



CITY OF SPRING PARK  
CITY COUNCIL AGENDA  
OCTOBER 1, 2018 – 7:00 PM  
SPRING PARK CITY HALL

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADOPT MEETING AGENDA
4. ADOPT CONSENT AGENDA\*
  - a. City Council Special Meeting Minutes from September 17, 2018
  - b. Regular City Council Meeting Minutes from September 17, 2018
  - c. City Council Special Meeting Minutes from September 24, 2018
  - d. Resolution 18-19: A Resolution Appointing Election Judges
  - e. Resolution 18-20: A Resolution Appointing Student Trainee Election Judges
  - f. Agreement for Legal Services – Kennedy & Graven
5. PUBLIC FORUM\*\*
6. PRESENTATIONS & GUEST SPEAKERS
  - a. Richard Stanek - Hennepin County Sheriff Update
7. PUBLIC HEARINGS
8. PETITIONS, REQUESTS, & APPLICATIONS
9. ORDINANCES & RESOLUTIONS
10. REPORTS OF OFFICERS AND COMMITTEES
  - a. Mayor & Council
  - b. City Staff
  - c. Contract Staff
11. NEW BUSINESS & COMMUNICATIONS
12. CLAIMS FOR PAYMENT
  - a. October 1, 2018 Claims
13. UPCOMING MEETINGS & TRAINING
  - a. October 9 – Administration Committee – 12:00 PM
  - b. October 10 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
  - c. October 11 – LMCC – 7:00 PM
  - d. October 15 – City Council Work Session – 6:00 PM
  - e. October 15 – Regular City Council Meeting – 7:00 PM
14. MISCELLANEOUS (INFORMATION ONLY)
  - a. Mound Fire Department Press Release
15. ADJOURNMENT

---

\* The Consent Agenda lists those items of business which are considered to be routine, recommended for approval, and/or which need no discussion. The several separate items listed on the Consent Agenda are acted upon by one motion. There will be no separate discussion of these items unless a Council Member makes a request, in which event the item will be removed from the Consent Agenda and placed elsewhere on the regular agenda for Council discussion and action.

\*\* Under Public Forum individuals may address the City Council about any item not contained on the regular agenda. Each speaker should keep their statements to three minutes to allow sufficient time for others. The Council will take no official action on items discussed at the forum, with the exception of referral to staff for future report.



CITY OF SPRING PARK  
 SPECIAL MEETING MINUTES  
 SEPTEMBER 17, 2018 – 6:00 PM  
 SPRING PARK CITY HALL

**CALL TO ORDER** - The special meeting was called to order by Mayor Rockvam at 6:00 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Pamela Horton; Gary Hughes; and Catherine Kane Palen

Council Members Absent: Megan Pavot

Staff Present: Dan Tolsma, City Administrator

1. DANIEL GREGERSON – GREGERSON, ROSOW, JOHNSON, & NILAN

The City Council conducted an introductory interview with Daniel Gregerson in regards to providing legal services for the City.

2. MATTHEW BROKL – CAMPBELL & KNUTSON

The City Council conducted an introductory interview with Matthew Brokl in regards to providing legal services for the City.

3. CITY ATTORNEY DISCUSSION

The City Council discussed both of the candidates and their respective firms and what they could bring to the City of Spring Park. The City Council consensus was to move forward with the final three remaining introductory interviews before a decision will be made.

4. MISCELLANEOUS – None.

5. ADJOURN - The work session was adjourned by unanimous consent at 7:10 p.m.

Date Approved: October 1, 2018

\_\_\_\_\_  
 Dan Tolsma, City Administrator

\_\_\_\_\_  
 Theresa Schyma, City Clerk



CITY OF SPRING PARK  
 CITY COUNCIL MINUTES  
 SEPTEMBER 17, 2018 – 7:30 PM  
 SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Mayor Rockvam at 7:30 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Pamela Horton; Gary Hughes; and Catherine Kane Palen

Council Members Absent: Megan Pavot

Staff Present: Dan Tolsma, City Administrator; and Theresa Schyma, City Clerk

2. PLEDGE OF ALLEGIANCE – Mayor Rockvam led the audience in the Pledge of Allegiance.

3. ADOPT MEETING AGENDA

M/Hughes, S/Horton to adopt the meeting agenda.

Motion carried 4-0.

4. ADOPT CONSENT AGENDA

- a. City Council Work Session Meeting Minutes from August 20, 2018
- b. Regular City Council Meeting Minutes from August 20, 2018
- c. Resolution 18-18: Approving A Summary Publication of Ordinance 18-03 Amending the City’s Fee Schedule Regarding Water & Sewer Utility Rates

RESOLUTION NO. 18-18

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE  
 AMENDING AND RESTATING APPENDIX A OF THE CITY CODE –  
 SCHEDULE OF FEES AND CHARGES

This resolution appears as Resolution No. 18-18.

M/Horton, S/Kane Palen to adopt the Consent Agenda.

Motion carried 4-0.

5. PUBLIC FORUM – None.

6. PRESENTATIONS & GUEST SPEAKERS – None.

7. PUBLIC HEARINGS – None.
8. PETITIONS, REQUESTS, & APPLICATIONS – None.
9. ORDINANCES & RESOLUTIONS

- a. Resolution 18-17: Approving the 2019 Preliminary Tax Levy

City Administrator Tolsma spoke briefly about the process of certifying the preliminary tax levy at 3.0% for \$1,073,764. He added that the Truth in Taxation hearing should occur at the December 3, 2018 City Council meeting and the final levy needs to be adopted no later than December 28.

M/Horton, S/Kane Palen to set the Truth in Taxation Hearing for December 3, 2018 at 7:00 p.m. and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 18-17

RESOLUTION ADOPTING 2019 PROPOSED TAX LEVY

Motion carried 4-0. This resolution appears as Resolution No. 18-17.

10. REPORTS OF OFFICERS AND COMMITTEES

- a. Mayor & Council – Mayor Rockvam stated that the City Council is currently interviewing legal firms due to the resignation of City Attorney Jensen Beck.

Council Member Hughes recognized LMCD Executive Director Vickie Schleuning for her expertise and communication. He added that the LMCD News Brief included as Item #14b describes in more detail what the LMCD accomplishes.

- b. City Staff – None.
- c. Contract Staff – None.

11. NEW BUSINESS & COMMUNICATIONS – None.

12. CLAIMS FOR PAYMENT

- a. September 17, 2018 Claims

M/Kane Palen, S/Hughes to approve all claims for payment.

Motion carried 4-0.

13. UPCOMING MEETINGS & TRAINING

- a. September 26 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
- b. October 1 – Regular City Council Meeting – 7:00 PM

14. MISCELLANEOUS (INFORMATION ONLY)

- a. Orono PD Compliance Checks
- b. LMCD News Brief
- c. PeopleService July Report

d. Mound FD August Report

15. ADJOURNMENT

M/Hughes, S/Kane Palen to adjourn the City Council Meeting at 7:37 p.m.

Motion carried 4-0.

Date Approved: October 1, 2018

---

Dan Tolsma, City Administrator

---

Theresa Schyma, City Clerk



CITY OF SPRING PARK  
 SPECIAL MEETING MINUTES  
 SEPTEMBER 24, 2018 – 6:00 PM  
 SPRING PARK CITY HALL

**CALL TO ORDER** - The special meeting was called to order by Mayor Rockvam at 6:00 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Pamela Horton; Gary Hughes; and Catherine Kane Palen

Council Members Absent: Megan Pavot

Staff Present: Dan Tolsma, City Administrator

1. MARY TIETJEN – KENNEDY & GRAVEN

The City Council conducted an introductory interview with Mary Tietjen, proposed lead attorney, and David Anderson, proposed assistant attorney in regards to providing legal services for the City.

2. ANDY PRATT – ECKBERG & LAMMERS

The City Council conducted an introductory interview with Andy Pratt, proposed lead attorney, and Thomas Loonan, proposed assistant attorney, in regards to providing legal services for the City.

3. QUINN O'REILLY – MELCHERT, HUBERT, & SJODIN

The City Council conducted an introductory interview with Quinn O'Reilly, proposed lead attorney, and Mike Melchert, partner at Melchert, Hubert, and Sjodin, in regards to providing legal services for the City.

4. CITY ATTORNEY DISCUSSION

The City Council discussed all five candidates and their respective firms that submitted proposals and what they could bring to the City of Spring Park.

The City Council consensus was that the background and experience of three of the five firms lines up with what the City Council envisions for the position of City Attorney. The three candidates still up for consideration are Daniel Gregorson, Mary Tietjen, and Quinn O'Reilly.

The City Council agreed that they should all take a day or two to reflect on the candidates further, after which time they would provide the City Administrator with their final choice. Additionally, the

Council asked City Administrator Tolsma to conduct additional reference calls and research to assist in determining the best fit for legal services in the City.

5. MISCELLANEOUS – None.
6. ADJOURN - The work session was adjourned by unanimous consent at 8:15 p.m.

Date Approved: October 1, 2018

---

Dan Tolsma, City Administrator

---

Theresa Schyma, City Clerk



STAFF MEMO

APPOINTMENT OF ADDITIONAL  
ELECTION JUDGES

1. BACKGROUND: Since the Primary Election on August 14, the City Clerk’s office has received additional names of individuals who are eligible to serve as election judges for the Tuesday, November 6, 2018 General Election.

The City Clerk’s office has also partnered with Mound Westonka High School to encourage student participation in the High School Student Trainee Election Judge Program for this year’s election. The City Clerk’s office has received a list of students who are eligible to serve as student trainee election judges. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the school approves a signed request by the student’s parent or guardian.

Due to the excitement surrounding the 2018 Midterm Elections, the current prediction is that voter participation will significantly increase compared to previous midterm elections. To ensure adequate coverage on Election Day additional shifts of election judges are necessary to manage the expected turnout.

2. FINANCIAL CONSIDERATIONS: Staff did anticipate the need for additional election judges in 2018; therefore, the cost was already factored into this year’s projected election budget.
3. RECOMMENDED ACTION: By Motion: Adopt the resolutions appointing additional election judges and high school student trainee election judges for the November 6, 2018 General Election.

**RESOLUTION 18-19**

**RESOLUTION APPOINTING ADDITIONAL ELECTION JUDGES FOR THE  
GENERAL ELECTION OF NOVEMBER 6, 2018**

**WHEREAS**, the City Clerk has previously submitted for approval Resolution Nos. 18-11 and 18-14 containing a list of Election Judges to officiate at the General Election on November 6, 2018; and

**WHEREAS**, the City Clerk has the authority to add additional Election Judges and make substitutions as necessary to maintain the required minimum staffing levels while conducting the 2018 General Election.

**NOW, THEREFORE, BE IT RESOLVED**, the Spring Park City Council, hereby appoints the following individuals to serve as election judges to officiate at the 2018 General Election:

Patsy Crawford  
Wendy Lewin

And, that these names be added to the list of those appointed as election judges in Resolution Nos. 18-11 and 18-14.

Adopted by the City Council of the City of Spring Park, Minnesota, this 1st day of October, 2018.

Approved:

\_\_\_\_\_  
Jerome P. Rockvam, Mayor

Attest:

\_\_\_\_\_  
Theresa Schyma, City Clerk

**RESOLUTION 18-20**

**RESOLUTION APPOINTING HIGH SCHOOL STUDENT TRAINEE  
ELECTION JUDGES FOR THE GENERAL ELECTION  
OF NOVEMBER 6, 2018**

**WHEREAS**, a State General Election will be held on Tuesday, November 6, 2018;  
and

**WHEREAS**, Minnesota Election Law 204B.19, Subd. 6 allows for qualified high school students to serve as trainee election judges and establishes the requirements and guidelines for those students to participate in the democratic process.

**NOW, THEREFORE, BE IT RESOLVED**, the Spring Park City Council, hereby appoints the following high school students to serve as trainee election judges at the 2018 General Election:

- Katrin Hafner
- Zoe Peterson
- Breanna Reyes
- Lillie Roehrig
- Sophia Rossmann

Adopted by the City Council of the City of Spring Park, Minnesota, this 1st day of October, 2018.

Approved:

\_\_\_\_\_  
Jerome P. Rockvam, Mayor

Attest:

\_\_\_\_\_  
Theresa Schyma, City Clerk

---

MARY D. TIETJEN  
Attorney at Law  
Direct Dial (612) 337-9277  
Email: mtietjen@kennedy-graven.com

September 28, 2018

Dan Tolsma  
City Administrator  
City of Spring Park  
4349 Warren Avenue  
Spring Park, MN 55384

VIA EMAIL AND U.S. MAIL  
dtolsma@ci.spring-park.mn.us

Re: Municipal Legal Services

Dear Mr. Tolsma:

The following is our proposed agreement concerning legal services to be provided by Kennedy & Graven, Chartered (the "Firm") to the City of Spring Park (the "City").

1. The City appoints the Firm as city attorney, with Mary Tietjen acting as primary city attorney and Dave Anderson acting as assistant city attorney.
2. The city attorney agrees to perform all usual and customary civil legal services for the City as directed by you and the City Council:
3. The firm agrees to provide legal services to the City, effective October 1, 2018 through December 31, 2020. The City has the option to extend this Agreement after its expiration on December 31, 2020.
4. The Firm's fees for legal Services shall be those as outlined in the Firm's proposal to the City (see enclosed Exhibit).
5. The City will reimburse the Firm for any costs and disbursements incurred in connection with providing legal services. Reimbursable costs and disbursements will be actual costs without a mark-up and will not include charges for secretarial or word processing services. The Firm will bill the City for mileage at the IRS-approved reimbursement rate.

Costs and expenses advanced by the firm for the benefit of the City, including filing fees, process service fees, court reporter fees, courier fees, postage, and computer research charges shall be billed.

6. The Firm will bill the City for legal services, and costs and disbursements monthly. The billing statement will be of sufficient detail to adequately inform the City concerning the

tasks performed, the attorney performing them, the time spent on each such task and the nature and the extent of costs and disbursements. The statement will also show the total time spent and the fees.

7. In instances in which the Firm is authorized to act as approving bond counsel, fees for services rendered by the Firm in such capacity will be per the Firm's specified rate schedule.
8. It is the intention of the parties that Mary Tietjen will perform, supervise and be responsible to the City for legal services to the City, except in the case of circumstances involving disability or illness, unavoidable conflict or other good and substantial reasons. Other Firm attorneys may from time-to-time be directed to perform services described in this letter under the supervision of Mary Tietjen. The Firm will not assign any attorney not satisfactory to the City to perform services for the City.
9. The Firm agrees that it will not undertake the representation of any person or other entity during its appointment as city attorney in instances where such representation may create a potential conflict of interest, unless:
  - a) the Firm reasonably believes the representation will not adversely affect its relationship with the City; and
  - b) the City and such other person or entity have consented after consultation.
10. The Firm agrees that it will not, during its appointment as city attorney, undertake the representation of any elected official of the City in connection with any personal legal matter of such person, and will not during such appointment, absent the consent of the city council, undertake the representation of any other employee of the City.

KENNEDY & GRAVEN, CHARTERED

By: \_\_\_\_\_  
Mary D. Tietjen

CITY OF SPRING PARK

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Clerk

Dan Tolsma  
September 28, 2018  
Page 3

The provisions of this letter are understood and accepted.

Dated: \_\_\_\_\_, 2018.

## EXHIBIT D

### FEES

Kennedy & Graven, Chartered  
 470 US Bank Plaza, 200 S. 6<sup>th</sup> St.  
 Minneapolis, MN 55402

Contact Person: Mary D. Tietjen  
 Phone: 612-337-9277  
 Email: [mtietjen@kennedy-graven.com](mailto:mtietjen@kennedy-graven.com)

GENERAL COUNSEL	2018	2019	2020
Hourly rate for primary Attorney (please name):			
Mary D. Tietjen	170	170	175
Hourly rate for assisting Attorneys (please name):			
David T. Anderson	155	155	160
Hourly rate for Support Personnel (All matters)			
Paralegals	110	110	113
Law Clerks	90	90	93
OTHER LEGAL WORK:			
CIVIL LITIGATION THAT DOES NOT RELATE TO ENFORCEMENT OF ORDINANCES AND ZONING REGULATIONS; COMMENCED CONDEMNATION PROCEEDINGS; LABOR NEGOTIATIONS; UTILITIES AND TELECOMMUNICATIONS.			
Shareholders	195	195	200
Associates	180	180	184
DEVELOPMENT, REDEVELOPMENT, TAX ABATEMENT; TIF			
Shareholders	240	240	247
Associates	215	215	219
PASS-THROUGH FEES.			
All Attorneys	250	250	257



*Contact* The Mound Fire Department  
Administrative Offices  
*Telephone* 952-472-3555  
*Fax* 952-472-3775  
*Email* moundfire@moundfire.com  
*Website* moundfire.com

FOR IMMEDIATE RELEASE  
September 14, 2018

## MOUND FIRE DEPARTMENT HAPPENINGS

Mound, MN, September 14, 2018– During the month of August, the Mound Fire Department responded to 18 fire related calls and 20 medical related calls, for a total of 38 callouts for the month. As of August 31<sup>st</sup>, the total number of fire and rescue calls year to date is right on average at 398 call-outs.

**This is Great NEWS!** The Mound Fire Department was recently awarded a federal grant in the amount of \$61,880.00 from the FEMA Assistance to Firefighters Grant (AFG) program. The AFG grant award program is funded to improve firefighter health and safety. This grant award is specifically for the purchase and installation of a new High Pressure Breathing Air System, including an air compressor and cascade type bottle fill station. The new system is a critical need and will be much more efficient for filling self-contained breathing apparatus (SCBA) bottles. SCBA units are the air tanks and masks that firefighters use when entering a hazardous or smoky environment. The new equipment is a significant upgrade and will replace an obsolete 25 year old air compressor and bring our entire SCBA fill station up to the current National Fire Protection Association (NFPA) safety standards.

### **Notable Events:**

**Wednesday, August 1, 2018 at 16:26 hours:** the Mound Fire Department was notified that the entire county-wide 911 system was down. To be ready for any emergencies, the Mound Fire Department paged the firefighters to stand by at the Mound fire station until the system was operating again, which took about an hour. There were no fire or rescue calls during that hour, but had there been any type of incident, our staff would have been able to quickly respond.

**Thursday, August 9, 2018 at 13:52 hours:** the Mound Fire Department was dispatched to a report of an underground gas line that had been hit by construction equipment in the 5700 block of Bartlett Boulevard. Upon arrival the hit line was buried and the fire department was unable to gain access or get

a visual on the line. The Mound Fire Crews secured the area while Centerpoint Energy arrived and dug up and repaired the gas line leak. There were no injuries to civilians or firefighters.

**Fire Prevention Open House – Wednesday, October 3rd from 6:00 p.m. – 8:00 p.m.**

In recognition of the 2018 Fire Prevention Week, the Mound Fire Department is holding an Open House on Wednesday, October 3rd at the Mound Fire Station from 6:00pm – 8:00pm. This is a family event with the following activities planned:

- |  |   |
|--|---|
| <i>Kids activities and fun</i>           | <i>Meet Sparky the Fire Dog</i>                 |
| <i>CPR and AED Demonstrations</i>        | <i>Fire Truck Rides and Photo Opportunities</i> |
| <i>Live burn demonstration</i>           | <i>Air Care Helicopter Landing</i>              |
| <i>Fire Truck and Equipment Displays</i> | <i>Beverages and snacks provided</i>            |



Each year the National Fire Prevention Association has a theme for National Fire Protection Week. The 2018 campaign “Look. Listen. Learn. Be aware. Fire can happen anywhere,” works to educate people about three basic but essential steps to take to reduce the likelihood of having a fire—and how to escape safely in the event of one:

**LOOK**

Look for places fire could start. Take a good look around your home. Identify potential fire hazards and take care of them.

**LISTEN**

Listen for the sound of the smoke alarm. You could have only minutes to escape safely once the smoke alarm sounds. Go to your outside meeting place, which should be a safe distance from the home and where everyone should know to meet.

**LEARN**

Learn two ways out of every room and make sure all doors and windows leading outside open easily and are free of clutter.

If you would like more information, please contact The Mound Fire Department Administrative Offices at 952-472-3555 or email at [moundfire@moundfire.com](mailto:moundfire@moundfire.com).