

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on September 3, 2024 at the Able Park Building, 8200 Able Street NE, at 7:00 PM.

### 1. CALL TO ORDER

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

### 2. ROLL CALL

#### MEMBERS PRESENT

Councilmember Ken Wendling  
Councilmember Barbara Goodboe-Bisschoff  
Councilmember Lisa Dircks  
Mayor Robert Nelson

#### MEMBERS ABSENT

Councilmember April Moran

#### STAFF PRESENT

Building Official Jeff Baker, Public Works Director George Linngren, Recreation Director Kay Okey,  
Police Chief Josh Antoine, Attorney John Thames, Administrator Daniel Buchholtz

#### VISITORS

Vicki WazWaz                                      697 79<sup>th</sup> Avenue NE                                      Spring Lake Park MN 55432

### 3. PLEDGE OF ALLEGIANCE

### 4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz requested that the following change be made to the agenda: 1) that item 6H be added for consideration of four (4) Public Right of Way Applications.

### 5. DISCUSSION FROM THE FLOOR

Mayor Nelson inquired about buses and the use of their warning arms being out for motorists. Chief Antoine said that bus drivers need to extend the stop sign arm when children are getting on and off the bus and crossing the street. Chief Antoine stated that if the public observes unsafe driving behavior from the bus drivers they should contact the Police Department. He stated the department can contact the bus companies.

Ms. Vicki WazWaz, 697 79<sup>th</sup> Avenue NE addressed the Council concerning conflicting City codes concerning her tree planting. She stated that the City Code she found stated that her plantings had to be 20 feet from the right of way. Ms. WazWaz stated that Inspector Morris informed her that the plantings needed to be 50 feet from the corner.

Building Official Baker acknowledged that there are two conflicting codes. He stated that the first code is in the appendix of the zoning code, and it states that from the corner of the intersection, it's 50 feet in both directions. He said that the straight line from that 50 feet is the sight triangle. Building Official Baker said that the code Ms. WazWaz was quoting does say 20 feet, but that is from the property line, which is the edge of the right of way.

Administrator Buchholtz said staff will research the issue and be in contact with Ms. WazWaz and the Council with a possible resolution. He stated that when two sections of the code conflict the most restrictive version of the code applies.

## 6. CONSENT AGENDA

- A. Approval of Minutes – August 19, 2024 City Council Meeting
- B. Mayor's Proclamation – Constitution Week – September 17-23, 2024
- C. Ratify City Administrator's Acceptance of Letter of Resignation from Public Works Maintenance Worker Travis Betz
- D. 2024 Second Half Assessment – Suburban Rate Authority
- E. Contractor's Request for Payment #3 - 2024 Street Project
- F. Contractor's Request for Payment #7 - City Hall Renovation/Expansion Project - \$656,342.65
- G. Contract Change Order #1 – American Engineering & Testing – City Hall Renovation/Expansion Project
- H. Approval of Four (4) Public Right of Way Applications (2 for Centerpoint Energy, 1 for CenturyLink & 1 for Xcel Energy)

Motion made by Councilmember Wendling to approve the Consent Agenda.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

## 7. DEPARTMENT REPORTS

### A. Public Works Report

Public Works Director Linngren gave an overview of the projects undertaken by the Public Works Department for the month of August. He stated that the work on the Hayes pond is complete and that the contractor put down seed and straw around the excavation areas.

Director Linngren updated the City Council on the construction taking place on Sanburnol Drive NE. He stated that the contractor would be paving within the next two weeks. He stated that the project on 83<sup>rd</sup> Avenue NE has started and will be finished by mid-September.

Director Linngren stated that the sewer line jetting for the year has been completed. He thanked the seasonal staff for all the hard work this summer. He stated that the sidewalk at

Terrace Park has been completed and that seed has been put down. Director Linngren stated that the the Able Park Playground is done and the inspections have been completed.

Director Linngren said that the grant was submitted to the Coon Creek Watershed District for the street sweeper.

B. Code Enforcement Report

Building Official Baker stated that the City issued 21 Administrative Offense tickets for various violations, including illegal rental properties, parking on unapproved surfaces, and long grass. Building Official Baker stated that Inspector Morris has identified or received complaints of properties conducting work without a permit. He reminded residents that they should call and ask questions to ensure the project is done correctly and safely.

**8. ORDINANCES AND/OR RESOLUTIONS**

A. Resolution 2024-48, Adopting Proposed 2024 Tax Levy Collectible in 2025

Administrator Buchholtz said that Resolution 2024-48 will establish the proposed 2024 pay 2025, tax levy at \$4,721,272. He noted that this is an increase of 14.78% from the 2023, pay 2024, tax levy. Administrator Buchholtz stated that the Resolution sets the date of the annual Truth-in-Taxation public hearing for Monday, December 2, 2024 at 7:00 pm at the Able Park Building, 8200 Able Street NE. He noted that the City is required to submit the levy no later than September 30, 2024.

Motion made by Councilmember Goodboe-Bisschoff Accepting Resolution 2024-48, Adopting Proposed 2024 Tax Levy Collectible in 2025.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

B. Resolution 2024-49, Cancelling or Reducing Bond Levies – 2024/2025

Administrator Buchholtz stated that State Law requires the County Auditor to levy the amount of debt service originally certified unless the City passes a resolution cancelling the levy. He said that Resolution 2024-49 would cancel two debt service levies and reduce a third.

Administrator Buchholtz stated that the bonds are able to be reduced due to a combination of Public Utilities funds, Special Assessments, Cable PEG fees, Municipal State Aid funds, and General Fund budget allocations.

Motion made by Councilmember Wendling to approve Resolution 2024-49, Cancelling or Reducing Bond Levies – 2024-2024.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

C. Resolution 2024-50, Approving a Variance from the Side Yard Setback for a Driveway Expansion at 725 82<sup>nd</sup> Avenue NE

Administrator Buchholtz stated that the City received an application from Gene Pagel, 725 82<sup>nd</sup> Avenue NE, for a variance from the side yard setback for a driveway addition to his property. He stated that the applicant is seeking a variance from the 5-foot side yard setback requirement, as set forth in SLPC 16.040.030 of the Spring Lake Park City Code.

Administrator Buchholtz stated that Mr. Pagel is seeking a 5-foot variance from the side yard setback (0 feet from the western property line instead of 5-feet).

Administrator Buchholtz stated that the Planning Commission held a public hearing on August 26, 2024 to consider the request. He stated that the Planning Commission recommended approval of the variance, subject to the following conditions:

- Driveway modifications must be constructed pursuant to the standards set forth by the City of Spring Lake Park. Applicant must secure a zoning permit from the Code Enforcement Department for the expanded driveway.
- Drainage must be handled in such a way not to deposit storm water or snow onto a neighboring property.

Motion made by Mayor Nelson to approve Resolution 2024-50, Approving a Variance from the Side Yard Setback for a Driveway Expansion at 725 82<sup>nd</sup> Avenue NE.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

Councilmember Goodboe-Bisschoff inquired about how this permit came to the Council. Building Official Baker stated that a resident called inquiring if a permit, was issued for work on the property.

D. Resolution 2024-51, Ordering Preparation of Report on Improvement for 2025 Street Improvement Project

Administrator Buchholtz stated that the Public Works Director has identified 79<sup>th</sup> Avenue NE between Monroe Street and TH-65 as a priority street for a pavement mill and overlay.

Administrator Buchholtz stated that staff is requesting that the City Council order preparation of a Feasibility Report for 2025 79<sup>th</sup> Avenue NE Street Improvement Project.

Councilmember Goodboe-Bisschoff inquired when the remainder of 79<sup>th</sup> Avenue would be completed. Administrator Buchholtz stated that the Public Works Director would evaluate the remaining segment of 79<sup>th</sup> Avenue NE in conformance with the seal coat program.

Motion made by Mayor Nelson to approve Resolution 2024-51, Ordering Preparation of Report on Improvement for 2025 Street Improvement Project.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

## 9. NEW BUSINESS

### A. Approval of Purchase of Playground Equipment for Terrace Park

Recreation Director Okey gave an overview of the new playground equipment for Terrace Park recommended for selection by the Park and Recreation Commission. She stated that the new playground equipment is funded by the Community Development Block Grant.

Motion made by Councilmember Wendling for Approval of Purchase of Playground Equipment for Terrace Park.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

### B. Accept Letter of Retirement from Recreation Director Kay Okey

Motion made by Mayor Nelson to Accept Letter of Retirement from Recreation Director Kay Okey.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

### C. Authorize Hiring Process for Public Works Maintenance Worker

Administrator Buchholtz is seeking authorization from the City Council to initiate the hiring process for a Public Works Maintenance Worker. He said the process will include posting the job, conducting interviews, and making a recommendation for hire.

Administrator Buchholtz stated that it is recommended that the City Council authorize staff to proceed with the hiring process for a Public Works Maintenance Worker, due to the essential nature of the position and workload demands.

Motion made by Mayor Nelson to Authorize Hiring Process for Public Works Maintenance Worker.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

D. Police Officer Candidate Conditional Job Offer

Chief Antoine stated that he offered a conditional job offer to Rachelle Gulbranson for the position of Patrol Officer. He stated that Ms. Gulbranson is currently a Community Service Officer (CSO) for the Fridley Police Department.

Chief Antoine is seeking Council approval of Rachelle Gulbranson, pending passing a psychological, medical and drug exam, and a physical agility test.

Motion made by Mayor Nelson to approve Police Officer Candidate Conditional Job Offer to Rachelle Gulbranson.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

E. Authorize Hiring Process for Police Officer Position

Chief Antoine gave an overview of the March 2023 staffing study presented to City Council, indicating that the Police Department could support the addition of two new officers. He stated that the last time a new officer was hired was in 1990s when the School Resource Officer (SRO) was appointed. Chief Antoine stated that the new hire would bring the Department up to 12 licensed officers, including himself.

Chief Antoine is requesting authorization to advertise for the new officer position, accept applications and conduct interviews of the top candidates.

Muton made by Councilmember Dircks to Authorize Hiring Process for Police Officer Position.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

F. Accept Proposal for Phase 2 Environmental Site Assessment – 8476/8478 Highway 65 NE

Administrator Buchholtz stated that as part of the City's due diligence, a Phase 1 Environmental Ste Assessment (ESA) was conducted at 8478/8476 Highway 65 NE. He stated that a recognized environmental condition (REC) was identified due to the historical use of the adjacent property as a dry-cleaning facility. Administrator Buchholtz stated that the REC warranted further investigation through a Phase 2 Environmental Site Assessment.

Administrator Buchholtz stated that Stantec Consulting Services Inc., submitted a proposal to conduct the Phase 2 ESA. The estimated cost for the assessment is \$11,360.00, to

include drilling, sampling and reporting. He stated that the cost does not include potential cost for waste disposal of participation in the MPCA Voluntary Brownfield Program.

Administrator Buchholtz stated that staff recommends approval of the quote from Stantec Consulting Services Inc. for Phase 2 Environmental Site Assessment at 8478/8476 Highway 65 NE in the amount of \$11,360.00.

Councilmember Wendling inquired about the City recouping the cost of testing. Administrator Buchholtz stated that if there is any disposal or remediation needed the City can apply for reimbursement from the Superfund.

Motion made by Councilmember Wendling to Accept Proposal for Phase 11 Environmental Site Assessment – 8476/8478 Highway 65 NE.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

G. Approval of Loan Agreement between City of Spring Lake Park and Anoka County Housing and Redevelopment Authority

Administrator Buchholtz gave an overview of the negotiated purchase agreement for the property located at 8478 Highway 65 NE. He stated that the total purchase price for the property is estimated at \$650,000.00.

Administrator Buchholtz stated that the City has approximately \$480,000.00 available from the Anoka County Housing and Redevelopment Authority (ACHRA). He said there is a funding gap of \$170,000.00, and to bridge that gap the City requested a loan from the ACHRA of up to \$200,000.00. Administrator Buchholtz disclosed that the loan would be repaid through future ACHRA levy funds collected within the city.

Administrator Buchholtz stated staff recommends that the City Council approve the loan agreement between the City of Spring Lake Park and the Anoka County Housing and Redevelopment Authority and authorize the Mayor and City Administrator to execute the agreement on behalf of the City.

Councilmember Goodboe-Bisschoff inquired what would happen if there was an issue with the boring test. Administrator Buchholtz said that during the due diligence period the Council still has an option to withdraw from the purchase. Attorney Thames stated that Council will have another opportunity before closing to withdraw.

Motion made by Councilmember Wendling authorizing Approval of Loan Agreement between City of Spring Lake Park and Anoka County Housing and Redevelopment Authority.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried

H. Schedule City Administrator Performance Evaluation

City Council scheduled the Administrator's Performance Evaluation during the September 16, 2024 City Council meeting.

**10. REPORTS**

A. Attorney Report - Report

B. Engineer's Report - Reported accepted as presented.

C. Administrator Report - Administrator Buchholtz gave an update on the City Hall Renovation/Expansion Project.

**11. OTHER**

A. Correspondence – None

B. Close Meeting to Develop or Consider Offers or Counteroffers for the Purchase of Real Property Pursuant to M.S. § 13D.05, subd. 3(c)(3)

Motion made by Mayor Nelson to close the City Council meeting to Develop or Consider Offers or Counteroffers for the Purchase of Real Property Pursuant to M.S. § 13D.05, subd. 3(c)(3) for the property identified as 8480-8492 Highway 65 NE.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.

Meeting was closed at 8:28 PM

Meeting reconvened at 8:48 PM

Attorney Thames stated that the City Council met in closed session to discuss meeting to Develop or Consider Offers or Counteroffers for the Purchase of Real Property Pursuant to M.S. § 13D.05, subd. 3(c)(3) for the property identified as 8480-8492 Highway 65 NE. Attorney Thames stated that City Council has provided staff and attorney with direction.

**12. ADJOURN**

Motion made by Councilmember Wendling to adjourn.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Mayor Nelson. Motion carried.



The meeting was adjourned at 8:50 PM.

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Robert Nelson, Mayor

Attest:

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Daniel R. Buchholtz, Administrator, Clerk/Treasurer