

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on November 18, 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, Goodboe-Bisschoff and Mayor Nelson

Members Absent: Councilmember Dircks

Staff Present: Public Works Director Randall; Sergeant Antoine; Building Inspector Baker; Parks and Recreation Director Okey; Administrator Buchholtz and Executive Assistant Gooden

Visitors: Joan Morphew, Resident of Legends of Spring Lake Park
Christine Baker, Resident of Legends of Spring Lake Park
Mary Andersohn, Resident of Legends of Spring Lake Park
Karen Weinhold, Resident of Legends of Spring Lake Park

Mayor Nelson requested a moment of silence to recognize the passing of former Councilmember Barbara Carlson and the loss of two residents in a recent house fire.

3. Pledge of Allegiance

4. Additions or Corrections to Agenda

Administrator Buchholtz requested that applications for Right of Way Permits for Xcel Energy and CenterPoint Energy be added to the Consent Agenda as Item 6K.

5. Discussion From The Floor

Karen Weinhold, Resident of Legends of Spring Lake Park, addressed the Council regarding her concerns at the Legends and requested for the Fire Department to come to the building for a safety talk. She also voiced her concerns with the parking at the Legends. She stated that there is a lack of parking spaces for the residents and the process to obtain parking permits is not easy for the residents.

Building Inspector Baker stated that he will work with the Fire Department on being present for their presentation to the Legends residents. He advised the residents that he will work with them so they are aware when they need to evacuate the building and the proper way to do so.

Joan Morphew, Resident of the Legends of Spring Lake Park, stated that she is concerned with the parking issues and towing that is taking place at the building. She stated that a very limited amount of parking passes are available and there are no discussions that take place between the residents and management.

Administrator Buchholtz stated that he will be in contact with the management staff to address the issues brought forward at the meeting. He stated that although the City does not have any authority on how the building is operated, he will present the residents concerns to management and advise that they take care of the immediate issues. He stated that he will follow up with Fire Chief to arrange a safety program for the residents at the Legends.

Christine Baker, Resident of Legends of Spring Lake Park, stated that she is very concerned with the commotion that takes place in the hallways at the Legends. She stated that she often does not feel safe in the garage area and noted that she has witnessed young adults in the garage area late at night. She is upset that it is not a senior building and there are all ages in the building.

Administrator Buchholtz advised the residents that if at anytime they do not feel safe they should call 911 and have an officer respond so that it is recorded of the incidents. He stated that management has worked hard on addressing problem tenants.

Mayor Nelson stated that he will work with city staff and Dominion staff to assure that the issues are looked into and that the residents feel safe. He stated that Dominion is working on residents who have “three strike” letters sent to them and many are asked to leave before the third letter is sent.

Councilmember Goodboe-Bisschoff inquired on how many residents have moved out due to safety. The residents of the Legends estimated 40 people. Administrator Buchholtz stated that he will ask for that information when he meets with management staff.

Administrator Buchholtz reminded the residents that they should place a call to 911 for any disturbances and if there residents being loud past the quiet hours of the building. He stated that management monitors the police calls and reports to the building.

6. Consent Agenda:

Mayor Nelson reviewed the following Consent Agenda items:

- A. Approval of Minutes – November 4, 2019
- B. Disbursements
 - 1. General Fund Disbursement Claim No. 19-19 - \$329,505.39
- C. Approval of Right of Way Application – CenturyLink
- D. LMCIT Insurance Tort Limit Acceptance
- E. Resolution 19-38 Establishing Precinct and Polling Locations for 2020 Election Year
- F. Resolution 19-39 Amending 2019 General Fund Budget
- G. Contractor’s Request for Payment No. 2- 2019 Sanitary Sewer Lining Project
- H. Contractor’s Licenses
- I. Sign Permit
- J. Correspondence
- K. Approval of Right of Way Application – CenterPoint Energy and Xcel Energy

Councilmember Wendling requested an explanation on ed on Item 6F, Resolution 19-39 Amending the 2019 General Fund Budget.

Administrator Buchholtz stated that the budget was set in 2018 and allocations for the Building Official contract services was not included. He stated that with the retirement of Mr. Brainard, the contract for building inspections needed to be added to cover the MNSPECT services. He stated that the amount of

employee costs needs to be reduced so the allocation for contract services can be added.

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

7. Police Report

Sergeant Antoine reviewed the October 2019 department statistics.

Sergeant Antoine reported that the Police Department responded to six hundred twenty calls for service for the month of October 2019 compared to four hundred ninety one calls for service in October 2018.

Sergeant Antoine reported that with school back in session School Resource Officer Fiske reported handling 19 calls for service, along with conducting 37 students contacts, six escorts and 13 follow up investigations into school related incidents. She noted that there has been a considerable amount of Lost, Stolen and Found Property reports at the school.

Sergeant Antione reported that Investigator Bennek reports handling a case load of 25 cases for the month of October 2019. He reported that 21 of these cases were felony in nature, two were gross misdemeanor and 2 of them were misdemeanor in nature.

Sergeant Antione reported that the Spring Lake Park Police Department participated in the 18th National Drug Take Back Day on October 26, 2019. He reported that the Police Department collected six boxes of prescription medications totaling 86.8 pounds. He reminded the residents that the Department provides for a daily location to drop off unwater prescription medications over the course of the year.

Sergeant Antoine reported, in addition to addressing the day-to-day operations of the Department, Chief Ebeltoft attended numerous meetings throughout the month representing Spring Lake Park Police Department and the City of Spring Lake Park. He noted that Chief Ebeltoft expresses his gratitude to the Mayor and City Council for allowing him to attend the 2019 International Association Chiefs of Police Conference.

8. Code Enforcement Report

Building Inspector Baker stated that in October 2019, 29 building permits, one fire suppression, five zoning, 9 mechanical and 13 plumbing permits were issued for a total of 59 permits compared to a total of 47 in 2018. He reported that the Code Enforcement Department conducted 81 inspections in the month of October including 40 rentals, six zoning, 12 nuisance and eight fire inspections.

Mr. Baker reported that in October he spent quite a bit of time setting up the Commercial Fire Inspection Program. He stated that he received access to Image Trent, which is a computer software offered by the State of MN to track commercial fire inspections. He stated that the Police Department has done a wonderful job at keeping a list of commercial properties in the City, but with the software he will be able to record all annual and routine fire inspections. He stated that this will help with the Certificate of Occupancy program that has already been established in the City.

Mr. Baker reported that he attended the Council meeting on October 7; a Department meeting on October 8; and the Building Official Limited class on October 28 – November 1.

9. Parks and Recreation Report

Parks and Recreation Director Okey reported that Jessica Abt and Wesley Goldberg, Recreation Programmers, started on October 21, 2019. She stated that they are already working on program planning and the winter activities brochure. She stated that they have been shadowing classes and attending various programs.

Ms. Okey reported that she attended the Lions Pancake Breakfast and thanked Councilmember Wendling and Marian Rygwall for assisting at the Parks and Recreation booth.

Ms. Okey reported that the Parks and Recreation Commission met and discussed Turkey Shoot event on November 16, 2019 and upcoming programs. She reminded residents that there are four vacant seats on the Parks and Recreation Commission and encouraged residents to apply.

Ms. Okey provided a recap of the events held in the month of October.

10. Ordinances And/Or ResolutionsA. Resolution 19-40 Certifying Delinquent Accounts – Anoka County

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE RESOLUTION 19-40 CERTIFYING DELINQUENT ACCOUNTS – ANOKA COUNTY. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Resolution 19-41 Certifying Delinquent Accounts – Ramsey County

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE RESOLUTION 19-41 CERTIFYING DELINQUENT ACCOUNTS – RAMSEY COUNTY. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. Unfinished BusinessA. Anoka County 2020 Agreement for Residential Recycling Program

Administrator Buchholtz presented a copy of the 2020 Residential Recycling Agreement to the Council. He reported that the 2020 Municipal Reimbursement Funding Allocation calls for the count to pay the city a base of \$10,000 plus \$5.00 per household and option for other recycling opportunities.

Municipal Grant Funding (\$10.00 + \$5 per household):	\$23,675.00
Monthly Drop-off Center:	\$10,000.00
Organics Collections:	\$ 2,735.00
Recycling Enhancement Grant:	\$ 2,735.00

Administrator Buchholtz stated that the City applied for an additional \$20,000.00 and was awarded the amount. He stated that the base amount combined with the additional grant gives the City of Spring Lake Park's Recycling program a total contract award of \$59,145.00

Administrator Buchholtz stated that staff recommends of approval of the agreement.

MOTION MADE BY COUNCILMEMBER DELFS TO APPROVE ANOKA COUNTY AGREEMENT FOR RESIDENTIAL RECYCLING PROGRAM 2020 (SCORE). ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

12. New Business

A. Approve 2019 Amended and Restated Joint Powers Agreement for A Coalition of Metropolitan Communities

MOTION MADE BY MAYOR NELSON TO APPROVE 2019 AMENDED AND RESTATED JOINT POWERS AGREEMENT FOR A COALITION OF METROPOLITAN COMMUNITIES. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Approval of Joint Powers Agreement with City of Mounds View for Building Inspection Services

Administrator Buchholtz reported that the City has received complaints from business owners regarding the lack of timeliness for the review of commercial building permits by the City's building official service provider, MNSPECT. He stated that despite efforts by MNSPECT to correct this, the complaints have continued.

Administrator Buchholtz reported that the Building Inspector Jeff Baker, has scheduled his Certified Building Official (CBO) – Limited exam for Wednesday, November 20, 2019. He stated that upon passage of that exam, Inspector Baker will be able to perform plan reviews and inspections on one- and two-family residential dwellings within the City. He stated that Mr. Baker continues to work towards qualifying to take the full CBO exam in the future.

Administrator Buchholtz stated that staff has worked collaboratively with the City of Mounds View on an arrangement that will allow Mr. Baker to work under the Mounds View Building Official's license for commercial and multi-family residential plan review and inspections. He stated that this innovative approach will provide Inspector Baker with opportunity to gain further experience with commercial and multi-family plan reviews and inspections under the guidance of a CBO.

Administrator Buchholtz stated that the Joint Powers Agreement calls for the compensation to Mounds View to be \$60.00/hour for services rendered. He stated that the JPA will continue until Inspector Baker obtains his Certified Building Official license or the parties provide written notice to end it earlier. He stated that it is anticipated that the relationship will continue well in the future, particularly with covering vacations.

Administrator Buchholtz stated that Attorney Thames drafted the agreement and submitted it to LMCIT for their review under their contract review service. He stated that staff recommends the following actions:

- Approval of the JPA. Mounds View approved the agreement at their November 12, 2019, City Council meeting.
- Authorize the Administrator, Clerk/Treasurer to submit its 60-day notice to MNSPECT to terminate the "Agreement and Contract for Inspection Services."

Councilmember Goodboe-Bisschoff inquired on how many complaints there have been and from which businesses. Mayor Nelson stated that there have been at least six complaints from local businesses that are currently working on projects.

Councilmember Goodboe-Bisschoff inquired on the time period of the complaints. Administrator Buchholtz stated that the contract with MNSPECT started in April. He stated that complaints started after the plan reviews were not completed in the estimated time frame the contractors were given.

MOTION MADE BY MAYOR NELSON TO APPROVE JOINT POWERS AGREEMENT WITH CITY OF MOUNDS VIEW FOR BUILDING INSPECTION SERVICE AND AUTHORIZE ADMINISTRATOR, CLERK/TREASURER TO SUBMIT 60 DAY NOTICE TO MNSPECT TO TERMINATE AGREEMENT AND CONTRACT FOR INSPECTION SERVICES. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Approval of 2020 Recycling Budget

Administrator Buchholtz presented the 2019 projected and actual revenues and expenditures. He stated that the 2019 revenues are short until the City submits the July – December 2019 SCORE report and the reimbursement form to Xcel Energy for the recycling of fluorescent bulbs which will be submitted in January 2020.

Administrator Buchholtz stated that the 2020 expenditures and expenditures are figured from the revenues and expenditures from 2019. He reported that 2019 projected budget to be \$195,935.43 with the actual being \$155,887.65. He reported the 2020 projected budget to be \$194,854.82.

Councilmember Delfs inquired as to why the line item of Community Event/Park dropped significantly to \$7,000.00 from \$12,652.83. Recycling Coordinator Brown explained that in 2019 recycling receptacles were purchased for various locations and they will not need to be purchased in upcoming year.

MOTION MADE COUNCILMEMBER DELFS TO APPROVE 2020 RECYCLING BUDGET. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

D. Approval of 2020 Public Utilities Budget

Administrator Buchholtz presented the 2020 Public Utilities budget for the City Council to review and approve.

Administrator Buchholtz reported that revenues are anticipated at \$1,558,945, which is an increase of \$42,641 or 2.8%. He stated that this revenue growth is due to anticipated revenues from the opening of the Hy-Vee Fast and Fresh convenience store late this year and the opening of the Hy-Vee store early in 2020. He stated that expenditures are also anticipated at \$1,558,945, resulting in a balanced budget.

Administrator Buchholtz stated that the City's efforts to contain I&I through its sanitary sewer lining program appear to be paying off. He stated that the City will experience a \$8,659 reduction in the Metro Waster Control line item for 2020. He stated that these are the fees that City pays to Metropolitan Council Environmental Services (MCES) for the treatment of the City's wastewater.

Administrator Buchholtz stated that cost drivers include increases in wages and benefits and increases in utility maintenance costs (watermain breaks, sewer breaks, etc.) He stated that staff is not proposing a utility rate increase (water or sanitary) for 2020. He stated that it has been three years since the City's last utility rate increase.

Administrator Buchholtz stated that the City's water and sewer rates compare favorably with cities across the Twin Cities metropolitan area. He stated that City has some of the lowest utility rates in the Twin Cities Metropolitan area.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE 2020 PUBLIC UTILITIES BUDGET. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

E. Award Contract for 2019 Garfield Pond Improvement Project

Administrator Buchholtz reported that the bids were opened for the Garfield Pond Improvement Project on November 12, 2019. He reported that 10 bids were received.

He provided the following summary of the bid results:

	<u>Contractor</u>	<u>Total Base Bid</u>
Low	Jacon LLC	\$410,789.00
#2	Rachel Contracting	\$473,141.50
#3	Veit & Company	\$479,851.25
#4	New Look Contracting, Inc.	\$480,883.50
#5	Park Construction Company	\$494,420.50
#6	Dave Perkins Contracting, Inc.	\$495,812.00
#7	LinnCo, Inc.	\$508,445.30
#8	Northland Excavating	\$509,706.31
#9	LaTour Construction, Inc.	\$565,858.37
#10	Meyer Contracting, Inc.	\$565,858.38

Administrator Buchholtz reported that the low bidder on the project was Jacon LLC with a Total Base Bid of \$410,789.00. He stated that the low bid amount of \$410,789.00 is slightly less than the combined estimated construction and contingency amount used for the grant application on this project.

Administrator Buchholtz reported that these bids have been reviewed and found to be in order. He stated that if the City wishes to award the Project to the low bidder, then Jacon LLC should be awarded the project on the total base bid. He stated that award of the project, should be content upon Rice Creek Watershed District concurrence that the award is compliant with the grant requirements.

Mayor Nelson inquired if Mr. Randall was familiar with this contractor and if they have done work in the City previously. Mr. Randall stated he was not aware of this contractor and would be attending the pre-construction meeting on November 19, 2019. He stated that he will be active at the project once it is started.

MOTION MADE BY COUNCILMEMBER DELFTS TO AWARD CONTRACT FOR GARFIELD POND PROJECT TO JACON LLC IN THE AMOUNT OF \$410,789.00. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

F. Authorization to Purchase Park Equipment for Terrance and Able Parks

Parks and Recreation Director Okey reported that Terrace Park has a play structure that currently has a metal slide, which can get very hot in the summer; in addition, this play structure has constant repair issues. She stated that she discussed the option of repairing or purchasing a new piece of equipment with Public Works staff and the Park Commission. She reported that the consensus is to replace the unit with new as it is one of the oldest pieces of playground equipment and it is unable to determine how long replacement parts will be available.

Ms. Okey reported that she has received a quote from MN Wisconsin Playground, who operates under the State contract, for a replacement structure called Ollies' Nook in the amount of \$8,7000.00. She stated that is the

order is placed now, the sale price is locked in. She stated that delivery would be in the spring and Public Works would do the installation thus saving \$3,440.00

Ms. Okey reported that, due to the increased usage of the basketball courts at Able Park, the Park Commission suggest purchasing benches for participants to gather while waiting for the next game. She stated that the Commission voted on November 14, 2019 to have two benches installed. The quote for each bench is \$377.00.

Ms. Okey stated that she is requesting authorization to purchase from MN Wisconsin Playground the play structure and benches in the amount of \$10,788.23 to be taken from the Park and Recreation Special Projects Fund and the Park Equipment and Improvement Fund equally. She stated that both fund accounts are not taxpayer funded but rather Park Commission funds and donations/permit fees.

Councilmember Delfs stated that he is happy to see the metal slides removed and agreed that the benches will be a great addition.

MOTION MADE BY COUNCILMEMBER DELFS TO AUTHORIZE PURCHASE OF PLAY STRUCTURE AND BENCHES IN THE AMOUNT OF \$10,788.32. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

G. Authorization to Purchase Code Enforcement Vehicle

Code Enforcement Official Baker reported that he is seeking authorization to purchase a Chevrolet Equinox for the new Code Enforcement vehicle. He stated that the current vehicle is a 2006 Ford Taurus that is rapidly deteriorating. He stated that the new vehicle will be used for the all day to day inspections.

Mr. Baker reported that he reviewed the state contract and found that Ranger GM in Hibbing, MN is the best price for the City. He stated that he received a price quote for the vehicle of \$25,112.80. He stated that he is requesting authorization to purchase the vehicle. He stated that funds will be paid from the 2018 Equipment Replacement Certificate.

Councilmember Wendling inquired if the vehicle would need additional equipment or lights added. Mr. Baker stated that decals would be added to vehicle and possibly some additional lights.

Mayor Nelson inquired if the hands-free technology was included in the vehicle and if the old vehicle would be sent to auction. Mr. Baker stated that the vehicle is equipped with hand free technology. He stated that the old Code Enforcement vehicle would go to the auction.

Councilmember Goodboe-Bisschoff inquired if Friendly Chevrolet in Fridley is an option to purchase the vehicle. Mr. Randall stated that Friendly Chevrolet is not on the state contract and they are not able to match the state contract pricing. He stated that the vehicle is delivered from the Hibbing dealership for a low cost. He reported that any vehicle maintenance can be done at any dealership and Friendly Chevrolet would be an option for this.

MOTION MADE BY COUNCILMEMBER GOODBOE-BISSCHOFF OF APPROVE PURCHASE OF CHEVROLET EQUINOX IN THE AMOUNT OF \$25,112.80. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

H. Approve Rooftop Unit at 8466 Central Avenue NE

Administrator Buchholtz reported that a request from RS Properties was received for the City to participate in the replacement of a rooftop unit at the City's property at 8466 Central Avenue NE.

Administrator Buchholtz reported that this was the oldest rooftop unit in the building. He stated that this unit heats the kitchen, bathrooms and the front entryway in the building. He stated that the City sent a HVAC contractor over to check the unit. He stated that the contract concurred with RS Properties that the unit is not repairable due to its age and inability to find parts for the unit.

Administrator Buchholtz reported that RS Properties obtained a quote for the rooftop unit replacement. He stated that the quote is \$13,998.00 for a new 7.5-ton rooftop unit. He stated that the lease calls for the tenant to maintain the ventilation system in the building to a good standard. He stated that due to the age and condition of this unit at the signing of the lease, it is fair for the City, as owner of the building, to contribute toward the replacement.

Administrator Buchholtz reported that staff recommends the City contribute 50% of the cost of the new unit. He stated that this recommendation is based on a 15-year life for the unit and the fact that the RS Properties lease and lease option covers 8 of those 15 years.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE ROOFTOP UNIT REPLACEMENT AT 8466 CENTRAL AVENUE NE. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

13. Engineer's Report- None14. Attorney's Report - None15. Reports

Mayor Nelson reported that the porkchop dinner for the Beyond the Yellow Ribbon Committee will be held on Monday, November 25, 2019. He stated that there will not be a dinner held in December due to the Christmas holiday.

A. Administrator Reports

Administrator Buchholtz reported the administrators from Blaine, Mounds View and Spring Lake Park will be reviewing the Joint Powers Agreement with the Fire Department. He stated that there could be some amendments to the Joint Powers Agreement in the future.

Administrator Buchholtz requested a workshop session on Monday, December 9, 2019 at 5:30 PM.

16. Other- None

15. Adjourn

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

The meeting was adjourned at 8:39 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer