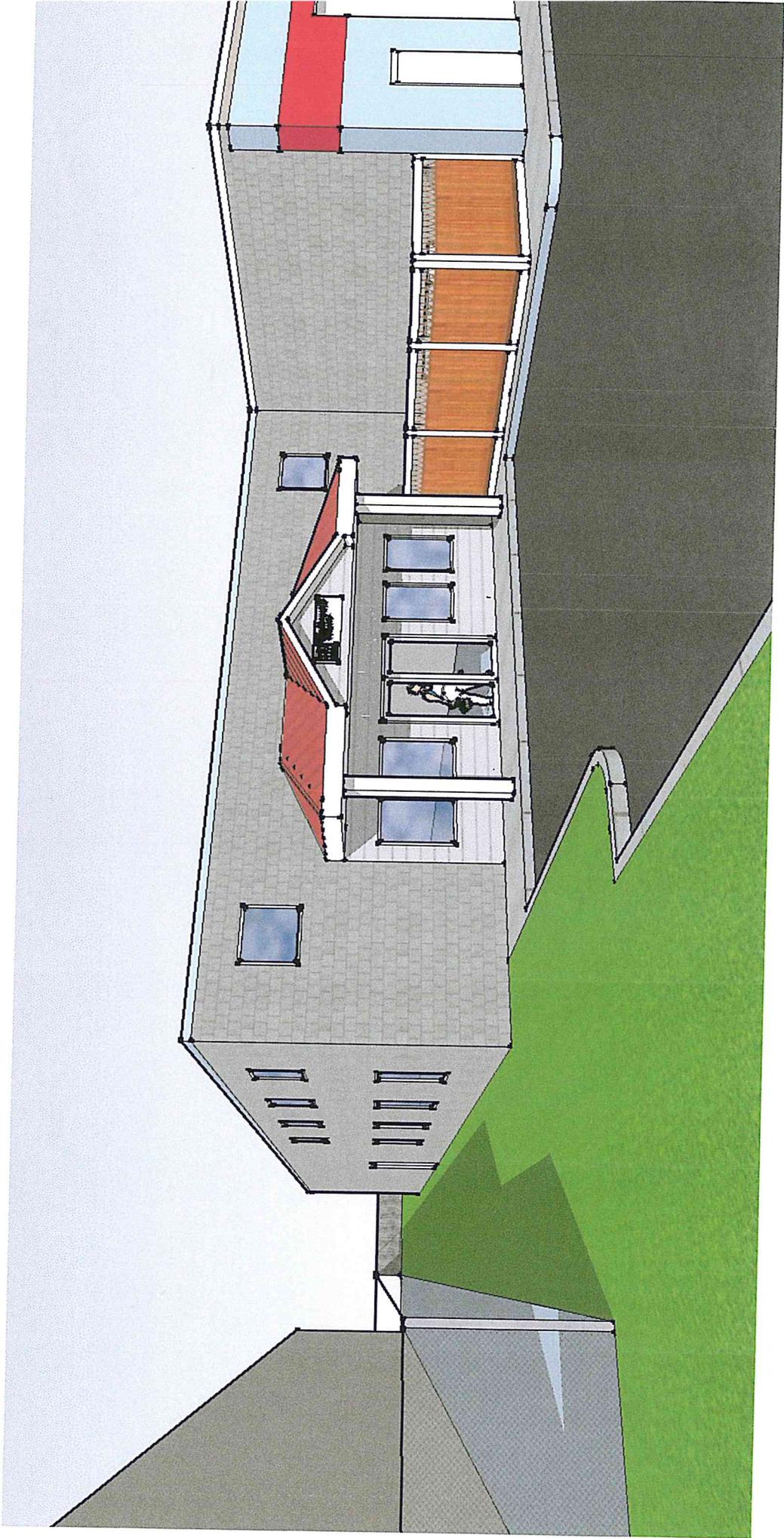
Date:

Fee Owner's (Property Owner) Signature:

Date:

Clifford Ferraro

7/26/2019





PH: 763-331-5025
hpa-arch@comcast.net

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of Minnesota.

Harold M. Pierce
Date 07/24/2019 License No. 10862

PROJECT:
ADDITION TO FRASER BUILDING
5301 Sunset Road NE
Spring Lake Park, MN 55432

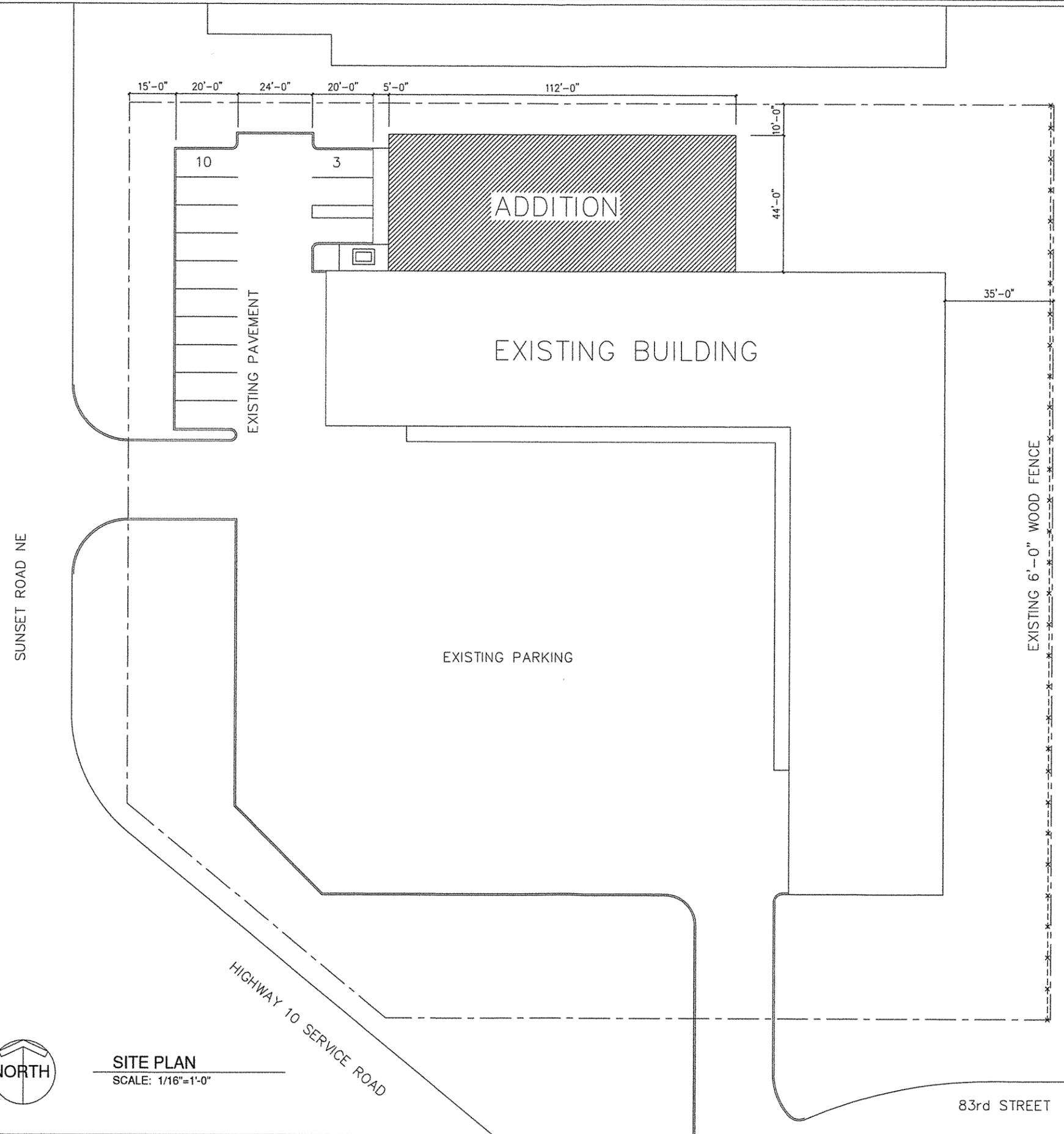
ISSUE:
07/24/2019 Variance Application

REVISIONS:

PROJECT NO: 19.091.01
DRAWN BY: HMP
CHECKED BY: HMP

SHEET TITLE:
SITE PLAN

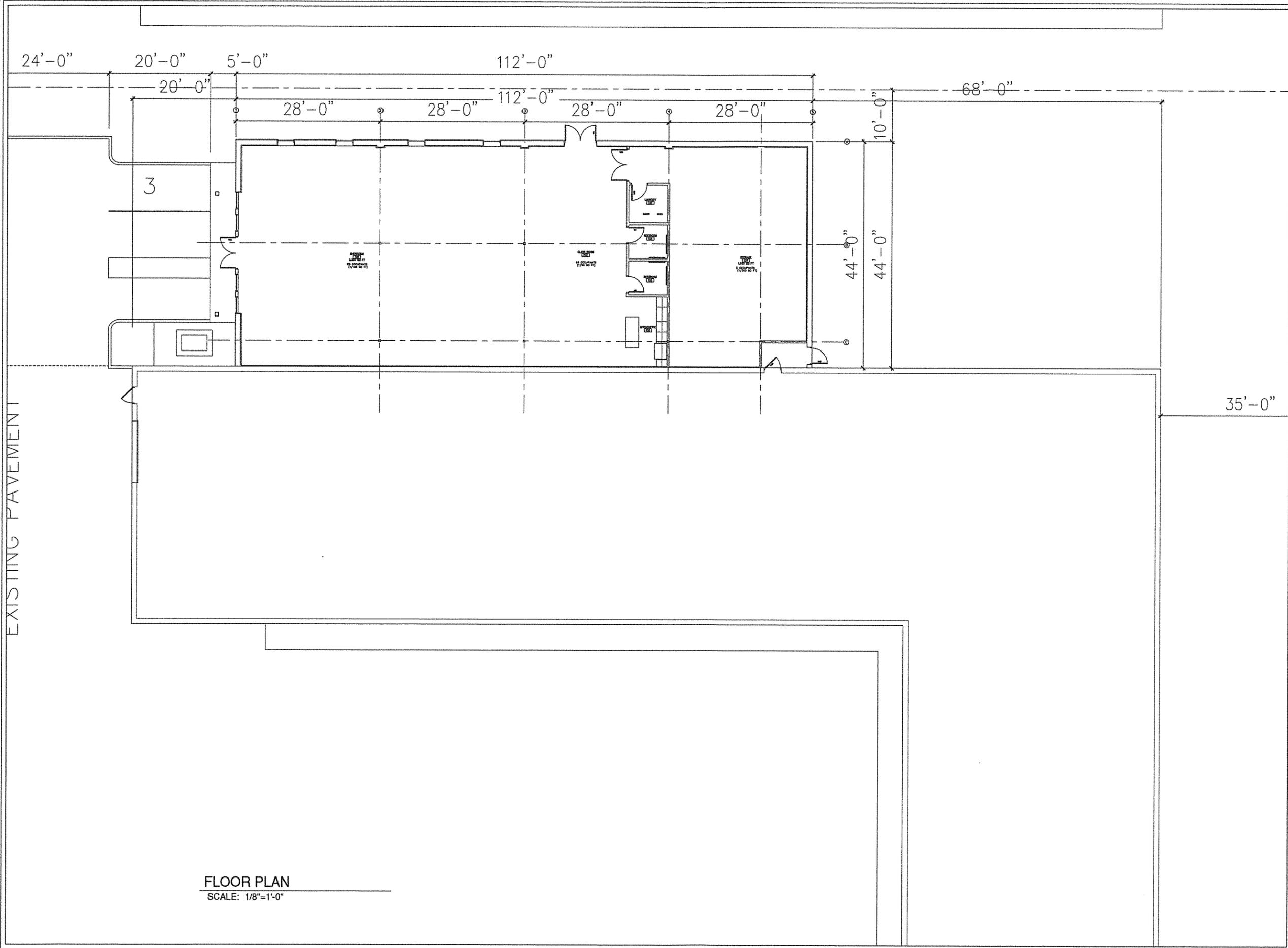
SHEET NUMBER:
A-100



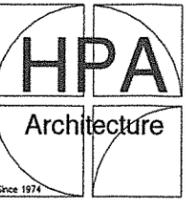
SITE PLAN
SCALE: 1/16"=1'-0"

HIGHWAY 10 SERVICE ROAD

83rd STREET



FLOOR PLAN
SCALE: 1/8"=1'-0"



PH: 763-331-5025
hpa-arch@comcast.net

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of Minnesota.

Harold M. Pierce
Date: 07/25/2019 License No. 10862

PROJECT:
ADDITION TO FRASER BUILDING
8301 Sunset Road NE
Spring Lake Park, MN 55432

ISSUE:

REVISIONS:

PROJECT NO: 19-091.01
CAD DWG FILE:
DRAWN BY:
CHECKED BY:

SHEET TITLE:
FLOOR PLAN

SHEET NUMBER:
A-101

DRAFT PROCEEDINGS

Minutes of the Spring Lake Park Planning Commission regularly scheduled meeting held on August 26, 2019 at the Spring Lake Park Community Center, 1301 81st Avenue N.E., at 7:00 P.M.

1. Call to Order

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

2. Roll Call

Members Present: Commissioners Hansen, Dircks, Julien and Eischens

Members Absent: Commissioners Cobbs and Bernhagen

Staff Present: Administrator Buchholtz and Executive Assistant Gooden

Visitors: Ben Murphy, 1595 83rd Avenue NE
Cliff Fraser, Sunset Management
Stacy West, Buttermilk Basin
Hal Pierce, HPA Architecture
Dennis and Carol Heinzmann, 8216 Polk Street NE
Councilmember Delfs

3. Approval of Minutes – July 22, 2019

MOTION BY COMMISSIONER EISCHENS, SECONDED BY COMMISSIONER DIRCKS, APPROVING THE MINUTES OF JULY 22, 2019. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

4. Public Hearing – Variance Application – Cliff Fraser, Sunset Management – 8301 Sunset Road NE

Chairperson Hansen opened the public hearing at 7:03 PM.

Administrator Buchholtz reported that the City received an application from Cliff Fraser, Sunset Management, requesting a variance from the side yard setback of his property to allow a 44 foot by 112-foot expansion of the building to accommodate an expanding business that currently leases space in the building.

Administrator Buchholtz reported that property is along County Road 10 and Sunset Road NE and is 85,000 square feet, or 1.95 acres. He stated that directly to the east are single-family homes, to the north is a plastics manufacturer and to the south, Hy-Way House Motel is located across the highway. He stated that there is currently a 44-foot green space on the north side between the building and the north property line.

Administrator Buchholtz reported that the L-shaped one-story 17,500 square foot multi-tenanted building with a surface parking lot of approximately 43 parking spaces. He stated that there is a mix of tenants including office/warehouse, industrial, auto repair and assembly.

Administrator Buchholtz reported that the property has had a long history of code/SUP violations, primarily violations of businesses working after-hours, inoperable vehicles parked onsite, outdoor storage, handicap parking violation, and overnight parking of vehicle restrictions. He stated that Mr. Fraser applied for an

amendment to the SUP in 2017 to seek flexibility on the previous SUP standards, but that request was denied by the City Council. He reported that complaints in regards to this site have decrease significantly since that action in 2017.

Administrator Buchholtz reported that the property is guided Commercial/Industrial in the 2030 Comprehensive Plan and zoning is I-1, Light Industrial. He stated that allowed uses include, but at not limited to, auto repair, light manufacturing, retail, offices and storage and warehousing.

Administrator Buchholtz stated that he applicable zoning dimension requirements for the I-1, Light Industrial District (Appendix E of the spring Lake Park Zoning Code) are as follows:

Front yard setback	40 feet
Side yard setback	25 feet
Side yard parking/loading facilities setback	10 feet
Front yard parking/loading facilities setback	25 feet
Maximum impervious surface	75%

Administrator Buchholtz stated that the building expansion will encroach into the required side yard setback by 15 feet, leaving a 10-foot setback between the proposed building and the property line. He stated that this 10-foot setback is the same as the setback between the building to the north of the site and the property line. He stated that staff feels a 25-foot side yard setback in the I-1 zoning district is excessive and can be reduced to 10 feet. He stated that the proposed 10-space parking lot will encroach into the 25-foot front yard parking/loading facilities setback by 10 feet, leaving 15 feet between the parking lot and front property line.

Administrator Buchholtz stated that the building expansion will increase the impervious surface of the property from 47,231 square feet (55.6% of the site) to 55,835 square feet (65.7% of the site). He stated that maximum amount of impervious surface for this site is 63,570 square feet.

Administrator Buchholtz reported that the site currently has 43 parking spaces located in a located in a parking lot in front of the building. He stated that the proposed project would add 13 parking spaces to the parking lot of a total of 56 parking spaces. He stated that the proposed use of the classroom, showroom and storage would require 15 parking spaces. This, added to the existing parking requirement of 47 spaces, equals 62 spaces. He stated that the applicant is proposing 56 parking spaces and this a deficit of 6 parking spaces. He stated that the City's experience is that the parking lot is heavily used by the auto repair businesses to store vehicles waiting to be repaired. He stated that some of these vehicles are prohibited by Section 153.120 of the Zoning Code, which prohibits outdoor storage of automobile parts or storage of inoperable or salvage vehicles. He sated that it is the responsibility of the property owner to manage these businesses shared interests.

Variance

Administrator Buchholtz reported that Section §153.224 of the City of Spring Lake Park's zoning code outlines the criteria for considering variances.

Administrator Buchholtz provided the Planning Commission with the following Findings of Fact/Recommendations for the request for a variance at 8301 Sunset Road NE:

1. The property owner is utilizing the property in a way that is consistent with the Industrial uses contemplated by the Comprehensive Plan and authorized under the Zoning Code.
2. The addition of a building and parking lot of similar design and construction to the existing building and with a similar setback as adjacent building will not alter essential character of the locality, which is an industrial park.
3. The proposed use will not alter the essential character of the neighborhood as the property is surrounded to the west and north by industrial uses. A new parking lot and a building addition are reasonable uses in an industrial zoning district.
4. The side yard setback requirement for the I-1 district for side yards not abutting residential is excessive in this instance. Requiring the full 25-foot setback to the adjacent use is not reasonable and make it difficulty to reasonably use the property while meeting the code standards. The property is adjacent to another industrial use with a 10-foot side yard setback.
5. The proposed use meets the test of not being granted on economic considerations alone. The applicant has no reasonable way to add the desired area to the building and meet the zoning code, no matter if there is additional expense. The issue is the required large setback, not economics.

Administrator Buchholtz recommended approval of the variance and stated that the following conditions should be included in with the variance:

- Applicant shall construct the building in a manner consistent with the elevations shown in Sheet A-201, dated 7/24/19 by HPA Architecture.
- The building addition shall be painted gray to match the exterior of the existing building.
- Applicant shall comply with and enforce the parking restrictions as outlined in the SUPs issued on October 1, 2007, July 6, 2010 and October 18, 2010.
- Any new lighting on the addition or new parking lot shall comply with City standards-downcast cutoff fixtures so as not to spill light onto neighboring properties or street right-of-way.
- Building and parking lot will follow any recommendations of the City Engineer on grading and stormwater management.
- Applicant shall obtain all necessary building permits and must obtain a certificate of occupancy prior to occupancy of the building.

Commissioner Dircks inquired if there had been any comments submitted by surrounding residents prior to the public hearing. Administrator Buchholtz stated that none were received.

Commission Dircks inquired as to how significant the reduction of calls has been at the property. Administrator Buchholtz reported that in the past the complaints were at least one per week and currently he has not had any calls this year.

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

Cliff Fraser, Sunset Management, reported that the dance/music studio had moved out which created the available space for Buttermilk Basin, a quilting store, to move in. He stated that the existing space is not enough space for the new tenants and the addition would provide the space for their needs.

Stacy West, Buttermilk Basin, reported that this building will meet her space needs and reported that she has been using the existing space for her warehouse needs. She stated that she would not be adding any new employees to the space.

Commissioner Eischens inquired as to how much retail business there will be at the site.

Ms. West stated that she is unsure. She reported that at her current location, nearby, traffic is more increased on Friday and Saturday as she is open for retail on those two days. She stated that she holds sale events three or four times a year and has no plans of having the retail shop open seven days a week. She stated that she has not had any issues with the parking situation and Mr. Fraser has been very accommodating with making the parking spaces work.

Ben Murphy, 1595 83rd Avenue NE, reported that he is a nearby resident and does not have complaints with the proposed plans or retail. He reported that there is a lot of noise, especially welding noise, that is done late at night at one of the auto repair places. He stated that he has not reported it to the City.

Administrator Buchholtz advised Mr. Murphy to call the Police when there is noise occurring for documentation purposes as this is a violation of the Conditional Use Permit for the property. Mr. Fraser stated he was unaware of this complaint and also encouraged the property owner to contact him.

Hearing no further discussion from the floor, Chairperson Hansen closed the public hearing at 7:25 PM.

MOTION MADE BY COMMISSIONER JULIEN, SECONDED BY DIRCKS TO RECOMMEND APPROVAL OF VARIANCE APPLICATION FOR A VARIANCE FOR 8301 SUNSET ROAD NE WITH THE FOLLOWING CONDITIONS: 1.) APPLICANT SHALL CONSTRUCT THE BUILDING IN A MANNER CONSISTENT WITH THE ELEVATION SHOWN IN SHEET A-201, DATED 7/24/19 BY HPA ARCHITECTURE; 2.) THE BUILDING ADDITION SHALL BE PAINTED GRAY TO MATCH THE EXTERIOR OF THE EXISTING BUILDING; 3.) APPLICANT SHALL COMPLY WITH AND ENFORCE THE PARKING RESTRICTIONS AS OUTLINED IN THE SUPS ISSUED ON OCTOBER 1, 2007, JULY 6, 2010 AND OCTOBER 18, 2010; 4) ANY NEW LIGHTING ON THE ADDITION OR NEW PARKING LOT SHALL COMPLY WITH CITY STANDARDS-DOWNCAST CUTOFF FIXTURES SO AS NOT TO SPILL LIGHT ONTO NEIGHBORING PROPERTIES OR STREET RIGHT-OF-WAY; 5.) BUILDING AND PARKING LOT WILL FOLLOW ANY RECOMMENDATION OF THE CITY ENGINEER ON GRADING AND STORMWATER MANAGEMENT; 6.) APPLICANT SHALL OBTAIN ALL NECESSARY BUILDING PERMITS AND MUST OBTAIN A CERTIFICATE OF OCCUPANCY PRIOR TO OCCUPANCY OF THE BUILDING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

5. Public Hearing – Variance Application – Dennis Heinzmann – 8216 Polk Street NE

Administrator Buchholtz reported that the City received an application from Dennis Heinzmann, 8216 Polk Street NE, for a variance from the side and rear yard setbacks and maximum lot coverage standard for a garage addition to the property.

The candidate information will be provided at the Council meeting.

Thank you.



City of Spring Lake Park
Engineer's Project Status Report

To: Council Members and Staff
From: Phil Gravel

Re: **Status Report for 9.3.19 Meeting**
File No.: R-18GEN

Note: Updated information is shown in *italics*.

MS4 Permit (193802936).

Annual Report and Public Meeting was held on June 17, 2019. Annual report has been submitted. Annual Training will be completed before December.

Local Surface Water Management Plan (LSWMP) (193803949).

Council adopted on 4-15-19. *Currently working with the Administrator on Ordinance revisions.*

2019 Sanitary Sewer Lining Project (193804547).

This project includes sewer lining in the area near TH65 and Osborne Rd. *Construction Contracts were signed on July 31st. Construction will begin in September with initial cleaning and televising.*

2019 Street Seal Coat and Crack Fill Project (193804625).

This project includes streets in the area north of 81st Avenue between Monroe and Able. *Crack repair construction and seal coat work was completed in July. Street sweeping and pavement markings have been completed.*

Arthur Street (Well 5) Water Treatment Plant Evaluation (193801776 Task 300): Filter media has been replaced and test results are encouraging. A comprehensive plant maintenance project to repair damage from a chlorine leak and to complete ongoing maintenance is being considered. *The LMC insurance has been contacted and is considering the claim that has been submitted.*

Bituminous Trail (on Osborne Rd. from TH 65 to Central Avenue)(193804584):

Trail paving has been completed. Seeding will occur in September.

Garfield Pond Improvements Project (193804750): A neighborhood open house was held on April 29th. Geotechnical borings have been completed. Meetings have been held with the Department of Natural Resources and Rice Creek Watershed District. *Continue design and communication with the neighbors. Will meet with townhome board members this week. Public open house sometime in September.*

Hy-Vee Project. Site utility work is substantially complete. 81st Avenue/Highway 65 and for CSAH 35 (Central Avenue) construction continues. *Final work on the TH65 signal system will lag into September. The new signal steel can go up and the temporary signal components can be removed with limited additional disturbance.*

Public Storage Project. Construction continues. Terry Randall has been monitoring construction including the remaining site work. *An onsite meeting with the owner and the contractor will be held on September 4th to review remaining site construction. Need as-built drawings of the utilities.*

Feel free to contact Harlan Olson, Phil Carlson, Jim Engfer, Mark Rolfs, Ryan Capelle, Marc Janovec, Ailsa McCulloch, Peter Allen, or me if you have any questions or require any additional information.

CORRESPONDENCE

Anoka County Sheriff's Office

OPEN HOUSE

Thursday, September 19, 2019

4-7 PM

13301 Hanson Blvd, NW in Andover

Sheriff James Stuart and his staff invite you to **JOIN US** for our "Open House" to see **YOUR** Sheriff's Office and the diverse services provided to the citizens of Anoka County.

Demonstrations, displays, and opportunities to interact with our public safety partners will be available.

We hope you can join us as we work together to develop positive changes in our communities.

FEATURING:

- Tours of the Sheriff's Office & Forensic Laboratory
- Specialty Unit Displays • SWAT Team • Marine Unit
 - Crime Scene Unit • Digital Forensic Unit
 - K-9 Demonstrations (5:00 pm & 6:15 pm)
 - Reserve/Explorer Units • Chaplain Program
 - Child Fingerprinting • Prescription Drug Drop Box
- Food Trucks: Tot Boss, B3, Hockey Mom Brownies



651-214-7565
burgers • brats • barbecue
Catering Available
f i v

Our Partners

Anoka County Attorney's Office
Anoka County 911
Emergency Management
Public Health Emergency Preparedness
Anoka County Corrections
Social Services—Child Foster Care
Social Services & Behavioral Health
Long Term Services & Support
Anoka County Community Action Program

Allina Health Emergency Medical Services
Safe Kids Anoka County
Alexandra House
Jacob Wetterling Resource Center
Know the Truth
Anoka Mobile Crisis Services
HOPE 4 Youth
Anoka County Child Abuse Prevention Council
Mediation & Restorative Services

Andover Fire Department
Life Link III Air Medical Transport
(**Helicopter expected @ 4:15 pm**)
North Air Care
(**Helicopter expected @ 5:30 pm**)
Minnesota State Patrol & Aviation
(**Helicopter expected @ 6:00 pm**)
Office of Traffic Safety



PROTECTING, MAINTAINING & IMPROVING THE HEALTH OF ALL MINNESOTANS

August 23, 2019

Spring Lake Park City Council
c/o Mr. Dan Buchholtz, Administrator
Spring Lake Park City Hall
1301 81st Avenue NE
Spring Lake Park, Minnesota 55432

Dear Council Members:

SUBJECT: Lead/Copper Tap Water Monitoring Report, PWSID 1020029

This letter is to report the results of your recent lead/copper monitoring that is required by the Safe Drinking Water Act. The results revealed the following 90th percentile levels:

90th percentile lead level = 6 $\mu\text{g/l}$ (rounded as 0.006 mg/l).
The action level for lead is 15.0 $\mu\text{g/l}$.

90th percentile copper level = 160 $\mu\text{g/l}$ (rounded as 0.160 mg/l).
The action level for copper is 1300 $\mu\text{g/l}$.

Based on these results, your public water system **has not exceeded** the action level for lead and **has not exceeded** the action level for copper.

By federal rule, 40 CFR 141.85, you are required to provide the lead/copper results to persons served at the sites that were tested. In addition, you must provide them with an explanation of the health effects of lead/copper, list steps consumers can take to reduce exposure to lead/copper in drinking water, and water utility contact information. The notification must also provide the maximum contaminant level goals, the action levels for lead/copper, and the definitions for these two terms.

Notification must be made within 30 days by U.S. Mail. If the residence is a rental property, both the occupant(s) of the residence and rental property owner must be notified. To assist you in meeting the notification requirements, we have enclosed a sample letter and a fact sheet on lead/copper in drinking water. All of the information contained in the sample letter is EPA required language and must be included in your letter and provided to the homeowner. If you would like to receive any of the enclosed documents via e-mail, please send your request to pauline.wuoti@state.mn.us.

The lead/copper sampling site addresses are private data. This information was classified as "nonpublic" by the Minnesota Department of Administration in October 2004, upon the request of Minnesota Department of Health (MDH) and Minnesota community water supply systems. When notifying the persons served at the sites that were tested, provide them with the results for that address only.

Spring Lake Park City Council

Page 2

August 23, 2019

PWSID 1020029

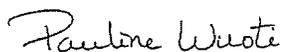
Within 10 days after notifying the residents of their results, you must complete the enclosed Lead/Copper Results Delivery Certification form and return it to us along with a copy of the letter that you sent to the residents notifying them of their results. A return envelope is enclosed for your convenience.

Please note that all enclosures are sent to the addressee of this letter. Persons receiving a copy (cc) of the letter do not receive any enclosures. It is the responsibility of the addressee to follow through with the requirements.

A sampling kit will be sent to you prior to your next scheduled sampling date. The enclosed report should be placed in your records and a copy maintained on or near the water supply premises and available for public inspection for not less than ten (10) years.

If you have any questions, please contact me at 651/201-4674, or Anna Schliep at 651/201-4667.

Sincerely,



Pauline A. Wuoti
Community Public Water Supply Unit
Environmental Health Division
P.O. Box 64975
St. Paul, Minnesota 55164-0975

PAW

Enclosures

cc: Water Superintendent



MINNESOTA DEPARTMENT OF HEALTH

Lead/Copper Results Delivery Certification Municipal System (Population Greater Than 3,300)

PWS Name: Spring Lake Park

PWSID: 1020029

Compliance Period: June 1, 2019 - September 30, 2019

PLEASE COMPLETE THIS FORM.

Delivery/Notification must be completed within 30 days.

Delivery/Notification:

Residences were notified by U.S. Mail on _____ (date). You must submit a copy of the letter that you sent to the residents notifying them of their results, along with this certification form.

Failure to provide notice of the lead/copper results to persons served at the sites that were tested and submit this Results Delivery Certification form to the MDH will result in enforcement action, which may include fines, from the U.S. Environmental Protection Agency and/or the MDH.

I certify that lead/copper results were provided to persons served at the sites that were tested along with the following information: MCLGs, ALs and their definitions, a fact sheet on the health effects of lead/copper which includes steps to reduce exposure to lead/copper in drinking water, and contact information for the water utility. I further certify that notification was completed within 30 days after our system learned of the results, and that if the residence is a rental property, both the occupant(s) and rental property owner were notified.

Signature: _____ Print Name: _____

Job Title: _____ Phone: _____ Date: _____

Email Address: _____

Please print clearly

Return this certification form and a copy of the resident notification letter to MDH, in the enclosed envelope, within 10 days after notification has been completed.

Mailing Address:

Minnesota Department of Health
c/o Pauline Wuoti, Compliance Officer
Community Public Water Supply Unit
Environmental Health Division
P.O. Box 64975
St. Paul, Minnesota 55164-0975

If you have any questions, please call 651/201-4674, or email pauline.wuoti@state.mn.us.

Sample Letter - All info in this letter must be provided to the participants.

Public Water Supply Letterhead

Date

Residence Info/Address

Dear Resident(s):

Thank you for participating in the lead/copper tap monitoring that was recently conducted.

This letter is to report the lead/copper results at your residence. The reported results for your residence are _____ parts per billion (ppb) for lead, and _____ ppb for copper.

The 90th percentile lead and copper levels for our system are _____ for lead, and _____ for copper. The action level for lead is 15.0 ppb with the maximum contaminant level goal (MCLG) set at zero. The action level and MCLG for copper is 1300.0 ppb. The results indicate that we [have / have not] exceeded lead and [have / have not] exceeded copper.

The following definitions will be helpful with regard to the information provided above:

90th Percentile Level - This is the value obtained after disregarding 10 percent of the samples taken that had the highest levels. (For example, in a situation in which 10 samples were taken, the 90th percentile level is determined by disregarding the highest result, which represents 10 percent of the samples.) Note: In situations in which only 5 samples are taken, the average of the two with the highest levels is taken to determine the 90th percentile level.

Action Level - The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Maximum Contaminant Level Goal (MCLG) - The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

For additional information on lead and copper in your drinking water, please refer to the enclosed fact sheet or go to www.health.state.mn.us/water or [utility website address].

If you have any questions please contact [System Contact] at [Phone].

Sincerely,

(System Info Signature Block)



Lead and Copper in Drinking Water

Important Information on How to Protect Your Health

Lead Health Effects

Lead is a common metal that has been in many consumer products but is now known to be harmful to human health if ingested or inhaled. It can be found in lead-based paint, air, soil, household dust, food, some types of pottery, and drinking water. Lead is rarely found in natural sources of water such as rivers and lakes or underground aquifers.

When people come in contact with lead, it may enter their bodies and accumulate over time, resulting in damage to the brain, nervous system, red blood cells, and kidneys. Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities.

Lead in water can be a special problem for infants whose diets may be mostly liquids, such as baby formulas or concentrated juices mixed with water. Smaller bodies can absorb lead more rapidly than bigger ones, so amounts of lead that won't hurt an adult can be very harmful to a child. Adults who drink this water over many years could develop kidney problems or high blood pressure.

Copper Health Effects

Copper is a reddish metal that occurs naturally in rock, soil, water, sediment, and air. It has many practical uses in our society and is commonly found in coins, electrical wiring, and pipes. It is an essential element for living organisms, including humans, and - in small amounts - necessary in our diet to ensure good health. However, some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience adverse health effects, including vomiting, diarrhea, stomach cramps, and nausea. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage.

The human body has a natural mechanism for maintaining the proper level of copper in it. However, children under one year old have not yet developed this mechanism and, as a result, are more vulnerable to the toxic effects of copper. People with Wilson's disease also have a problem with maintaining the proper balance and should also exercise particular care in limiting exposure to copper. People with Wilson's Disease should consult their physician.

Sources of Lead/Copper

Lead usually gets into your water after it leaves the treatment plant. This usually happens through the corrosion of materials containing lead in household plumbing. The most likely sources of lead in your household water are lead pipes, lead solder on copper pipes, brass faucets, fittings, and valves, including those advertised as "lead-free," or lead service lines connecting the water main to the inside plumbing. Lead pipes are no longer installed for service lines or in household plumbing, and lead solder has been outlawed in Minnesota since 1985.

The amount of lead allowed in brass fixtures has also been limited, but can still contribute some lead to drinking water (note that many faucets are made of brass even if they do not have a "brass" color). Even with these restrictions in place, some homes, especially older homes, may still have significant amounts of lead in their plumbing systems.

Copper works its way into the water by dissolving from copper pipes in the household plumbing. The longer the water has stood idle in the pipes, the more copper it is likely to have absorbed. Newer homes with copper pipes may be more likely to have a problem. Over time, a coating forms on the inside of the pipes and can insulate the water from the copper in the pipes. In newer homes, this coating has not yet had a chance to develop.

How To Reduce Your Exposure

Anytime the water has not been used for more than 6 hours - overnight, for example, or during the day when people are gone to work or school - it should be cleared from the pipes before being used for drinking or cooking. Let the water run before using it for drinking or cooking. If you have a lead service line, let the water run for 3-5 minutes. If you do not have a lead service line, let the water run for 30-60 seconds. The more time water has been sitting in your home's pipes, the more lead it may contain. You can find out if you have a lead service line by contacting your public water system, or you can check by following the steps at: <https://www.mprnews.org/story/2016/06/24/npr-find-lead-pipes-in-your-home>.

The only way to know if lead has been reduced by letting it run is to check with a test. If letting the water run does not reduce lead, consider other options to reduce your exposure.

Other household water uses will also help clear standing water from your home's plumbing. For example, you may want to establish a routine of doing household tasks that use water - such as showering, flushing the toilet, or running the dishwasher - first thing in the morning before using water for drinking or cooking. Keep in mind that you'll still need to flush individual faucets for a short time before using them for drinking water.

Hot water dissolves lead/copper more quickly than cold water so don't use water from your hot-water faucet for cooking or drinking. If you need hot water for cooking or drinking, take water from the cold water tap and heat it. It is especially important not to use the hot water for making baby formula. Also, boiling the water does not reduce lead levels and may actually increase them.

Some treatment devices can reduce the amount of lead in your drinking water. Reverse-osmosis and distillation units can be used for that purpose. A few types of water filters also remove lead. Check the product literature to be sure it has been certified for lead removal by NSF International (<http://nsf.org>). Also, you must follow the manufacturer's recommendations for operation and maintenance to ensure that the treatment equipment works correctly.

The water you run from drinking water taps does not have to be wasted. You can use this water for cleaning purposes or for watering plants. You may want to keep a container of drinking water in your refrigerator, so you don't have to run water every time you need it.

Many laboratories can test your water to see if there is a lead problem. Fees will vary between labs.

Accredited laboratories can be found at:

<https://eldo.web.health.state.mn.us/public/accreditedlabs/labsearch.seam>

For more information, please visit EPA's website at: www.epa.gov/lead or the Minnesota Department of Health's website at:

<https://www.health.state.mn.us/communities/environment/water/contaminants/lead.html>

Minnesota Department of Health

Division of Environmental Health

P. O. Box 64975

St. Paul, Minnesota 55164-0975

<http://www.health.state.mn.us/water>

To request this document in another format, call 651-201-4700

Minnesota Department of Health
List of Sampling Locations and First Draw
For Lead/Copper Tap Water Monitoring

Sampling Period: 6/1/2019 - 9/30/2019

PWSID: 1020029
Population: 6450
Brian Noma

PWS Name: Spring Lake Park
Samples Received: 20
Samples Required: 20
90th Percentile Lead Level: 6 µg/L
90th Percentile Copper Level: 160 µg/L

Reduced Long Term
07/01/2022

Site No.	Location (Site Address)	Tier No. (1-4)	Plumbing Materials				Sample Results		Collected
			LSL	LP	CP/LS	Other	Lead 15.0 (µg/L)	Copper 1300 (µg/L)	
00002	██████████	1			X		< 1	15	7/22/2019
00003	██████████	1			X		< 1	29	7/22/2019
00005	██████████	1			X		2	38	7/22/2019
00008	██████████	1			X		< 1	11	7/22/2019
00009	██████████	1			X		< 1	19	7/22/2019
00010	██████████	1			X		29	160	7/23/2019
00014	██████████	1			X		< 1	74	7/23/2019
00015	██████████	1			X		< 1	75	7/23/2019
00018	██████████	1			X		4	182	7/23/2019
00019	██████████	1			X		2	88	7/23/2019
00020	██████████	1			X		2	75	7/23/2019
00024	██████████	1			X		2	213	7/23/2019
00025	██████████	1			X		1	127	7/23/2019
00027	██████████	1			X		1	106	7/23/2019
00029	██████████	1			X		4	105	7/23/2019
00031	██████████	1			X		< 1	28	7/23/2019
00032	██████████	1			X		< 1	52	7/23/2019
00034	██████████	1			X		6	85	7/23/2019
00035	██████████	1			X		7	45	7/23/2019
00038	██████████	1			X		6	143	7/23/2019