

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on December 2, 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: Police Chief Ebeltoft; Public Works Director Randall; Building Inspector Baker; City Planner Carlson; Engineer Gravel; Fire Chief Smith; Parks and Recreation Director Okey and Administrator Buchholtz

Visitors: Mary Sholl, Prince of Peace  
John Herman, 7807 Monroe Street NE  
Myron Weber, Spring Lake Park Resident  
Barb Rushacho, Spring Lake Park Resident  
Virgil Rose, Anoka  
Dan Super, Realtor, Spring Lake Park  
Josh Pomerleau, JP Brooks Inc. (via phone)  
Gene Berner, Spring Lake Park Resident

### 3. Pledge of Allegiance

### 4. Additions or Corrections to Agenda - None

### 5. Discussion From The Floor

Fire Chief Smith expressed condolences from the Fire Department to the family who recently lost family members in the fire in late November. He thanked Chief Ebeltoft and the Police Department for their assistance and for the continued service to the community.

Chief Smith reviewed the Fire Safety program that the Spring Lake Park Blaine Mounds View Fire Department provides to the residents. He explained the program, Community Risk Reduction, offers public education, presentations, safety surveys at properties and response and mitigation. He reported that through these services offered, the Fire Department visited 15 homes in Spring Lake Park and installed 21 smoke detectors in the homes recently. He stated that there was interest from the residents in having a home safety survey conducted.

Chief Smith reviewed the top fire causes and reminded residents to check their home smoke detectors two times a year.

6. Consent Agenda:

Mayor Nelson reviewed the following Consent Agenda items:

- A. Approval of Minutes – November 18, 2019
- B. Budget to Date (October) / Statement of Fund Balance
- C. Fourth Quarter Billing 2020 Payable 2021 Property Tax Assessment – Ken Tolzmann
- D. Anoka County Regional Economical Development 2020 Voluntary Cost Sharing Agreement
- E. Resolution 19-42 Certifying Delinquent Accounts – Anoka County
- F. Business Licenses
  1. Used Car Licenses
  2. Dance Licenses
  3. Liquor Licenses
  4. Tobacco Licenses
- G. Contactor's Licenses

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

7. PUBLIC HEARINGSA. Truth in Taxation for 2020

Mayor Nelson opened the public hearing to discuss the 2020 proposed budget and tax levy at 7:35 PM.

Administrator Buchholtz reviewed the following visuals:

- Graphs showing the 2019 to 2020 Revenue and Expenditure Comparisons
- Pie Chart for 2020 Revenues
- Pie Chart for 2020 Expenditures
- 2020 Budget Highlights

Administrator Buchholtz stated the proposed levy increase is 3.48%, of which the General Government levy will increase by 3.65%. He stated that overall General Fund spending is set to increase by 4.87%. He stated that the City's tax rate will decrease from 48.79% in 2019 to 48.31% in 2020. He reported that the City will be receiving Local Government Aid (LGA) and outlined how these funds will be used as follows: 1.) Fund general fund expenditures; 2.) Buy down debt service levy; 3.) Purchase capital equipment; 4.) Fund State/Federal storm water mandates; 5.) Radio Replacement Fund; 6.) Reduce severance liability; 7.) 2020 Election expenses and phase out liquor store transfer.

Administrator Buchholtz reported that cost drivers for the 2020 budget included increases in wages and benefits for City staff, health insurance program increases, increase in I.T. infrastructure costs for the City and the phase-out of the Municipal Liquor Store transfer.

Mayor Nelson opened the Public Hearing for comments from the floor at 7:42 PM. No comments were given.

Mayor Nelson closed the Public Hearing at 7:42 PM.

MOTION MADE BY MAYOR NELSON TO CLOSE 2020 TRUTH IN TAXATION HEARING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Interim Ordinance Establishing A Moratorium On Two-Family Dwellings in the R-1 Zoning District

Administrator Buchholtz reported that Mayor Nelson has requested that staff begin the process of having the City Council approve an interim ordinance to establish a moratorium on the issuance of new conditional use permits to allow two family dwellings in the R-1, Single Family Residential, Zoning District.

Administrator Buchholtz reported that the interim ordinance would establish a moratorium on any new conditional use permits permitting two-family dwellings in the R-1 Zoning District to provide the City time to study the impact of two-family dwellings on existing single-family neighborhoods. He stated that the ordinance needs to be passed by a majority vote of all members of the City Council. He stated that the ordinance would take effect upon its publication and the moratorium would last for one year. He stated that if the study is completed early, the moratorium can be ended prior to the end of the one-year period.

Mayor Nelson stated that he is requesting the study to be done so that vacant land in the City remains zoned properly and used in the best capacity.

Councilmember Delfs inquired who would conduct the study. Administrator Buchholtz stated that the City Planner would be directed to conduct the study and a detailed planning report would be presented to the Planning Commission and City Council. He stated that the City Council would review it and provide direction for any amendments to ordinances.

Councilmember Goodboe-Bisschoff inquired what the cost of the study would be. Administrator Buchholtz stated that the cost would be associated with the time for research and reports done by the City Planner. He stated that he would solicit a proposal from the City Planner and present it to the City Council for approval before proceeding.

Councilmember Goodboe-Bisschoff inquired as to how many duplex homes are currently in the City. Administrator Buchholtz stated that he would need to research that number.

Mayor Nelson opened the Public Hearing for discussion from the floor at 7:53 PM.

Hearing no public comment, Mayor Nelson closed the Public Hearing at 7:53 PM.

8. Public Works Report

Public Works Director Randall reported that the Public Works Department has been collecting garbage and recycling in the parks on a daily basis. He reported that the tennis and volleyball nets have been removed and stored for the winter. He stated that all hydrants have been rechecked and drained since the street sweeping process is completed.

Mr. Randall reported that the Department plowed and salted three times in November and the catch basins near Triangle Park have been cleaned.

Mayor Nelson reported that he noticed the repair to the sink hole on 81<sup>st</sup> Avenue and Monroe Street appears to be sinking again. Mr. Randall stated that he noticed it as well and will be going down the manhole to check the condition of the road and repair that was made. He stated that he will update the Council once they determine

the reason for the sinking.

#### 9. Code Enforcement Report

Building Inspector Baker stated that in November 2019, 17 building permits, one fire suppression, 14 mechanical, seven plumbing and four zoning permits were issued for a total of 43 permits compared to a total of 48 in 2018. He reported that the Code Enforcement Department conducted 49 inspections in the month of November including 18 rentals, five zoning, 19 nuisance and seven fire inspections.

Mr. Baker reported that in the month of November, the Code Enforcement Department posted one abandoned property and issued four administrative tickets all pertaining to nuisance violations.

Mr. Baker reported that on November 20, 2019, he took his Building Official Limited Exam and he received confirmation that he has successfully passed his exam. He stated that he is now able to conduct building inspections on one and two-family homes.

Mr. Baker stated that he has been working diligently with the Spring Lake Park Police Department in efforts to reduce/eliminate any regular nuisance offenders in both residential and commercial. He stated that the patrol officers are a tremendous help during business hours, but more importantly outside of normal business hours.

Mr. Baker reported that the Hy-Vee gas station is getting very close to opening. He stated that he has completed both the fire suppression and fire alarm finals. He reported that the order for the new Code Enforcement vehicle has been placed.

Mr. Baker reported that he attended the Council meeting on November 4 and 19; a Department meeting on November 5; took his Building Official Limited Test on November 20; attended Anoka County court for a subpoena on November 25 and attended a meeting with Spring Lake Terrace on November 26.

Mayor Nelson congratulated Mr. Baker on successfully passing his Building Official Limited Test and for the all the work he has done since he started with the City.

#### 10. Ordinances And/Or Resolutions

##### A. Ordinance 459 Amending the Official Zoning Map of the City of Spring Lake Park and Creating a New Planned Unit Development District

City Planner Carlson provided an overview of the preliminary plat and planned unit development applications for the north 300' of the property located at 7700 Monroe Street NE, property which is currently owned by Prince of Peace Church but is under contract with JP Brooks Homes, Inc. He reported that the request was heard by the Planning Commission at their October 28 and November 25, 2019, meetings.

Mr. Carlson provided the Councilmembers key points to consider with this request. He stated that the Council should consider: 1) The project proposes lots that are narrower than the City's 75-foot standard, but at 50 feet are still within the range of reasonably sized lots in this market. The total lot area exceeds the City standards of 10,000 square feet; 2) The church is looking to raise revenue by selling off this open and little used land; 3) The economic reality of the real estate market today in Spring Lake Park is that it is difficult to build new single-family homes on full 75-foot lots considering the cost of the land. The trend to a smaller lot is commonplace. Developing four standard lots on this property is not economically

feasible. The likely choice is more development on the land or none and 4) For any PUD there should be a give and take – some flexibility in development standards for the developer and some benefits to the City of future residents. The flexibility to the developer is to the lot width and side setbacks; the benefits to the City include more tax base, keeping the property in single family homes, and benefitting the church, a valued community institution.

Mr. Carlson reported that there are five options for the land including: Option A – Four Single Family lots; Option B Six Single Family lots with Cul-de-Sac; Option C Twin Homes with CUP; Option D PUD with Narrow Lots; Option E Hypothetical 8 – Lot Plat.

Councilmember Goodboe-Bisschoff stated that she is in favor of the cul-de-sac option and inquired why the builder does not think it is a feasible option. Mr. Pomerleau stated that when the preliminary work was being done on the number of lots and realized that it would be lower density homes going into the space it would not be economically feasible for a cul-de-sac option.

Councilmember Goodboe-Bisschoff inquired what the layout style would be for the homes. Mr. Pomerleau stated that the home style is split entry with finished basements and two or three car garages in the \$300,000 price range. He stated that the color scheme could be varied so that no two homes are identical in color built next to each other.

Mr. Carlson stated that conditions can be added to the PUD to state there needs to specific style and color to the homes that will be built on these lots.

Councilmember Goodboe-Bisschoff inquired on where the financing for the project will come from. Mr. Pomerleau stated that financing has been approved by 21<sup>st</sup> Century Bank for the project.

Mayor Nelson stated that installing a cul-de-sac would involve tearing up Monroe Street. He inquired about the utility stub to the property.

Administrator Buchholtz reported that in 2013/2014, when the Monroe Street project was taking place, Prince of Peace requested that their road assessment be deferred knowing that the assessment would need to be paid at the time the land was sold. He stated that the church was in discussion at that time for the sale of the unused property. He stated that during the project water and sewer was stubbed into the property for future development of homes. He stated that this was done so infrastructure costs for development of the site rather than tear up the road again.

Councilmember Goodboe-Bisschoff inquired on what the cost of a cul-de-sac would be. Mr. Gravel estimated the cost to \$200,000. He stated that it would add about \$35,000 to the cost of each lot.

Mr. Carlson stated that it would be more economical to put six lots on the frontage without the cul-de-sac. He stated that the home cost would need to increase more if the cul-de-sac was installed or a lesser quality home would need to be built.

Councilmember Dircks inquired if a private drive option into the cul-de-sac was researched. Mr. Pomerleau stated that it was researched but the cost was over \$100,000 and they realized that it was not a good option since there was no interest from the City to have more than six homes on this property.

Councilmember Goodboe-Bisschoff stated that she was concerned with the traffic that would be backing onto Monroe Street. Mayor Nelson stated that all the homes have driveways on Monroe Street. He stated that a

cul-de-sac would be expensive and the church would lose out on funds because of it.

Councilmember Dircks noted that she was not part of all the earlier discussions on the development of the land therefore; her concern is that the proposed development is the most desirable and reasonable for the community and the residents.

John Herman, 7807 Monroe Street NE, stated that he feels that six homes on the proposed lot size is too many. He stated that he has many concerns as to what the new homes will do to the existing homes and the neighborhood.

Mr. Pomerleau explained that he understands the neighborhood is upset with the proposal; however, he feels that single family homes will tie into the neighborhood better than multi-family homes would. He stated that it will be a harder sell for the homes since they will be looking at the church parking lot.

Virgil Rose, Prince of Peace, reported that the church assembly voted to sell the property due to the cost of the Monroe Street assessment and the lack of use of the property now that the school is no longer in existence at the church. He stated that the land has been vacant for many years and the church no longer has the equipment to maintain the property. He expressed his opinion that the proposed development would benefit the church and the City.

Councilmember Goodboe-Bisschoff inquired if there is any grant money available to create a cul-de-sac. Administrator Buchholtz stated that there could be financing available, however; there would income restrictions on the financing.

Quinton Rusk, 658 78<sup>th</sup> Avenue NE, expressed his concern with the closeness of the proposed homes and inquired if the utility infrastructure could handle that many homes that close together. He also expressed his concern with fire safety. Administrator Buchholtz stated that the water and sewer system is equipped for the proposed development. Chief Smith stated that the Fire Department is trained for homes that are built that closely and does not see the proposed development as a safety concern.

Gene Berner, Spring Lake Park, encouraged the City Council to approve the preliminary plat PUD. He stated that it is hard to maintain the baseball fields on the property as the church no longer has the equipment and the proposed development would bring new members into the community and possibly the church.

Dan Super, Realtor, reported that a lot of research has been done on the proposed property. He stated that the church is on a tight time frame for closing on the property and one extension has already been granted for the delaying of the closing on the property. He stated that the six homes are the best option for the property. He reminded the Council that the other option would be four twin homes which would result in eight smaller homes.

Mayor Nelson inquired if the pond on the property would be a dry pond. City Engineer Gravel responded affirmatively.

Councilmember Goodboe-Bisschoff inquired as to what the water table depth is for the property. Mr. Gravel stated that water table depth is unknown and it is not part of the proposal at this time.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE ORDINANCE 459 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRING LAKE PARK AND CREATING A PLANNED UNIT DEVELOPMENT DISTRICT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Resolution 19-43 Approving Preliminary Plat for JP Books Homes

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE RESOLUTION 19-43 APPROVING PRELIMINARY PLAT FOR JP BROOKS HOMES WITH THE APPROVAL OF WATERSHED DISTRICT AND SITE IMPROVEMENT PLAN APPROVAL BY CITY ENGINEER AND PUBLIC WORKS DIRECTOR. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Ordinance 460 An Interim Ordinance Establishing A Moratorium Temporarily Prohibiting Approval of Conditional Use Permits For Two-family Dwelling in the R-1 Zoning District

MOTION MADE BY MAYOR NELSON TO APPROVE ORDINANCE 460 AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM TEMPORARILY PROHIBITING APPROVAL OF CONDITIONAL USE PERMITS FOR TWO-FAMILY DWELLINGS IN THE R-1 ZONING DISTRICT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. Engineer's Report - None

12. Attorney's Report - None

13. Reports

A. Beyond the Yellow Ribbon Report

Mayor Nelson reported that the Beyond the Yellow Ribbon Committee had a successful year. He reminded residents that there will not be a pork chop dinner in the month of December.

Mayor Nelson reported that there will be drop off bins for Toys for Military families at four locations including a drop off location at City Hall.

14. Other

Councilmember Wendling inquired if there have been any problems or calls regarding coyotes in the City. Chief Ebeltoft reported that there have not been any calls however, coyotes and other wildlife do exist in the City. He stated that residents should call the Police should they spot an injured or sick wild animal.

A. Administrator Reports

Administrator Buchholtz reported that he attended a preconstruction meeting for the Garfield Pond project. He stated that the contractors are anxious to start the project and the contracts are currently being reviewed with the City Attorney.

Administrator Buchholtz reported that Hy-Vee will be submitting the interior design plans mid-January. He congratulated Building Inspector Baker on passing his exam. He reported that the 60-day notice was sent to MNSPECT to terminate the contract with them effective January 17, 2020.

B. Closed Session to Discuss Sale of 525 Osborne Road NE

MOTION MADE BY COUNCILMEMBER DIRCKS TO CLOSE THE REGULAR COUNCIL MEETING TO DISCUSS THE SALE OF 525 OSBORNE ROAD NE. VOICE VOTE: ALL AYES. MOTION CARRIED.

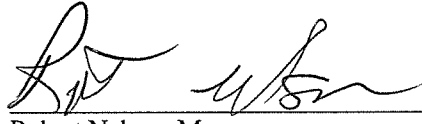
Mayor Nelson recessed the regular Council meeting at 9:28 PM.

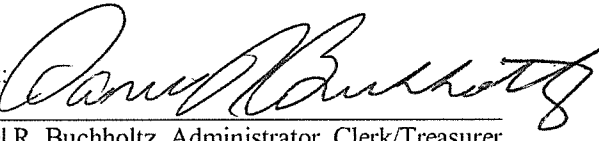
Mayor Nelson opened the regular meeting at 10:03 PM.

14. Adjourn

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

The meeting was adjourned at 10:03 PM.

  
\_\_\_\_\_  
Robert Nelson, Mayor

Attest:   
\_\_\_\_\_  
Daniel R. Buchholtz, Administrator, Clerk/Treasurer