

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on October 21, 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, Dircks and Mayor Nelson

Members Absent: None

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

Visitors: Jaclyn May, Cushman and Wakefield
Andy Pratt, Best & Flanagan LLC
Candance Dunbar, Excell Academy
Sabrina Williams, Excell Academy
Edna Granger, Excell Academy

3. Pledge of Allegiance

4. Additions or Corrections to Agenda

Administrator Buchholtz requested that an application for a Right of Way Permit for Classic Construction be added to the Consent Agenda as Item 6I and the MNSPECT monthly invoice be added as Item 6J.

5. Discussion From The Floor - None

6. Consent Agenda:

Mayor Nelson reviewed the following Consent Agenda items:

- A. Approval of Minutes – October 7, 2019
- B. Disbursements
 1. General Fund Disbursement Claim No. 19-17 - \$279,968.06
- C. Application for Exempt Gambling Permit – MN Deerhunter’s Association- Kraus Hartig VFW- December 9, 2019
- D. Resolution 19-36 Resolution For The Adoption Of The Anoka County 2019 Multi-Jurisdiction All – Hazard Mitigation Plan – City of Spring Lake Park
- E. Contractor’s Request for Payment – 2019 Osborne Road Trail Improvement Project- Final Payment – Aslakson’s Services Inc.
- F. Contractor’s Licenses
- G. Sign Permit
- H. Correspondence
- I. Application for Right of Way Permit – Classic Construction Inc.
- J. Approve Monthly MNSPECT Invoice

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

7. Police Report

Police Chief Ebeltoft reviewed the September 2019 department statistics.

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

Chief Ebeltoft reported that with school back in session School Resource Officer Fiske reported handling 22 calls for service, along with conducting 37 students contacts, two escorts and 12 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.

Chief Ebeltoft reported that Investigator Bennek reports handling a case load of 41 cases for the month of September 2019. He reported that 28 of these cases were felony in nature, two were gross misdemeanor and 11 of them were misdemeanor in nature. He noted that Investigator Bennek has been busy investigating a string of thefts from motor vehicles and garages and sheds.

Chief Ebeltoft 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.

Chief Ebeltoft reported that the Police Department is back at full staff with the hiring of Dustin Lemke for the vacant Police Officer position.

Chief Ebeltoft reported that portable speed signs that were purchased a few months ago have been reporting traffic counts and speed statistics. He stated that the Department is working on extending the battery life on the units and will provide more detailed speed reports in the upcoming months.

8. Parks and Recreation Report

Parks and Recreation Director Okey reported that she attended the adult Fall softball tournament. She stated that 13 teams participated and the event was co-sponsored with Biffs Sports Bar and Torg Brewery. She thanked the Public Works Department for their assistance with set up and during the tournament. She reported that she had 40 participants join her on the Canadian Rockies extended tour.

Ms. Okey reported that the Parks and Recreation Commission met and discussed the staff changes in the Departments as well as the Commission's participation at the Turkey Shoot on November 16, 2019 and upcoming programs.

Ms. Okey provided a recap of the events held in the month of September and welcomed the new Recreation Supervisor staff members.

9. Public Hearing

A. Proposal For Issuance of Charter School Lease Revenue Bonds

Mayor Nelson opened the Public Hearing at 7:14 PM.

Andy Pratt, Best & Flanagan LLC, reported that Friends of Excell Academy, a Minnesota nonprofit corporation has requested that the City of Spring Lake Park assist in financing a project to build a new charter school in Brooklyn Park, Minnesota. He explained that the City would issue revenue bonds, in one or more series, to finance the project. He stated that the project to be financed by the Bonds consists of the acquisition of real property and renovation of an existing 53,000 square-foot facility located at 6510 Zane Avenue North, Brooklyn Park, Minnesota. He stated that the property would house a charter school that currently leases the property and serves approximately 412 students in grades pre-K through 8. He stated that the project will be owned by the Borrower and leased to and operated by Excell Academy for Higher Learning, Inc., a Minnesota nonprofit corporation and a tax-exempt 501(c)(3) corporation. He stated that the project also consists of the purchase of approximately 4.37 acres of parkland from the City of Brooklyn Park, Minnesota, identified as Fair Oaks School Park located at 6600 Zane Avenue North, immediately adjacent to the property to the north.

Mr. Pratt stated that the maximum estimated principal amount of the Bonds to be issued to finance the project is \$14,500,000.00. He reported that the Bonds, if and when issued, will not constitute a charge, lien or encumbrance upon any property of the City, except the Project, and such obligations will not be a charge against the general credit or taxing powers of the City, but will be payable from sums to be paid by the Borrower pursuant to a revenue agreement.

Mayor Nelson inquired and clarified that the Bond issuance process will be completed by December 31, 2019.

Mr. Pratt stated that the agreement would become null and void if the process could not be completed by December 31, 2019. He stated that since the City of Brooklyn Park already issued bonds for the current year, they are unable to issue these bonds. He assured the Council and residents that the City of Spring Lake Park will have no financial responsibility as to making payments on the project.

Sabrina Williams, Founder and Executive Director of Excell Academy, stated that the academy has been waiting to purchase a building and land for a playground for over 19 years. She stated that there are 450 students enrolled and with the new building space, more students can be added to the academy.

Councilmember Wendling inquired on how many students total there would be enrolled.

Ms. Williams reported that there would not be more than 550 students once the building is completed. She stated that the academy grew fast and she feels that it is important to have quality of service before the quantity of students.

Councilmember Goodboe-Bisschoff inquired how the State and Federal funds are used that the academy receives annually.

Ms. Williams stated that because the academy is a charter school, the funds are much less than a public school. She stated that the funds that are received are currently used to pay the lease on the current building and real estate taxes.

Councilmember Dircks inquired if the bond amounts will cover phase I and II of the building and what the timeline of the building plans are.

Ms. Williams reported that the bonds will cover the building costs and the playground equipment. She stated that with the closing process of the bonds to be in November 2019, she anticipates that the building construction could start in the Spring of 2020.

Mayor Nelson asked for any other discussion from the floor. Hearing none, the Public Hearing was closed at 7:29 PM.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE ISSUANCE OF CHARTER SCHOOL LEASE REVENUE BONDS. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

10. Ordinances And/Or Resolutions

A. Resolution 19-37 Authorizing The Issuance Of Charter School Lease Revenue Bonds, Series 2019A and Series 2019B (Excell Academy For Higher Learning Project)

Administrator Buchholtz provided the Council with an updated revision of the resolution. He reported that the updated resolution added a paragraph regarding the expiration date of December 31, 2019 for the issuance of the Bonds.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE RESOLUTION 19-37 AUTHORIZING THE ISSUANCE OF CHARTER SCHOOL LEASE REVENUE BONDS, SERIES 2019A AND SERIES 2019B (EXCELL ACADEMY FOR HIGHER LEARNING PROJECT) AS AMENDED WITH REVISIONS. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. New Business

A. Approval of Site Lease Agreement – Verizon Wireless

Administrator Buchholtz provided a proposed site lease agreement between Verizon Wireless and the City of Spring Lake Park for an antenna facility to be placed on the Arthur Street Water Tower.

Administrator Buchholtz reported that the term begins on January 1, 2021. He stated that because the lease term is over a year away, the City is receiving a \$5,000 non-refundable signing bonus to compensate for reserving the space on the water tower for the Verizon installation. He stated that the initial term of the lease is for five years. He stated that once the lease begins, the monthly rent is \$2,500 per month. He stated that on the anniversary of the effective date of the lease, the monthly rent will increase by 3% per year. He reported that Verizon Wireless has the ability to extend this lease for four additional five-year lease periods.

Administrator Buchholtz reported that staff is recommending approval of the proposed lease.

Mayor Nelson inquired if the required for the wireless companies is that the equipment be mounted to the railings for the tower rather than attached to the tower. Public Works Director Randall stated that the equipment must be mounted on the railings with rubber clamps.

Councilmember Delfs inquired if the City currently has a lease with Verizon and how many wireless companies the City has leases with. Administrator Buchholtz stated that this is a new lease with Verizon and the City will

now have all the major wireless companies leasing space on the tower.

Administrator Buchholtz reported that the revenue generated from the leases is deposited into the Renewal and Replacement fund for Public Utilities and this money is used for utility projects such as the painting of the water towers and sewer lining projects.

Councilmember Goodboe-Bisschoff inquired on how large the antenna equipment is on the tower. Mr. Randall reported that the antennas are approximately six feet in height and about a foot wide.

Engineer Gravel stated that when there are structural improvements made to the rails of the tower, the wireless companies must remove their equipment during the improvement process.

Attorney Thames stated that the improvement portion of the lease states that the wireless company is reserving space only and after an improvement is made the equipment cannot take any more space than what was originally used.

MOTION MADE BY COUNCILMEMBER DIRCKS TO APPROVE SITE LEASE AGREEMENT FOR VERIZON WIRELESS. ROLL CALL VOTE ALL AYES. MOTION CARRIED.

12. Engineer's Report

Engineer Gravel reported that the 2019 Sanitary Sewer Lining Project has started. He reported that bids for the Garfield Pond Improvement Project will be opened on November 12, 2019. He stated that the bids will be presented to the Council at the November 18, 2019, Council meeting for consideration.

Councilmember Wendling inquired on the status of Arthur Street Water Treatment Plant Evaluation. Mr. Gravel reported that he will be attending a meeting with the League of Minnesota staff along with Administrator Buchholtz and Mr. Randall on Wednesday, October 23, 2019.

13. Attorney's Report - None

14. Reports

A. Administrator Reports

Administrator Buchholtz reported the Planning Commission will be holding two public hearings. He stated that Hy-Vee has requested a PUD amendment for placement of the sign for the store. He reported that a request for a parcel plat for the Prince of Peace land is also being reviewed at the meeting.

Administrator Buchholtz reported that he attended a training for the Department of Transportation regarding drug and alcohol testing. He reported that that remodel of the Parks and Recreation office is nearly complete and welcomed the new Recreation Program Supervisors who started with the City on October 21, 2019.

Administrator Buchholtz reminded the residents of the Recycling Day taking place at City Hall on Saturday, October 26, 2019. He reported that Metro Transit will be hosting two open houses for residents to learn about the proposed transit hub changes at Northtown.

Councilmember Goodboe-Bisschoff requested an updated on the school board election taking place this November. Administrator Buchholtz reported that the School District will be holding an election on

November 5, 2019. He stated that there will be three school district board seats up for election and two school referendum questions involving the operational levy and capital levy for the school district.

Mayor Nelson reminded the residents that seasonal parking restrictions will take effect on November 1, 2019. He reminded residents that no parking is allowed from 2:00 AM – 8:00 AM or until the street is cleared in a snow event.

15. Other

A. Closed Session – City Administrator Performance Evaluation

MOTION MADE BY COUNCILMEMBER WENDING TO CLOSE THE REGULAR COUNCIL MEETING TO DISCUSS THE CITY ADMINISTRATOR PERFORMANCE EVALUATION. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

Mayor Nelson recessed the regular Council meeting at 7:43 PM.

Mayor Nelson opened the regular meeting at 8:40 PM.

Attorney Thames stated that the City Council reviewed the performance of Administrator Buchholtz and the City Council is very satisfied with the work he is doing.

16. Adjourn

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

The meeting was adjourned at 8:42 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer