

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on July 6, 2015 at the Spring Lake Park Community Center, 1301 81st Avenue N.E., at 7:00 P.M.

### 1. Call to Order

Mayor Hansen called the meeting to order at 7:00 P.M.

### 2. Roll Call

Members Present: Councilmembers Mason, Nash, Nelson, Wendling and Mayor Hansen

Members Absent: None

Staff Present: Police Chief Ebeltoft; Public Works Director Randall; Building Official Brainard; Attorney Carson; Engineer Gravel; Park and Recreation Director Rygwall; and Executive Assistant Gooden

Visitors: Olivia Koester, ABC Newspaper  
Larry Johnson, Emmanuel Christian Center  
Tim Sanders, Emmanuel Christian Center

### 3. Pledge of Allegiance

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

### 5. Discussion From The Floor - None

### 6. Consent Agenda:

Mayor Hansen reviewed the following Consent Agenda items:

- A. Approval of Minutes – June 15, 2015
- B. Statement of Fund Balance – May 2015
- C. Contractor's Licenses
- D. Sign Permits
- E. Contractor Payment #1 – 2015 Sealcoat Project
- F. Contractor Payment #8 – 2014-2015 Street Improvement Project
- G. Correspondence

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

### 7. Public Works Report

Public Works Director Randall reported that the Public Works Department prepared for and cleaned up for Tower Days; continue to mow and weed at the parks; prepare the softball fields daily; recoated the basketball courts at Terrace park; painted crosswalk and stop bars on the streets; continue to clean out the sewers and reports that the Public Works Department will be reporting out of the new Public Works building starting on Wednesday, July 8, 2015.

8. Code Enforcement Report

Building Official Brainard reported that he attended the Council meeting on June 1<sup>st</sup>; a Department Head meeting on June 2<sup>nd</sup> and June 16<sup>th</sup>; a Fire Department Marshals Meeting on June 11<sup>th</sup>; a meeting with Convoy of Hope with Chief Ebeltoft on June 12<sup>th</sup> and a code review meeting on June 24<sup>th</sup> with Substance Church DBA Architects and General Contractor Superintendent from McGough.

Mr. Brainard stated that in June 2015, 51 permits were issued compared to 43 permits in 2014. He reported that he conducted 93 inspections in June.

Mr. Brainard reported that the June 2015 vacancy listing shows that there are 21 vacant/foreclosed residential properties currently posted and/or soon posted by the Code Enforcement Department, which remains the same from last month. There are 3 vacant/foreclosed commercial properties, which is up one from last month; and 19 residential properties currently occupied and ready for Sheriff sale, which is up three from last month. He reported that 18 violation notices were issued in June by the Code Enforcement Department. He reported that five administrative offense tickets were issued.

Mr. Brainard provided a handout for Spring Lake Park residents to remind them of some of the maintenance standards for the outside of their property.

9. Ordinances and ResolutionsA. Resolution 15-15 for Hearing on Proposed Assessment for 81<sup>st</sup> Avenue NE between Able Street NE and University Avenue NE

Mayor Hansen reported that with the near completion of the 2015 Street Improvement Projects, staff is seeking authority from the City Council to set the assessment hearings. She stated that all hearings are scheduled for 7:00 PM, or as soon thereafter, on August 17, 2015 at City Hall. She reported that the notice of hearings will be published and mailed notices will be sent to affected property owners at least two weeks prior to the hearing.

Mayor Hansen stated that the assessments are payable in equal annual installments over a period of 10 years at an interest rate of 3.5%. She stated the assessment rates for all three projects are \$3,079.55/lot for single family residential and \$62.88/front foot for commercial properties.

MOTION BY COUNCILMEMBER NELSON TO APPROVE RESOLUTION 15-15 FOR HEARING ON PROPOSED ASSESSMENT FOR 81<sup>ST</sup> AVENUE NE BETWEEN ABLE STREET NE AND UNIVERSITY AVENUE NE. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Resolution 15-16 for Hearing on Proposed Assessment for Arthur Street between 81<sup>st</sup> Avenue NE and Anoka CSAH 35

MOTION BY COUNCILMEMBER NELSON TO APPROVE RESOLUTION 15-16 FOR HEARING ON PROPOSED ASSESSMENT FOR ARTHUR STREET BETWEEN 81<sup>ST</sup> AVENUE NE AND ANOKA CSAH 35. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Resolution 15-17 for Hearing on Proposed Assessment for East Trunk Highway 65 Service Road between Osborne Road and a Point Approximately 800 Feet North of Osborne Road NE

MOTION BY COUNCILMEMBER NELSON TO APPROVE RESOLUTION 15-17 FOR HEARING ON PROPOSED ASSESSMENT FOR EAST TRUNK HIGHWAY 65 SERVICE ROAD BETWEEN OSBORNE ROAD AND A POINT APPROXIMATELY 800 FEET NORTH OF OSBORNE ROAD NE. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

10. New Business

A. Special Event Permit for Convoy of Hope Minneapolis – August 1, 2015

Building Official Brainerd reported that on June 23, 2015, Mr. Tim Sanders from Emmanuel Christian Center applied for a Fire Permit as required for all special events with temporary indoor or outdoor assemblies and temporary use of tents in excess of 200 square feet or canopies in excess of 400 square feet are allowed with a fire inspection permit and Council review.

Mr. Brainerd reported that the proposed special event is called "Convoy of Hope" sponsored by several local churches including Emmanuel Christian Center. He stated that the special event is to be held at the Spring Lake Park High School Baseball Field on Saturday, August 1, 2015. He stated that event could see as many as 10,000 participants as a collaborative effort to provide thousands of struggling people in the surrounding communities with necessities such as prayer, groceries, shoes, health services, job and career services, family portraits, games and activities for children, all for no charge. He stated that staff has waived the \$50 Fire Permit fee due to the fact it is a non-profit event.

Mr. Brainerd reviewed the following required submittals for the Fire Permit:

1. Provide two copies of a detailed site or floor plan showing the seating arrangement, exits and locations of portable fire extinguishers. One approved copy must remain on site at all times.
2. Provide a detailed description of all activities that will be occurring, the hours of the event and the approximate number of participants.
3. Provide a certificate, executed by an approved testing laboratory, certifying the flame resistance of materials used to construct the tent with NFPA Standard 701.

Mr. Brainerd stated that all submittals have been reviewed and approved with the following conditions to be verified by a pre-event inspection conducted on Friday, July 31, 2015.

1. Estimated maximum occupancy at one time is 3,000 participants.
2. Documentation must be provided showing all draperies, decorative fixtures, and other fabrics and materials have been treated with an approved fire retardant material.
3. When more than 300 loose seats, folding chairs or similar seating is provided, chairs must be bonded together in groups not less than three. This is not necessary for seating around tables.
4. All tents and canopies must have a permanently attached label stating the material is fire retardant.
5. No tents shall be located within 12 feet of lot lines, structures, other tents, parked vehicles or internal combustion engines except as noted in IFC 2403.2.2.3.
6. Cooking installations require separate permit and approval from Anoka County Health & Environmental service.
7. Outdoor cooking shall not be performed within 20 feet of tent.
8. An electrical permit is required for all temporary electrical installation and a pre-event inspection

to be conducted on July 31, 2015.

9. All L.P. gas must be secured outside of a tent with the following separations:

Containers:      < 500 gallons – 10’  
                         >500 gallons – 25’

10. Flammable liquids shall be stored outside not less than 50-feet from tent.  
11. Generators shall be at least 20 feet from tents and secured from public access.  
12. Vegetation and waste materials shall be kept a minimum of 30-feet from tent.  
13. Post “No Smoking” signs at all tents.  
14. Open flame or other cooking devices utilizing flammable or combustible liquids, gas or charcoal are not permitted inside or within 20’ of tent.  
15. Fireworks are not permitted within 100-feet of tent.

Councilmember Mason inquired if vendors would provide food. Tim Sanders, Emmanuel Christian Center, stated that the food will be prepared by volunteers and will include grilled hot dogs kept in a warmer and bottled water. He stated there would be no outside vendors attending.

Councilmember Wendling inquired on the garbage disposal plans during the event. Mr. Sanders stated that Walters Recycling will have trash containers on site and volunteers will be emptying the containers throughout the day.

Councilmember Nash expressed his concern with the number of participants expected and where the parking will take place since the high school has less than 700 spaces. Mr. Sanders stated that the parking situation is still being worked out. He stated that a shuttle service from the Sports Center in Blaine will be provided and participants are encouraged to park at Northtown Mall near the bus area and shuttles will take participants to the high school.

Councilmember Mason inquired if there will be an admission fee. Mr. Sanders stated that this is a free event. He reported that Convoy of Hope provides disaster relief and quick recovery during disasters. He stated that all the events are free and made available from fundraising and local businesses. He stated that these types of events are held to promote volunteerism and as a stepping-stone to help those less fortunate.

Police Chief Ebeltoft commented that he has been working with Convoy of Hope organizers for all procedures including severe weather, traffic and code enforcement. He stated that this event would be similar to the parade that is held annually but on a larger scale. He reported that he will be reaching out to the other law enforcement communities for assistance that day and especially the Fridley Police Department since they already provide traffic control to Emmanuel Christian Center for their services.

Councilmember Nash inquired if EMT and Paramedic staff will be aware of pathways for easy access. Chief Ebeltoft stated that there will be access for the EMT and paramedic staff. Mr. Sanders added that Min-Care personnel will be on site.

Councilmember Nelson inquired if a Joint Powers Agreement is necessary with the surrounding communities for their assistance for safety should it be needed and he inquired who would be responsible to the payment to the other agencies if needed. Chief Ebeltoft stated that the Joint Powers Agreement already in place covers events like this. Attorney Carson stated that it is understood that every agency involved covers their own costs.

Police Chief Ebeltoft stated that Convoy of Hope and Emmanuel Christian Center have insurance in place. Mr. Sanders confirmed and stated that he was not aware of the current limit. Attorney Carson asked that a copy of the Certificate of Insurance be sent to the City for his review.

Councilmember Nelson inquired if this an annual event. Mr. Sanders stated that he hopes that in future Convoy of Hope will choose Spring Lake Park again. He stated that the organization changes locations and depending on the results from this year, it will determine the need in the community for another event.

Councilmember Mason inquired on the hours of the event. Mr. Sanders stated the event will run from 9 AM – 4 PM however, in the past participants have lined up much earlier. He stated volunteers will be on site from 6 AM – 6 PM.

MOTION MADE BY COUNCILMEMBER MASON TO APPROVE SPECIAL EVENT PERMIT FOR CONVOY OF HOPE MINNEAPOLIS ON AUGUST 1, 2015 SUBJECT TO CONDITIONS AND THE CONTINGENT OF SATISFACTORY INSURANCE COVERAGE SUBMITTED FOR THE EVENT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. City Hall Facility Use Permit

Parks and Recreation Director Rygwall reported that the City regularly receives calls from residents who are looking for a space to hold special events indoors. She stated that often times a park building works for their event; however, with some occasions such as a bridal shower rea, a park building is less than ideal. She explained that the City Administrator Buchholtz asked Executive Assistant Gooden and herself to conduct a survey of surrounding communities as to their policies and fees charged for facility use. She provided a summary of the results and the results showed an average hourly rate of \$26/hour for residents and \$43/hour for non-residents, with staff present. Ms. Rygwall also presented the rules to be included in the proposed facility use policy.

Ms. Rygwall stated that the facility use permit fee has two options for the Council to consider.

- Option 1: \$60/day for resident use only, no staff present.
- Option 2: \$25/hour resident, \$40/hour non-resident, with staff present. A building supervisor would be hired, on an as needed basis and paid for from the permit fee.

Councilmember Wendling inquired as to how many people the room could accommodate and if there are adequate restroom facilities. Mr. Rygwall stated that Council Chambers B would be the only room available to be reserved and it will hold 30 people. She stated that the restrooms are adequate considering larger events have been held at City Hall.

Councilmember Wendling inquired if there would be any food preparation done on site. Ms. Rygwall stated that only prepared food could be brought in and there would be no food preparation done at City Hall.

Councilmember Nelson inquired if option number one applied to non- profit organizations. Ms. Rygwall stated that non-profit organizations would not have a fee and no staff present.

Mayor Hansen stated she was in favor of option number two.

MOTION MADE BY MAYOR HANSEN TO ADOPT CITY HALL FACILITY USE PERMIT WITH OPTION NUMBER TWO. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Approve Agreement for Purchase of Wetland Credits for CSAH 35 Turn Lane Project

City Engineer Gravel reported that he is finalizing plans for the CSAH 35 turn lane and sidewalk project, which is a requirement of the Substance Church Special Use Permit. He stated that the improvements will result in wetland impacts and the wetland impacts must be addressed through the purchase of wetland credits. He stated that approval of the agreement will authorize the purchase of the needed wetland credits. He stated that since this is part of the required CSAH 35 turn lane/sidewalk project, Substance Church will be responsible for this cost.

Councilmember Nelson inquired what will be done since there is already water pooling in this area and if the flooding would become worse, who would be responsible. Engineer Gravel stated that he does not see a greater impact with this impact to the wetland. He stated that the City would be responsible if there would be issues since it be a result of the storm sewer.

Councilmember Nelson inquired if a culvert would be needed in the area to prevent future flooding and inquired who would be responsible for creating this. City Attorney Carson stated that Substance Church would not be responsible since there is not any specific wording in the special use permit. Engineer Gravel stated that he does not see a problem since there will be the six-foot sidewalk that will be feathered into the wetland area and is north of the building.

MOTION MADE BY COUNCILMEMBER WENDLING TO APPROVE AGREEMENT FOR PURCHASE OF WETLAND CREDITS FOR CSAH 35 TURN LANE PROJECT. ROLL CALL VOTE: AYES COUNCILMEMBERS MASON, NASH, WENDLING. VOTING NAY: COUNCILMEMBER NELSON AND MAYOR HANSEN. MOTION CARRIED.

D. Appoint Student Member to Planning and Zoning Commission

Mayor Hansen reported that Vince Smith, Chair of the Planning and Zoning Commission, worked with High School Counselor Donald Fineran to find interested students to fill the student position on the Planning and Zoning Commission. She stated that one student, Gabriel Strawn, expressed interest. She stated that Chair Smith and City Administrator Buchholtz interviewed Mr. Strawn on Monday, June 15, 2015 and came away very impressed. She stated that Administrator Buchholtz recommends the City Council to appoint Mr. Strawn as the 2015-2016 student member of the Planning and Zoning Commission.

MOTION MADE BY COUNCILMEMBER MASON TO APPOINT STUDENT GABRIEL STRAWN TO THE PLANNING AND ZONING COMMISSION. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. Engineers Report

Engineer Gravel reported that the 2015 Seal Coat Project work has been completed and a second sweeping and pavement makings will be completed in the next week or two. He stated that the majority of the work has been completed for the 2014-2015 Street Improvement Project and a few items remain on the punch-list. He stated that seeding items need to be addressed by the contractor.

12. Attorney's Report - None

13. Reports

Mayor Hansen reported that Fire Chief Zikmund has requested the meeting with the City Council members at their convenience. She suggested Monday, July 20, 2015 at 6:00 PM at City Hall. Executive Assistant Gooden will confirm with Chief Zikmund to see if that time is available and will let the Council know.

14. OtherA. Motion to Close Meeting to Review Settlement Proposal for Arbitration (Pending Litigation)

MOTION MADE BY MAYOR HANSEN TO CLOSE THE COUNCIL MEETING TO REVIEW SETTLEMENT PROPOSAL FOR PENDING LITIGATION. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

The Council meeting closed at 8:05 PM.

The Council meeting resumed at 8:20 PM.


City Attorney Gravel reported that the Council met on a possible settlement with pending litigation. He stated that the Council reviewed the proposal from employee Gary King and the City Council has agreed to enter the agreement entitled Separation and Release from all claims against the City of Spring Lake Park and Gary King if there is a satisfactory motion made.

MOTION MADE BY MAYOR HANSEN TO EXECUTE THE SEPARATION AGREEMENT WITH EMPLOYEE GARY KING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.


15. Adjourn

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

The meeting was adjourned at 8:23 P.M.

  
Cindy Hansen, Mayor

Attest:

  
Daniel R. Buchholtz, Administrator, Clerk/Treasurer