



CITY OF SPRING PARK
CITY COUNCIL AGENDA
NOVEMBER 4, 2019 – 7:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. RESOLUTION 19-18: APPOINTING COUNCIL MEMBER
4. OATH OF OFFICE OF NEWLY APPOINTED COUNCIL MEMBER
5. ADOPT MEETING AGENDA
6. ADOPT CONSENT AGENDA*
 - a. City Council Work Session Meeting Minutes from October 21, 2019
 - b. Regular City Council Meeting Minutes from October 21, 2019
 - c. Back Channel Brewery Special Event & Temp On-Sale License for December 1st
7. PUBLIC FORUM**
8. PRESENTATIONS & GUEST SPEAKERS
9. PUBLIC HEARINGS
10. PETITIONS, REQUESTS, & APPLICATIONS
11. ORDINANCES & RESOLUTIONS
12. REPORTS OF OFFICERS AND COMMITTEES
 - a. Mayor & Council
 - b. City Staff
 - c. Contract Staff
13. NEW BUSINESS & COMMUNICATIONS
14. CLAIMS FOR PAYMENT
 - a. November 4, 2019 Claims
15. UPCOMING MEETINGS & TRAINING
 - a. November 12 – Administration Committee – 12:00 PM
 - b. November 13 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
 - c. November 13 – Planning Commission – 6:00 PM
 - d. November 18 – City Council Work Session at 6:00 PM with Regular Meeting at 7:00 PM
16. MISCELLANEOUS (INFORMATION ONLY)
 - a. Mound Fire Department Press Release
17. SPECIAL CITY COUNCIL CLOSED SESSION – CITY ADMINISTRATOR’S OFFICE
 - a. Special City Council Closed Executive Session to have an attorney-client privileged discussion related to potential litigation to enforce nuisance abatement at 2254 Lilac Road, 2433 Interlachen Road, and 4388 Shoreline Drive. The Closed Session will be convened pursuant to Minn. Stat. Section 13D.05, subd. 3(b).
18. RECONVENE REGULAR CITY COUNCIL MEETING IN THE COUNCIL CHAMBERS
19. 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
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION NO. 19-18

**RESOLUTION APPOINTING _____ TO THE VACANT
SPRING PARK CITY COUNCIL SEAT**

WHEREAS, the Spring Park City Council has determined that a vacancy exists on the City Council after accepting the resignation of Council Member Catherine Kane Palen effective September 17, 2019 due to her moving outside the City of Spring Park; and

WHEREAS, the City Council for the City of Spring Park at its discretion is allowed to fill the vacancy; and

WHEREAS, _____ was duly appointed to fill the vacancy on the City Council by majority vote on November 4, 2019.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Spring Park hereby appoints _____ to the vacant City Council seat effective November 4, 2019; and

BE IT FURTHER RESOLVED that _____, having been duly appointed to said seat by majority vote of the City Council, shall have and possess all the duties, powers, and privileges of the City Council of the City of Spring Park to complete the term effective November 4, 2019 through December 31, 2020.

ADOPTED by the City Council of the City of Spring Park this 4th day of November, 2019.

CITY OF SPRING PARK

Approved:

Jerome P. Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk



CITY OF SPRING PARK
WORK SESSION MINUTES
OCTOBER 21, 2019 – 6:00 PM
SPRING PARK CITY HALL

CALL TO ORDER - The work session was called to order by Mayor Rockvam at 6:00 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Gary Hughes; and Megan Pavot

Council Members Absent: Pamela Horton

Staff Present: Dan Tolsma, City Administrator; Brian Hare, City Engineer; David Anderson, Assistant City Attorney; and Theresa Schyma, City Clerk

1. WEST ARM WEST SURVEY RESPONSE DISCUSSION

City Administrator Tolsma discussed the background of the survey and total properties involved. He stated the survey was sent out to every single parcel on West Arm Road West (WARW) regardless of whether or not one person owned multiple properties. Assessments treat each parcel as its own so that is how the survey was mailed out.

Council Member Pavot stated that she wished the survey would have been based on number of owners instead of number of properties since the purpose of the survey was to get the beliefs of the entire neighborhood. She believes one survey/opinion per owner would have provided an accurate reflection of the neighborhood. She added that great information was collected but it is important to remember the percentages are based on small numbers so one survey can greatly change the percentages.

Mayor Rockvam stated that either way the survey was conducted he knew the results would show that the majority of residents on WARW do not want these improvements.

Council Member Pavot responded that there is a difference in doing the right thing versus doing the popular thing especially when police, fire, and infrastructure concerns are involved.

City Engineer Hare discussed the comments that were received as part of the survey.

Mayor Rockvam stated he is concerned that the concrete swales that were put in place a few years ago near Seton Village are not being maintained.

City Administrator Tolsma responded that the concrete swales were installed in 2018. He added that the swales were never meant to be a complete correction for stormwater issues; the swales were an attempt to make an improvement and see what they were capable of doing.

Mayor Rockvam asked about maintenance of the swales.

City Engineer Hare stated that part of this feasibility report is about setting up maintenance plans for infrastructure in Spring Park just like every other city has.

Mayor Rockvam asked why engineering money needs to be spent on coming up with a maintenance plan for a city as small as Spring Park.

City Administrator Tolsma responded that only so much can be done when people don't want to invest in infrastructure. If residents are not willing to invest in upgrading their streets and yet still call to complain about road conditions; there is only so much that staff can do. When staff receive a legitimate complaint it is investigated. However, if the City isn't going to invest in curb and gutter and storm system improvements then there is only so much you can do.

Mayor Rockvam stated he understood but that he doesn't believe the swales are being properly maintained for a city this size.

City Administrator Tolsma stated that there are two main things that a plan will accomplish: 1) provide a detailed list of every structure in the city and how it should be maintained and 2) include a detailed plan for each structure with a schedule that is specific to these structures. This plan will help ensure that infrastructure maintenance and the detailed information regarding those procedures will not be dependent on one specific person on site. This plan helps protect the information regarding infrastructure in Spring Park no matter if we are contracting with an outside company or hiring a full-time employee.

City Administrator Tolsma returned the focus back to the survey to discuss the three issues that did not have a clear consensus – stormwater, road reconstruction, and improving access under the pedestrian bridge. He added that the survey did help staff locate where the focus needs to be for water concerns since the majority of respondents nearest to Seton Channel had experienced issues.

City Administrator Tolsma added that the survey also shows that the possibility of an assessment does impact the decisions with a number of residents. The number of respondents that changed their answers based on whether or not they would be assessed did impact the outcome of one question from 38% in favor with an assessment to 56% without an assessment. The City Council has discussed the assessment policy before but this does show that assessments impact the decisions of taxpayers.

Mayor Rockvam asked if the bids for water and sewer improvements have been sent out and if this project can be completed this winter.

City Engineer Hare had discussions with contractors and they are not interested in doing this project in the winter. He added that pipebursting is too costly for the winter; the project becomes exceedingly expensive and increases resident impact if it is split into two projects.

Council Member Hughes asked about equipment and trucks driving over properties to access manholes.

City Engineer Hare stated that the contractor will need to access the property and will work to ensure the residents are impacted as little as possible. He added that if this project is completed now then the City won't have to touch it for another 25 years.

Mayor Rockvam asked if completing the project in the winter is impossible or just incredibly expensive.

City Engineer Hare responded that for a project of this size the city likely wouldn't be able to find a contractor. He added that there are risks involved including excessive costs and change orders.

Mayor Rockvam stated that if the issue is money then the city could pay more to have the project completed in the winter to lessen the impact of residents. He added that he wants the Council to see the price comparison before eliminating the winter option.

Council Member Pavot asked about the other risks involved with completing the project in the winter.

City Engineer Hare stated that freezing temperatures, trying to maintain above ground water, and many residents being gone during the winter months are some of the issues. He added that specifics about the design can be determined closer to the start of the project; let's stay focused on the bigger picture of the projects being proposed.

Mayor Rockvam stated the Council is in agreement to move forward on water and sewer improvements but he wants the Council to see the cost comparison of winter versus summer so they can make their final decision with that information.

City Engineer Hare stated he could look into those numbers. He further asked the Council about street improvements.

Council Member Pavot stated that receiving even 50% on some of the survey questions is promising considering the average approval rate of any improvement project throughout the state.

City Administrator Tolsma stated that, to his knowledge, Spring Park is the only city that asks the residents for permission before redoing a street. He added that Spring Park's past precedent is that if the road project is not fully approved by the residents then the project does not happen. In most cities you receive a letter saying what the improvement is and when it will be completed.

City Administrator Tolsma added that with this survey the Council can see there is some support for the project but he cautioned that if the Council is waiting for 80-90% resident approval, it will never happen.

Mayor Rockvam and Council Member Hughes said they are not ready to move forward with anything related to street improvements.

Council Member Pavot stated she thinks it is critical to move forward on street improvements.

Mayor Rockvam stated that the road project should be set aside until the Council vacancy is filled. He added that the Council is ready to move forward on the water and sewer improvements.

The Council discussed the National Fire Protection Association (NFPA) non-compliance issues with the road since the current law is not a mandated requirement for existing structures. The Council requested clarification on what would trigger non-compliance and if the value of improvement or alteration is the deciding factor.

2. LOCAL WATER MANAGEMENT PLAN

City Engineer Hare provided a summary of the Local Water Management Plan (LWMP). He stated there was only a slight change to the previous plan that was adopted 10 years ago.

City Administrator Tolsma stated the LWMP is simply an appendix to the City's 2040 Comprehensive Plan.

The Council consensus was to move forward with approval of the LWMP on the regular meeting agenda.

3. RENTAL ORDINANCES UPDATE

City Administrator Tolsma presented a status update on the proposed rental ordinances. He stated that both the long-term and short-term rental ordinances were recommended by a majority of the Planning Commission at their October 16 meeting. He added that once the vacancy is filled on the Council, the item will be brought to the next work session to begin discussions.

4. MISCELLANEOUS – None.

5. ADJOURN – The work session was adjourned by unanimous consent at 6:56 p.m.

Date Approved: November 4, 2019

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk



CITY OF SPRING PARK
 CITY COUNCIL MINUTES
 OCTOBER 21, 2019 – 7:00 PM
 SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Mayor Rockvam at 7:03 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Gary Hughes; and Megan Pavot

Council Members Absent: Pamela Horton

Staff Present: Dan Tolsma, City Administrator; Brian Hare, City Engineer; Al Brixius, City Planner; David Anderson, Assistant City Attorney; and Theresa Schyma, City Clerk

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

3. ADOPT MEETING AGENDA

Mayor Rockvam asked if anybody in the audience was in attendance to speak on Item #7a. With no response, he recommended that Item #7a be removed from the agenda.

Council Member Hughes agreed and requested that the agenda be amended so that Item #7a is removed from the agenda.

M/Hughes, S/Pavot to adopt the meeting agenda as amended.

Motion carried 3-0.

4. ADOPT CONSENT AGENDA

- a. City Council Work Session Meeting Minutes from September 16, 2019
- b. Regular City Council Meeting Minutes from September 16, 2019
- c. Resolution 19-15: Approving Local Water Management Plan
- d. Snow Removal Contract Larson Lawnscape
- e. Back Channel Brewery Special Event November 29th & 30th

M/Pavot, S/Hughes to adopt the Consent Agenda.

Motion carried 3-0.

5. PUBLIC FORUM

Shirley Bren, Spring Park resident and Council appointed representative to the Gillespie Center, provided an update of the activities at the Gillespie Center including the many weekly group offerings. She also provided information on the upcoming sweepstakes fundraiser.

Mayor Rockvam thanked Ms. Bren for doing a great job representing Spring Park at the Gillespie Center.

6. PRESENTATIONS & GUEST SPEAKERS – None.

7. PUBLIC HEARINGS

a. ~~Delinquent Utility Payment Assessment~~

Item #7a was removed from the agenda.

8. PETITIONS, REQUESTS, & APPLICATIONS

a. Rembrandt Landscapes Conditional Use Permit Application

City Planner Brixius presented a summary of the CUP application at 4636 Shoreline Drive. The Planning Commission reviewed the application, conducted the public hearing, and recommended approval with conditions at the October 16 Planning Commission Meeting. He further discussed the history and zoning of this vacant property.

Matt Kallas, owner of Rembrandt Landscapes, was in attendance and available for questions.

Mayor Rockvam stated he liked the updated appearance to the outside of the building and would like a date of completion for those upgrades since it has a major impact on the aesthetics of the building.

City Planner Brixius responded that any upgrades to the outside appearance of the building are not part of the approval or presentation on the agenda; the CUP application is for outdoor sales display and outdoor storage only.

Mr. Kallas stated that he provided the renderings with the application to show the topography and grading of the site. It was never his intention to imply that the final appearance of the building would be exactly what is shown on the renderings or that the appearance of the outside of the building would be changed immediately. He did add that future upgrades and changes to the outside of the building will be far superior to what the vacant building currently looks like.

Mayor Rockvam stated that he wished the renderings would have been more representative of what the building will actually look like since the renderings make it look very appealing.

Council Member Pavot stated she appreciated the renderings to help visualize the outdoor sales and storage components since she is not extremely familiar with the site. She added that it is nice to hear about the prospect of aesthetic improvements to the exterior of the building but she is more excited have a business operating at this vacant site.

Council Member Hughes asked if a lockbox for Mound Fire Department is required as part of approval.

City Planner Brixius suggested adding a ninth condition that the permit is subject to site and building plan review by the Fire Department to address site access, security and fire protection. Applicant shall implement the Fire Department recommendations.

Council Member Hughes requested to amend Resolution 19-17 to include condition #9 with the City Planner's suggested wording regarding fire department review.

M/Hughes, S/Pavot that the following amended resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 19-17

RESOLUTION APPROVING THE SITE AND BUILDING PLANS AND THE CONDITIONAL USE PERMITS FOR OUTDOOR SALES DISPLAYS AND OUTDOOR STORAGE OF REMBRANDT LANDSCAPES AT 4636 SHORELINE DRIVE WITHIN THE CITY OF SPRING PARK

Motion carried 3-0. This resolution appears as Resolution No. 19-17.

9. ORDINANCES & RESOLUTIONS – None.
10. REPORTS OF OFFICERS AND COMMITTEES
 - a. Mayor & Council – None.
 - b. City Staff – None.
 - c. Contract Staff – None.
11. NEW BUSINESS & COMMUNICATIONS – None.
12. CLAIMS FOR PAYMENT
 - a. October 21, 2019 Claims
13. UPCOMING MEETINGS & TRAINING
 - a. October 23 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
 - b. November 4 – Regular City Council Meeting – 7:00 PM
14. MISCELLANEOUS (INFORMATION ONLY)
 - a. Mound Fire Department September Report

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

Motion carried 3-0.

5. Council Member Hughes and Mayor Rockvam discussed the fire department's lift-assist calls and how those calls impact the City's budget.

City Administrator Tolsma stated that private healthcare corporations consider lift-assists by their own staff to have potential liability issues. He further stated that the fire department is supposed to be considered the last resort.

Mayor Rockvam stated a solution needs to be figured out because taxpayers are left with the bill for lift-assists at a private corporation.

15. ADJOURNMENT

The meeting was adjourned by unanimous consent at 7:41 p.m.

Date Approved: November 4, 2019

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk

#6c



STAFF MEMO

BACK CHANNEL BREWERY SPECIAL
EVENT – SUNDAY, DECEMBER 1ST

1. **BACKGROUND:** Back Channel Brewery is requesting an addition to Special Event Permit No. 19-12 for “Slay Days” (Friday, November 29 and Saturday, November 30) that was approved by the City Council on October 21, 2019. An additional day has been added to their festivities to host an outdoor holiday market. The additional event would be Sunday, December 1st from 12 – 4 p.m. The holiday market would occur in an outdoor tent and would include live holiday music. The event would also allow for patrons to have alcoholic beverages in a defined area of the parking lot which will be demarcated with barriers.
2. **DISCUSSION:** The requests for outdoor music and alcohol require a special event application and a two-day temporary on-sale license that should be included in the motion if approved by the Council.

A list of draft conditions is attached for Council review. The event organizer will need to coordinate with the Mound Fire Department and the Orono Police Department prior to the event to ensure that all necessary safety precautions have been taken.

3. **FINANCIAL CONSIDERATIONS:** All required fees have been received.
4. **RECOMMENDATION:** Approve Special Event Application No. 19-13 and Temporary On-Sale Liquor License for Back Channel Brewery for an event on Sunday, December 1, 2019 with the attached list of conditions.



DRAFT CONDITIONS

BACK CHANNEL BREWERY HOLIDAY MARKET – DECEMBER 1ST

SPECIAL EVENT CONDITIONS

1. Event organizer must obtain a one-day temporary on-sale liquor license from the Minnesota Department of Alcohol & Gambling Division.
2. The Applicant must obtain a tent permit from the Mound Fire Department. Additionally, the tent must be inspected and approved by the Mound Fire Department as well as the City's Building Official (if State building code requires) prior to the event.
3. Any alcoholic beverages being sold or taken outside of the principal building shall be limited to confines of the tent and a defined outdoor area consistent with the approved site plan that must be demarcated with barriers. At no point shall any alcoholic beverages be allowed outside of the tent, demarcated outdoor area, or the principal building and patio area.
4. Any and all temporary entrances to the tent and/or outdoor area must be staffed by a designated ID/wristband monitor.
5. The Tent must be installed to the north of the building with the stage and speakers directed to the east.
6. Amplified live music (including music played a DJ) will be permitted between the hours of 12:00 pm and 4:00 pm. Additionally, all noise shall comply with section 18-122 of the Spring Park City Code. In the event of legitimate complaints made to the Orono Police Department Back Channel Brewing shall be required to comply with any and all recommendations made by the Orono Police Department to bring the noise levels into compliance.
7. The event organizer must send notice of the event to all properties within 350 feet of the Brewery. The City will provide the event organizer with a list of properties to be notified.
8. Any additional conditions recommended by the Mound Fire Department and the Orono Police Department shall be complied with.

#16a



Contact Greg Pederson
Telephone 952-472-3555

FOR IMMEDIATE RELEASE
October 22, 2019

MOUND FIRE BUDGET BOLSTERED WITH BIG \$\$ IN 2019

In 2019, Mound Fire has added a whopping \$125,121 in grants and donations to bolster the fire department budget. This large dollar amount is a significant financial benefit to the four cities' the fire department serves and protects (Mound, Minnetrista, Spring Park and Shorewood).

The summary of the Grant and Donation amounts are as follows:

2019 Grant Awards:	\$ 94,386.39
2019 Donations:	\$ <u>30,734.61</u>
2019 Total Revenue:	\$ 125,121.00

The grants and donations have allowed the fire department to purchase to replace outdated or out of compliance equipment. These important grants and the donation dollars help keep fire department budget increases relatively low while the department improves its operations.

A few key examples of some of our awards and donations:

- A FEMA AFG Grant was awarded to purchase a new 6000 PSI High Pressure Breathing Air System, including an air compressor and cascade type bottle fill stations. One new fill station was installed in the fire station, and second unit was installed in our Heavy Rescue Truck. The new breathing air system was a critical need and is an efficient updated system utilized for filling self-contained breathing apparatus (SCBA) bottles. This project replaced 25 year old equipment that was obsolete. \$58,934.00 was awarded for this project.
- Firefighter Health, Wellness and Safety are a top priority for the fire department. A grant program administered by the State Fire Marshal was awarded which allowed us to purchase an Extractor Washing Machine and Dryer. Both pieces of equipment are used for cleaning firefighter's protective turn-out-gear. The washer extractor is designed to thoroughly clean turn-out-gear. This new equipment removes cancer causing carcinogenic residue from the firefighter's turn-out-coat and pants. The days of wearing old, dirty and unsafe turn-out-

gear are gone! The equipment meets all of the National Fire Protection Agency (NFPA) guidelines. \$13,598.08 was awarded for this project.

- Proceeds from the 2019 Fish Fry were donated to the fire department by the Mound Fire Relief Association and Fire Auxiliary. The donated dollars were used to purchase equipment, including a new 225 HP Honda motor for our fire boat and reflective uniform jackets for the firefighters. \$18,172.39 was donated for these projects.
- The Northwest Tonka Lions donations were used to purchase new or replacement equipment including several Automatic External Defibrillators (AED) that were distributed throughout the community, a high tech Thermal Imaging Camera used for firefighting, and (4) Multi-Gas-Monitors used for checking explosive gas levels and carbon monoxide levels in buildings. \$10,000.00 donated for these projects.

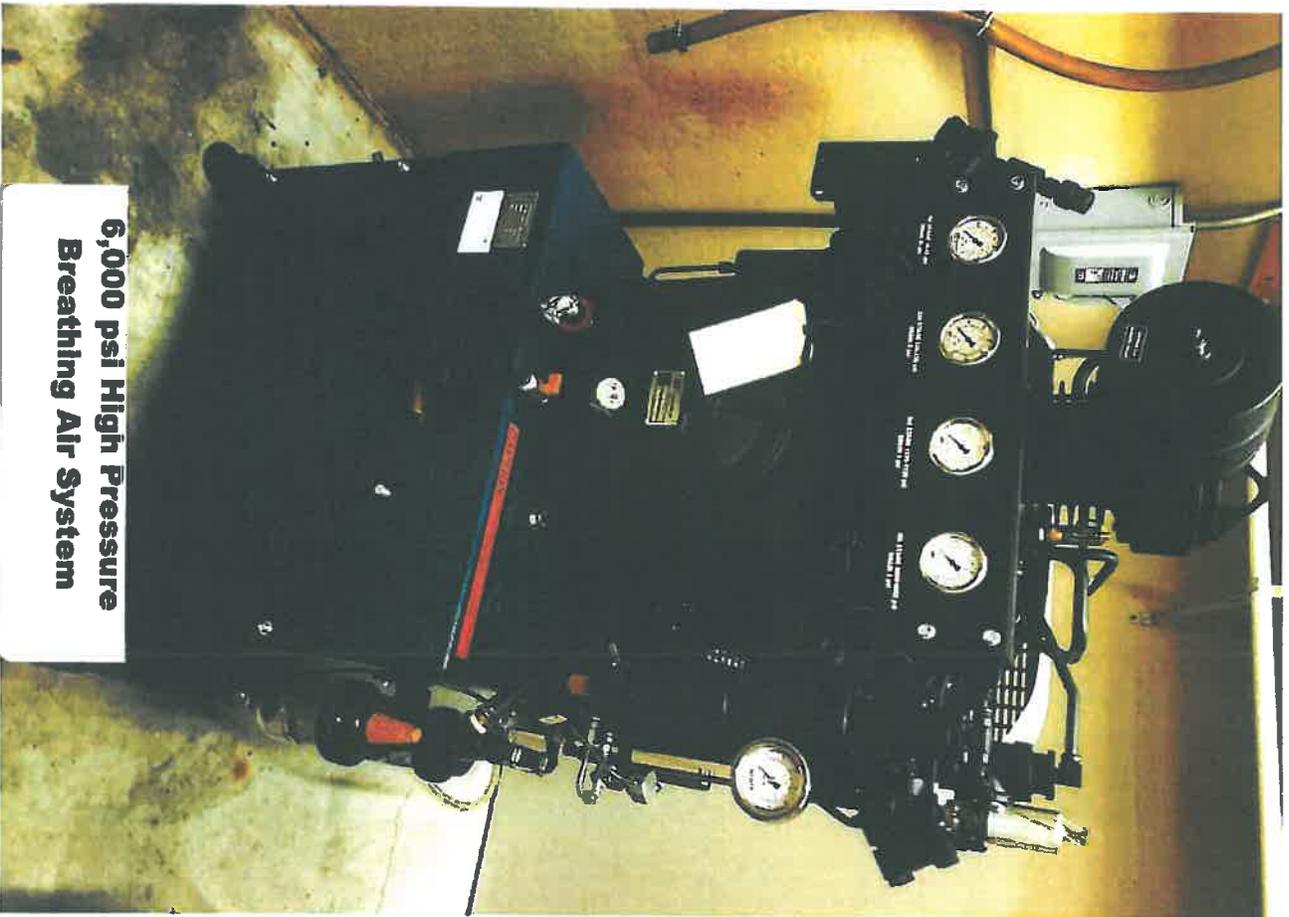
A Big Thank You! To all of the organizations that donated to the Mound Fire Department!

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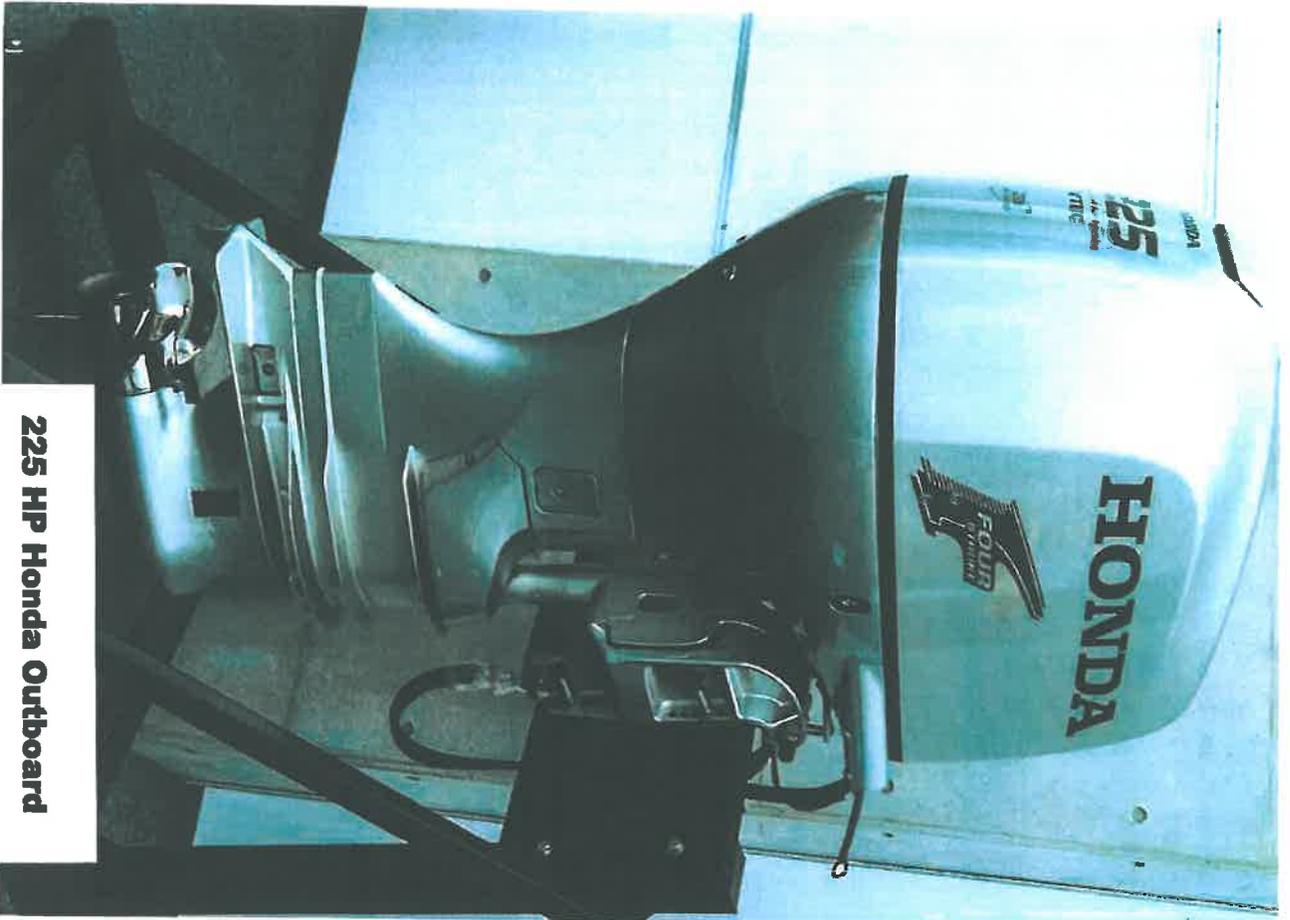
If you would like more information about these grants, the donated equipment, or any other topic, please contact Fire Chief Gregory Greg Pederson at 952-472-3555 or email at gpederson@moundfire.com.



**Fill Station for filling SCBA
Bottles**



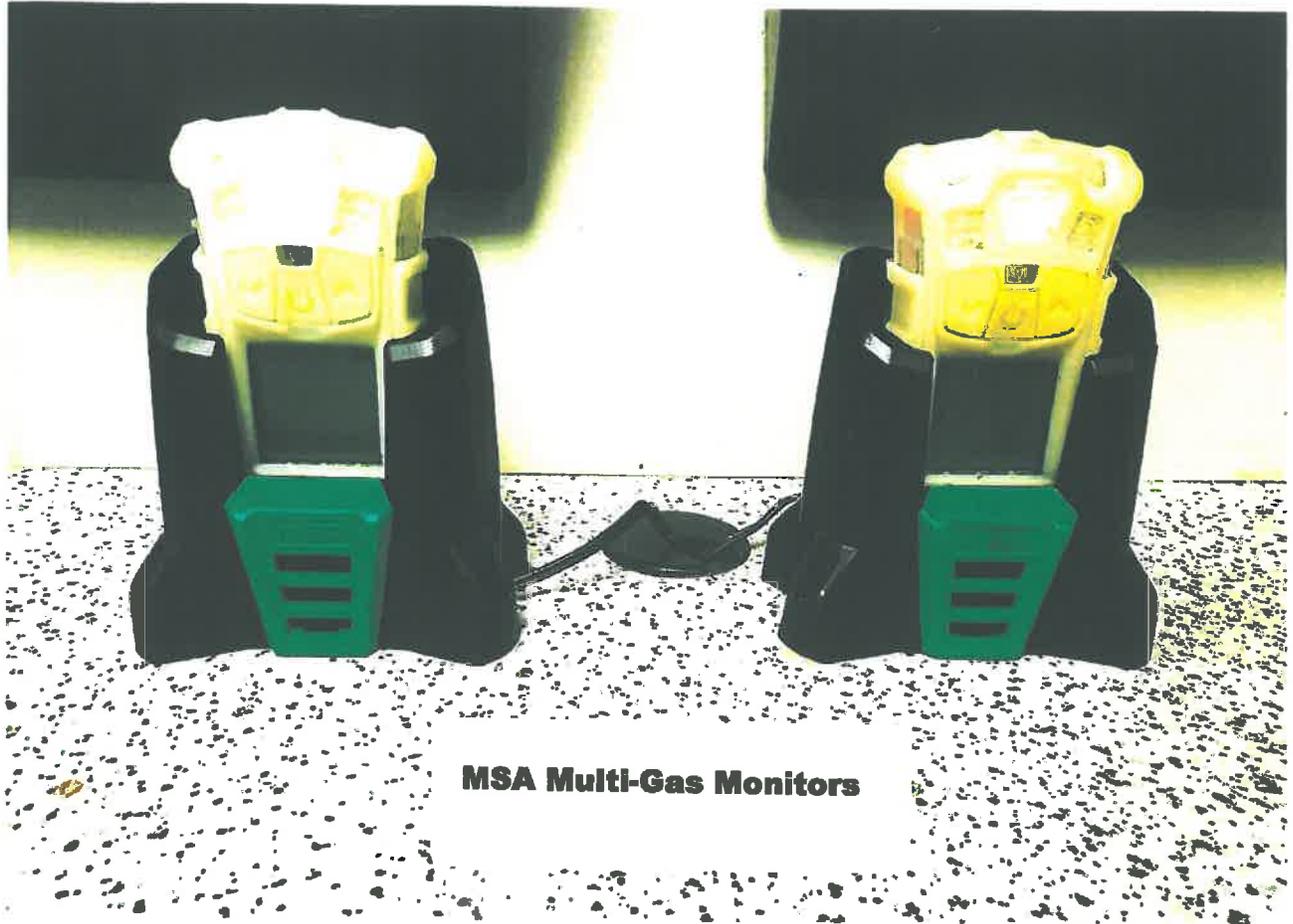
**6,000 psi High Pressure
Breathing Air System**



225 HP Honda Outboard



Extractor Washing Machine



MSA Multi-Gas Monitors