

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on February 20, 2024 at the City Hall, at 7:00 PM.

1. CALL TO ORDER

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

2. ROLL CALL

MEMBERS PRESENT

Councilmember Ken Wendling
Councilmember Goodboe-Bisschoff
Councilmember Lisa Dircks

MEMBERS PRESENT

Councilmember April Moran
Mayor Robert Nelson

STAFF PRESENT

Police Chief Josh Antoine, Public Works Director George Linngren, Recreation Director Kay Okey, Engineer Phil Gravel, Administrator Daniel Buchholtz

VISITOR

Ray McManus Sunset Grill (8466 Highway 65 NE) Spring Lake Park MN

3. PLEDGE OF ALLEGIANCE

POLICE STATEMENT FOR BURNSVILLE

Police Chief Antoine issued a statement on the loss of fellow Police Officers and EMT staff from the City of Burnsville. He asked that residents keep the families and all officers in their thoughts and prayers. Chief Antoine stated that if residents wish to donate to do so on legitimate sites such as the City of Burnsville and Law Enforcement Labor Services websites.

Acting Mayor Dircks called for a moment of silence in honor of the fallen first responders.

4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz requested that the following change be made to the agenda: 1) that Item 6G be added for consideration of the quote from American Engineering Testing for Construction Testing Services.

5. DISCUSSION FROM THE FLOOR

None

6. CONSENT AGENDA

- A. Approval of Claims – General Disbursement No 24-01 - \$547,568.55
- B. Resolution 2024-21, Accepting Donation from Spring Lake Park Lions
- C. Statement of Revenue and Expenditures – January 2024
- D. Statement of Fund Balance – January 31, 2024
- E. Contractor’s Licenses
- F. Sign Permit
- G. Approval of Quote from American Engineering Testing for Construction Testing Services Proposal

Councilmember Wendling pulled Item 6B, Resolution 2024-121 Accepting Donation from Spring Lake Park Lions. He stated that the Lions gave \$23,000.00 to the Tower Days Festivities, Sanbrunol Park and Park and Recreation Department.

The item was re-added to the agenda.

Motion made by Councilmember Wendling to approve Consent Agenda.

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

7. DEPARTMENT REPORTS**A. Police Report**

Chief Antoine reported that the Police Department responded to 803 calls for service in January 2024 compared to 764 calls for service for the month of January 2023. Chief Antoine said Investigator Bennek reported handling 39 cases for the month of January, 32 of which are felony in nature, 7 misdemeanor cases, while monitoring 6 forfeiture cases. He stated that Investigator Bennek assisted with the Auto Theft Task Force.

Chief Antoine reported that the Spring Lake Park Police Department 2023 Reserve Unit Report was provided to councilmembers. He noted that utilizing the Reserves saved the City \$6,676.15 in wages. Chief Antoine stated that the unit consist of three individuals who worked 206 hours during the year. He thanked the Reserve Unit Officers for their volunteer services and dedication to the police department and the community.

B. Recreation Report

Recreation Director Okey gave an update on the ongoing activities for the Parks and Recreation Department. She said that the Recreation Department served 475 participants. Director Okey stated that applications for the Community Raised Garden Beds at Sanburnol are now open. She said that volunteers are needed for Adopt a Flower Garden Program.

Director Okey stated that the Tower Days festivities will be held June 6-9, 2024. She thanked the Spring Lake Park Lions for the donation to Tower Days.

8. PUBLIC HEARINGS

A. Hearing on Liquor License Suspension and Civil Penalty – Sunset Grill

Administrator Buchholtz gave an overview of the alcohol compliance check conducted by the Spring Lake Park Police Department on December 30, 2023. He stated that Hy-Vee Wine and Spirits was found to be in violation of M.S. 340A.503, subd. 2. He stated that this statute prohibits the sale of alcoholic beverages to individuals under 21 years of age. Administrator Buchholtz stated that under Spring Lake Park Code Section 11.08.010 (R) (2) that every licensee is responsible for their business conduct and the actions of their employees.

Administrator Buchholtz state since this is the second violation within a three-year period, the City Council, pursuant to SLPC 11.08.010(V) and 11.08.010(W), may impose the following penalties:

- A three consecutive day license suspension.
- A civil penalty of \$1,000.00

Administrator Buchholtz said that the licensee was present to answer any questions.

Motion made by Councilmember Wendling to open the Public Hearing.

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

Acting Mayor Dircks opened the public hearing at 7:11 PM.

Administrator Buchholtz clarified with Mr. McManus has the right to have the evidence presented if he so wishes. Administrator Buchholtz said that the City Council has the discretion to deviate from the recommendations as long as the Council does so on a factual basis.

Mr. McManus stated that he has purchased credits from the Alcohol and Gambling Board for online training. He stated that online training will be required of all current and new hire employees.

Councilmember Goodboe-Bisschoff inquired about the timing of the first offense. Administrator Buchholtz stated that it took place in November 2021. She asked if the patron asked for identification. Chief Antoine stated the patron was carded, but there was a mistake made when reading the identification card.

Councilmember Goodloe-Bisschoff inquired about consequences for employee. Mr. McManus stated that if staff passes a sting they are rewarded with a monetary incentive; however, if they fail a sting they are given the option to be reassigned or terminated.

Motion made by Councilmember Wendling to close the public hearing.

Acting Mayor Dircks closed the public hearing at 7:20 PM.

Motion made by Councilmember Wendling to waive the three-day suspension and double the fine to \$2,000.00, citing efforts Mr. McManus has made to ensure compliance with State and local liquor laws.

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

9. ORDINANCES AN/OR RESOLUTIONS

A. Resolution 2024-19, Ordering Hearing on Proposed Assessment – 2024 Street Improvement Project

Engineer Gravel stated that the rates for the proposed assessment rates have increased 14.6% from the rates proposed at the Public Improvement Hearing on October 2, 2023. He stated that the proposed assessment rate is \$2,291.28 per residential parcel and the per foot assessment rate for non-residential properties is \$67.89.

Engineer Gravel said the total cost of the project is \$1,363,040.00 and the amount to be assessed is \$251,983.00. He stated that staff is asking the City Council to receive the Final Assessment Roll and schedule the Final Assessment Hearing.

Motion made by Councilmember Wendling to approve Resolution 2024-19, Ordering Hearing on Proposed Assessment – 2024 Street Improvement Project.

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

B. Ordinance 492, Amending the City Code to Temporarily Move the Regular Meetings of the City Council and its Boards and Commissions from City Hall to the Able Park Building, 8200 Able Street NE

Administrator Buchholtz gave an overview on the need to move the City Council, Planning Commission and Parks and Recreation Commission meetings from City Hall to the Able Park Building, 8200 Able Street NE. He stated that Ordinance 492 makes the temporary change effective March 1, 2024, and the Ordinance will automatically repeal on June 27, 2025 unless the City Council repeals the ordinance early.

Motion made by Councilmember Goodboe-Bisschoff to approve Ordinance 492, Amending the City Code to Temporarily Move the Regular Meetings of the City Council and its Boards and Commissions from City Hall to the Able Park Building, 8200 Able Street NE.

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

- C. Resolution 2024-20, Authorizing Summary Publication of Ordinance 492, An Ordinance Amending the City Code to Temporarily Move the Regular Meetings of the City Council and its Boards and Commissions from City Hall to the Able Park Building, 8200 Able Street NE

Motion made by Councilmember Wendling to approve Resolution 2024-20, Authorizing Summary Publication of Ordinance 492, An Ordinance Amending the City Code to Temporarily Move the Regular Meetings of the City Council and its Boards and Commissions from City Hall to the Able Park Building, 8200 Able Street NE.

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

- D. Resolution 2024-22, Accepting Bid for Able Park Playground Project B: Replacement and Installation

Parks and Recreation Director Okey stated that Project B involves purchasing a new play structure for ages 2-5, new universal swing set, five freestanding amenities, poured in place surfacing and engineered wood fiber. She stated that three bids were received and the low bidder on the project was MW Playground with a total bid in the amount of \$100,027.00.

Recreation Director Okey said staff recommends awarding the contract to MW Playground for the purchase and installation of playground equipment. She stated that the funds qualify for reimbursement from the Federal Community Development Block Grant Funds.

Councilmember Goodboe-Bisschoff asked if Director Okey has seen the work of MW Playground. Director Okey confirmed that all the City's playground equipment has been purchased from MW Playground.

Motion made by Councilmember Goodboe-Bisschoff to approve Resolution 2024-22, Accepting Bid for Able Park Playground Project B: Replacement and Installation.

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

- E. Resolution 2024-23, Accepting Bid for Able Park Playground Project A: Rehab Installation
Recreation Director Okey stated that the equipment for installation for Project A was previously preapproved and ordered. She stated that four requests for bids were sent to certified installers and one bid was received for the project. The only bidder on the project was MW Playground in the amount of \$68,090.00.

Recreation Director Okey said staff recommends awarding the contract to MW Playground for the rehab installation. She stated that the funds qualify for partial reimbursement from the Federal Community Development Block Grant Funds in the amount of \$13,173.00. The remaining funds for the project will come from the Revolving Construction Fund in the amount of \$54,917.00

Motion made by Councilmember Wendling to approve Resolution 2024-23, Accepting Bid for Able Park Playground Project A: Rehab Installation.

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

10. NEW BUSINESS

None

11. REPORTS

- A. Attorney's Report

None

- A. Engineer's Report

Report accepted as presented.

- B. Administrator Report

Administrator Buchholtz gave an overview of the City Hall Renovation/Expansion Project and the project phases. He stated that there will be weekly update meetings and project updates will be shared with the City Council. Administrator Buchholtz informed the City Council that request for future expenditures, such as the cable equipment replacement and the furniture will be on future agendas.

Administrator Buchholtz gave an update on the audit. He stated the month of March will be busy for staff with the implementation of BS&A. He said that staff from BS&A will be on site for training and they will also be offering remote training.

12. OTHER

A. Correspondence

None

13. ADJOURN

Motion made by Councilmember Wendling to adjourn.

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

The meeting was adjourned at 7:43 PM

Lisa Dircks, Acting Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer