

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on June 5, 2017 at the Spring Lake Park Community Center, 1301 81st Avenue N.E., at 7:00 P.M.

1. Call to Order

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

2. Roll Call

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

Members Absent: None

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

Visitors: Paddy Jones, Ham Lake
Grazyna (Tina) Szczepanik, 8450 Terrace Road NE

3. Pledge of Allegiance

4. Additions or Corrections to Agenda

Administrator Buchholtz asked that Item 15B, Closed Session to Discuss Labor Negotiation Strategies, be added to the agenda.

5. Discussion From The Floor

Grazyna Szczepanik, 8450 Terrace Road NE, reported that her neighbor is feeding geese and ducks and she provided the Council with a petition from her other neighbors regarding the goose population in the adjoining yards. She provided photos of the goose droppings in her yard and the geese collecting in her neighbor's yard.

Ms. Szczepanik reported that there have been up to 20 geese in the yard while they are being fed and there is a bowl under the bird feeder where the corn is placed to feed the geese.

Code Enforcement Officer Brainard stated that he is aware of the issue and a letter has been sent to the property owner as well as an Administrative Ticket being issued. He reported that the previous feeding troughs have been removed. He stated that he needs more proof of the residents actually feeding the geese before pursuing additional administrative action.

Mayor Hansen expressed her opinion that the feeding of the geese and their droppings is a health hazard and encouraged more action to be taken to help correct the number of geese in the neighborhood.

Mr. Brainard explained that once he has evidence of additional violations taking place he would issue another administrative ticket and double fines if necessary.

6. Consent Agenda:

Mayor Hansen reviewed the following Consent Agenda items:

- A. Approval of Minutes – May 15, 2017
- B. 2nd Quarter Billing for 2018 Payable 2019 Property Tax Assessment – Ken Tolzmann
- C. Right of Way Application – Arvig Enterprises, Inc.
- D. Resolution 17-12 Declaring Sufficiency of Petition
- E. Contractor's Licenses
- F. Correspondence

Councilmember Delfs inquired on item 6C Right of Way Application from Arvig Enterprises, Inc. He inquired as to why a local contractor was not performing the work. Engineer Gravel stated that often times the main contractor will subcontract the work.

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

7. Public Works Report

Public Works Director Randall reported that the Public Works Department has been collecting trash at the parks; dragged and lined the ballfields, continue to mow and weed whip parks; all the parks have been aeriated and fertilized and all the sprinklers are running. He reported that a new walkway to the fishing pier at Lakeside Park has been built due to the high water. He stated that summer staff is busy planting flowers, including under the community billboard. He reported that the Department has also been patching potholes and painting new parking lot stripes at the parks.

Mr. Randall reported that 83rd Avenue and Monroe was recently closed to traffic during a recent rainfall until the water could recede. He stated that there were no problems and the storm system handled the water in a timely manner.

Mr. Randall reported that the barbershop project is now completed and the area has been cleaned up.

Councilmember Goodboe-Bisschoff inquired if Metro Transit could be notified, by letter, for the buses not to use Monroe Street during heavy flooding.

Administrator Buchholtz stated that he will contact Metro Transit not to use Monroe Street during heavy flooding. He stated that he felt closing the street is the best option during flooding situations. He reminded the Council that the purpose of the storm water study and the modeling portion of the study will be helpful to find the most effective way to handle the flooding when it occurs.

8. Code Enforcement Report

Building Official Brainard reported that he attended the City Council workshop on May 1; a Department Head meeting on May 2; the City Council meeting on May 15; a Minnesota Permit Technician Association meeting on May 23; a meeting with Dominion Architect and Code Specialist on May 24; and the North Suburban Building Officials meeting on May 30.

Mr. Brainard stated that in May 2017, 27 building permits were issued compared to 53 in 2016. He reported that he conducted 97 inspections in the month of May including 28 building, seven mechanical, six plumbing and 23 nuisance, three Certificate of Occupancy, 27 rental, three zoning inspections.

Mr. Brainard reported that the May 2017 vacancy listing shows that there are 11 vacant/foreclosed residential properties currently posted and/or soon posted by the Code Enforcement Department, which remains the same from last month. There are three vacant/foreclosed commercial property, which is the same as last month; and 10 residential properties currently occupied and ready for Sheriff Sale's redemption, which remains the same from last month. He reported that he posted one abandoned and/or vacant property notices in month of May. He also reported that three Administrative Offense Tickets, and 18 violation notices were issued by the Code Enforcement Department. He noted that most of the violation notices mostly pertained to tall grass and weeds.

Mr. Brainard provided a handout on Summers Residential Standards to help homeowners become aware of the minimum codes and standards for Spring Lake Park.

9. Public Hearing

A. Vacation of Utility Easement

Mayor Hansen opened the public hearing at 7:35 PM.

Administrator Buchholtz reported that the City has received a petition from 100 percent of the property owners for Lots 2-11, Park Manor Addition, to vacate a utility easement along the rear lot lines of the property.

Administrator Buchholtz stated that state laws outlines the process for vacating an easement. He explained that the process can be started by a petition of a majority of the property owners abutting the easement to be vacated or by the City Council itself. He stated that in this case, the City has received a petition signed by 100 percent of the affected property owners and City staff has verified the petition prior to the hearing.

Administrator Buchholtz reported that the a public notice has been published twice in the Blaine/ Spring Lake Park Life newspaper, posted at City Hall and mailed to affected property owners ten days prior to the hearing. Administrator Buchholtz reported that with the redevelopment of the Goony Golf property and the two residential homes into a senior residential apartment complex, the utility easement is no longer required. He stated that the redevelopment will add affordable housing options for our aging population as well as increase the City's overall tax base, important findings to show benefit to the City for vacating the easement.

Administrator Buchholtz stated that the only utility utilizing the easement is Xcel Energy. He stated that Dominion and their builder, Eagle Builders, are working with Xcel to relocate the power lines to facilitate the development. He stated that there are be no municipal utilities located within the easement.

Administrator Buchholtz stated that adoption of Resolution 17-13 will vacate the easement, allowing Dominion to meet one of the conditions of the preliminary and final plat approval.

Councilmember Nelson stated that the vacation of the utility easement is necessary for the project to move forward.

Mayor Hansen asked if there was any discussion from the floor. Hearing none, a motion was made to close the public hearing.

MOTION MADE BY MAYOR HANSEN TO CLOSE PUBLIC HEARING. ROLL CALL VOTE: COUNCILMEMBERS NELSON, WENDLING, DELFS AND MAYOR HANSEN ALL AYES; COUNCILMEMBER GOODBOE-BISSCHOFF-NAY. MOTION CARRIED.

Mayor Hansen closed the public hearing was closed at 7:40 PM.

10. Ordinances and/or Ordinances

A. Resolution 17-13 Vacating Utility Easement Upon Petition of a Majority of Abutting Landowners

MOTION MADE BY COUNCILMEMBER NELSON TO APPROVE RESOLUTION 17-13 VACATING UTILITY EASEMENT UPON PETITION OF A MAJORITY OF ABUTTING LANDOWNERS. ROLL CALL VOTE: COUNCILMEMBERS NELSON, WENDLING, DELFS AND MAYOR HANSEN – AYE; COUNCILMEMBER GOODBOE-BISSCHOFF –NAY. MOTION CARRIED.

11. New Business

A. Biennial Audit Report – Body Worn Cameras

Chief Ebeltoft reported that in accordance with MN Statute 13.825, Portable Recording Systems, Subd. 09, a Biennial Audit is required for any agency using portable recording systems or body worn cameras. He stated that the law states that a third party must complete the audit.

Chief Ebeltoft stated that he was approached by several independent agencies to perform the audit; however; he contacted Computer Integration Technologies (CIT), Inc., independent computer company the City currently uses for IT services, to conduct the audit.

Chief Ebeltoft reported the following results from the audit:

- Portable recording system found to positively maintain date and time information of recorded data, accurately, and as required
- Recorded Data is appropriately classified in regards to the referenced statutes
- Recorded Data validated to be utilized and stored appropriately, in accordance with Statutes
- Recorded Data validated to be appropriately disseminated and/or shared, as required and requested, in accordance with Statutes
- Recorded Data destruction rules applied at time of data creation

Chief Ebeltoft reported the audit showed that the Spring Lake Park Department established a Comprehensive Policy, Policy #800, which set Department guidelines for operation of Body Worn Cameras and Retention Schedule. The Policy is publicly available via the Spring Lake Park Police Department website and the Police addresses compliance to the MN Statute 13.825 Portable Recording System. The findings stated that the established Policy was reviewed against practices, of data collection, classification, access, storage and dissemination. It stated that the review results demonstrated practices to be carried out in accordance with the established policies.

Chief Ebeltoft reported that at the time of the audit, the Spring Lake Park Police Department fulfills all the requirements as identified in the MN Statute 13.825, Portable Recording System. He stated that the report will be filed with the State within 60 days of the completed date. He noted that Spring Lake Park is one of the first agencies to conduct the required audit.

MOTION MADE BY MAYOR HANSEN TO APPROVE BIENNIAL AUDIT FOR PORTABLE RECORDING SYSTEMS. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

12. Engineer's Report

Engineer Gravel reported that he is continuing to work with Public Works Director Randall and Administrator Buchholtz on implementing the work plan for the 2017 MS4 Permit. He stated that it will be completed and submitted by the end of June.

Mr. Gravel stated that a preconstruction meeting will be held this week to discuss the sanitary sewer-lining project. He stated that the affected residents will be notified once the work dates have been set.

13. Attorney's Report – None

14. Reports

A. Beyond the Yellow Ribbon Report

Councilmember Nelson reported that 53 people participated in the pork chop dinner last month at Kraus Hartig VFW. He stated that there has not been that many participants in over seven years. He reported that Beyond the Yellow Ribbon will have a float in the Tower Days parade for the first time and there will be some future deployments and the organization will be assisting families.

15. Other

Mayor Hansen congratulated Administrator Buchholtz on receiving the James F. Miller Leadership Award sponsored by the League of Minnesota Cities.

Councilmember Goodboe-Bisschoff reported that she attended the groundbreaking ceremony for the new Spring Lake Park School District elementary school in Blaine and provided a reminder of the Tower Days upcoming events.

A. Administrator Reports

Administrator Buchholtz reported that he met with Wold Architects regarding the Spring Lake Park School District Center expansion. He stated that construction will be starting in late summer and the early childcare program will be moved from the high school to the new expansion.

Administrator Buchholtz reminded the Council that the Tri-City meeting regarding the Spring Lake Park Blaine Mounds View Fire Department budget has been moved from Station 3 to Blaine City Hall.

Administrator Buchholtz stated that the development agreement, TIF agreement, loan documents will appear at the June 19, 2017 City Council meeting.

B. Closed Session to Discuss Labor Negotiation Strategy

MOTION MADE BY MAYOR HANSEN TO CLOSE REGULAR COUNCIL MEETING TO ENTER CLOSED SESSION. VOICE VOTE: ALL AYES. MOTION CARRIED.

Mayor Hansen closed the regular Council meeting at 7:55 PM

Mayor Hansen reconvened the regular Council meeting at 8:27 PM.

14. Adjourn

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

The meeting was adjourned at 8:28 PM.

Cindy Hansen, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer