SPRING PARK
*On Lake Minnetonka*

# CITY OF SPRING PARK
# CITY COUNCIL AGENDA
# JANUARY 21, 2020 – 7:00 PM
# SPRING PARK CITY HALL

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. RESOLUTION 20-08: APPOINTING COUNCIL MEMBER
4. TBD - ORDINANCE 20-01: AMENDING PLANNING COMMISSION STRUCTURE
5. OATH OF OFFICE OF NEWLY APPOINTED COUNCIL MEMBER
6. ADOPT MEETING AGENDA
7. ADOPT CONSENT AGENDA*
    a. City Council Special Meeting Minutes from January 6, 2020
    b. Regular City Council Meeting Minutes from January 6, 2020
    c. Resolution 20-09: City Appointments
    d. Special Event #20-01 with Temp On-Sale License for Back Channel Brewery Event on 2/23
    e. Establish Open Book Meeting Date & Time: Thursday, April 16 from 6:00-7:30 p.m.
    f. Cancel February 3, 2020 City Council Regular Meeting
    g. Cancel February 18, 2020 City Council Work Session & Regular Meeting
    h. Reschedule March 2, 2020 City Council Regular Meeting to March 9, 2020 @ 7:00 p.m.
8. PUBLIC FORUM**
9. PRESENTATIONS & GUEST SPEAKERS
10. PUBLIC HEARINGS
11. PETITIONS, REQUESTS, & APPLICATIONS
12. ORDINANCES & RESOLUTIONS
13. REPORTS OF OFFICERS AND COMMITTEES
    a. Mayor & Council
    b. City Staff
    c. Contract Staff
14. NEW BUSINESS & COMMUNICATIONS
15. CLAIMS FOR PAYMENT
    a. January 21, 2020 Claims
16. UPCOMING MEETINGS & TRAINING
    a. January 22 – Fire Commission – 11:00 AM
    b. January 22 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
    c. TBD – February 3 – Regular City Council Meeting – 7:00 PM
17. MISCELLANEOUS (INFORMATION ONLY)
18. 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.

#3

**CITY OF SPRING PARK**
**HENNEPIN COUNTY, MINNESOTA**

**RESOLUTION NO. 20-08**

**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 the passing of Council Member Megan J. Pavot on November 16, 2019; 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 January 21, 2020.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Spring Park hereby appoints _____ to the vacant City Council seat effective January 21, 2020; 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 January 21, 2020 through December 31, 2020.

**ADOPTED** by the City Council of the City of Spring Park this 21st day of January, 2020.

CITY OF SPRING PARK

Approved:

_____
Jerome P. Rockvam, Mayor

Attest:

_____
Theresa Schyma, City Clerk

#4

SPRING PARK
*On Lake Minnetonka*

STAFF MEMO

ORDINANCE 20-01: ALLOWING COUNCILMEMBERS TO SERVE CONCURRENTLY ON PLANNING COMMISSION

1. BACKGROUND: The City's Code states that planning commissioners cannot serve concurrently on the City Council. Two of the applicants for the City Council currently serve on the Planning Commission and have indicated an interest in serving in both capacities if they were appointed to the City Council. State law does not prohibit Councilmembers from sitting on local planning boards, which is quite common in smaller cities throughout the State where it can be difficult to recruit and keep interested officials.

   If the City Council desires to appoint a sitting planning commissioner to the Council while still allowing them to serve on the Planning Commission the attached ordinance must be adopted. Below is a brief overview of the ordinance:

   - Would allow a sitting or newly appointed councilmember to serve concurrently on both the City Council and the Planning Commission so long as no there are never more than two councilmembers on the commission at any time.
   - Any councilmember under consideration for appointment to the Planning Commission must abstain from voting on their appointment.
   - The Council will still need to appoint a liaison to the Planning Commission in the event that no councilmembers are serving concurrently on both boards.

**CITY OF SPRING PARK**
**HENNEPIN COUNTY, MINNESOTA**

**ORDINANCE NO. 20 – 01**

**AN ORDINANCE AMENDING CHAPTER 24, SECTION 24-32 OF THE SPRING PARK CITY CODE RELATING TO THE PLANNING COMMISSION**

**THE CITY COUNCIL OF THE CITY OF SPRING PARK, MINNESOTA ORDAINS AS FOLLOWS:**

**Section 1.** Chapter 24, Section 24-32 of the Spring Park City Code is hereby amended to add the underlined language and delete the ~~stricken~~ language as follows:

Sec. 24-32. – Composition.

The planning commission shall consist of five members who are residents of the city. Members of the planning commission shall be appointed by a majority vote of the city council. A councilmember may serve concurrently on the planning commission as a full voting member, provided, however, that no more than two councilmembers may serve concurrently on the planning commission. Any active councilmember under consideration for appointment to the planning commission must abstain from the city council's vote regarding such appointment. If a member of the planning commission is elected or appointed to the city council and such election or appointment would otherwise cause the aforementioned limit to be exceeded, that person's seat on the planning commission shall become vacant immediately upon the commencement of the person's term on the city council. ~~In addition,~~ If no councilmember is serving concurrently on the city council and planning commission, the city council shall appoint one city council member to serve as an ex officio member of the planning commission to act as a liaison between the council and the planning commission. The ex officio member shall be a non-voting member of the planning commission and shall not be counted for purposes of determining a quorum. City staff such as the city planner, city engineer, building inspector, and city attorney are not members of the planning commission, but may be requested to attend meetings and provide information and advice to the planning commission on an as needed basis.

**Section 2. Effective Date.** This ordinance shall be in full force and effective immediately upon its passage and publication.

**ADOPTED by the City Council of Spring Park this 21st day of January, 2020.**

CITY OF SPRING PARK

By: _____
Jerome P. Rockvam, Mayor

ATTEST:

By: _____
Theresa Schyma, City Clerk

#7a

SPRING PARK
*On Lake Minnetonka*

# CITY OF SPRING PARK
# SPECIAL MEETING MINUTES
# JANUARY 6, 2020 – 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 Mark Chase

Staff Present: Dan Tolsma, City Administrator; and Mary Tietjen, City Attorney

1. APPLICANT INTERVIEWS FOR VACANT CITY COUNCIL SEAT
   a. Gerald Sicard
   b. Michael Mason
   - The third applicant, Jeff Hoffman, had a conflict and will be interviewed prior to the City Council work session on January 21.

   The City Council conducted interviews with applicants interested in being appointed to fill the current vacancy on City Council.

2. ADJOURN – The special meeting was adjourned by unanimous consent at 6:52 p.m.

Date Approved: January 21, 2020

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk

#7b

CITY OF SPRING PARK
CITY COUNCIL MINUTES
JANUARY 6, 2020 – 7:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Mayor Rockvam at 7:00 p.m.

   Council Members Present: Jerome P. Rockvam, Mayor; Mark Chase; Pamela Horton; and Gary Hughes

   Staff Present: Dan Tolsma, City Administrator; Mary Tietjen, 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

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

   Motion carried 4-0.

4. ADOPT CONSENT AGENDA
   a. Work Session Meeting Minutes from December 2, 2019
   b. Regular City Council Meeting Minutes from December 2, 2019
   c. Resolution 20-01: Naming Official Depositories
   d. Resolution 20-02: Establishing Order of Business
   e. Resolution 20-03: Dates of Meetings, Holidays, & Office Hours
   f. Resolution 20-04: Pre-authorization of Certain Payments
   g. Resolution 20-05: City Credit Card Authorized Users
   h. Resolution 20-06: Appointing Election Judges
   i. Resolution 20-07: Establishing Absentee Ballot Board

   M/Horton, S/Chase to adopt the Consent Agenda.

   City Administrator Tolsma noted that City Council liaison appointments will be discussed at the meeting on January 21 after a new Council Member is appointed.

   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 – None.

10. REPORTS OF OFFICERS AND COMMITTEES

a. Mayor & Council – None.

b. City Staff – City Administrator Tolsma discussed the recent recycling issue that occurred over the holidays due to a winter ice storm. He added that regular recycling service will resume on Friday, January 10.

Council Member Horton asked about recycling issues at multi-family buildings in the City.

City Administrator Tolsma discussed the recent situation at multi-family buildings where the City's contracted recycling hauler decided that their new strategy for combating contamination was that if one piece of contamination was seen in a bin, their drivers would take a photograph and refuse to pick-up any bins at the building until all contamination was removed. This tactic by the contracted hauler resulted in many multi-family buildings being refused service for weeks which resulted in many overflowing recycling bins. He added that staff has been working hard trying to resolve this issue but noted that most multi-family buildings have opted out of the City contract and chosen their own recycling hauler. He noted that residents can call City Hall if they are experiencing issues with their recycling.

Mayor Rockvam noted that having an ice storm over the holidays was unfortunate timing.

City Administrator Tolsma agreed and said it was the perfect storm for recycling issues.

Council Member Hughes had questions about what types of plastic bags are allowed in recycling.

City Administrator Tolsma responded that items can be recyclable but not necessarily accepted by certain haulers in a single-sort system. He added that it is best to follow the items listed on the annual calendar that is mailed to every resident by the City's recycling contractor.

Council Member Hughes would like Republic Service's recycling representative to attend an upcoming Council meeting to answer questions about recycling.

City Administrator Tolsma responded that he will arrange for a visit at an upcoming meeting.

c. Contract Staff – City Attorney Tietjen discussed upcoming changes to the City Code in regards to tobacco products due to recent changes at the federal level concerning Tobacco 21. She stated that eventually these changes will impact cities because the states will have to come into compliance with federal law. She added that her office is putting together a memo that will soon be shared with staff discussing the City's options.

11. NEW BUSINESS & COMMUNICATIONS – None.

12. CLAIMS FOR PAYMENT

a. January 6, 2020 Claims

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

Motion carried 4-0.

13. UPCOMING MEETINGS & TRAINING
    a. January 8 – Planning Commission – 6:00 PM
    b. January 8 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
    c. January 14 – Administration Meeting – 12:00 PM
    d. January 21 (Tues) – City Council Work Session at 6:00 PM with Regular Meeting at 7:00 PM

City Administrator Tolsma noted that a special meeting of the Council will take place on January 21 at approximately 5:30 p.m. to conduct the final interview for the vacancy on City Council.

14. MISCELLANEOUS (INFORMATION ONLY)
    a. Mound Fire Department November Report

15. ADJOURNMENT

The meeting was adjourned by unanimous consent at 7:18 p.m.

Date Approved: January 21, 2020

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk

#7c

**CITY OF SPRING PARK**
**SPRING PARK, MINNESOTA**

**RESOLUTION 20-09**

**RESOLUTION FOR APPOINTMENTS**

**WHEREAS**, The City Council of the City of Spring Park has established a policy at the start of each new year to appoint committee members, recommending bodies, and other constituents to serve the City; and

**WHEREAS**, a Council Member is appointed to serve on the Administrative Committee; and

**WHEREAS**, a Council Member is appointed to serve on the Police Commission Committee; and

**WHEREAS**, a Council Member is appointed to serve on the Fire Commission Committee; and

**WHEREAS**, a Council Member is appointed to serve on the LMCD Board of Directors; and

**WHEREAS**, a Council Member and/or resident is appointed to serve on the LMCC Committee; and

**WHEREAS**, a Council Member is appointed to serve as Planning Commission Ex-Officio; and

**WHEREAS**, dates and times of these meetings will be posted or announced at regular Council meetings; and

**WHEREAS**, the terms of these appointments expire December 31 each year *or until a qualified successor is found to be acceptable.*

**NOW THEREFORE BE IT RESOLVED** that the City Council will approve the attached list of appointments of the City of Spring Park in January each year and does hereby approve this policy.

**ADOPTED** by the City Council of the City of Spring Park this 21st day of January, 2020.

CITY OF SPRING PARK

Approved:

_____
Jerome P. Rockvam, Mayor

Attest:

_____
Theresa Schyma, City Clerk

**CITY OF SPRING PARK**
**SPRING PARK, MINNESOTA**
**APPOINTMENTS FOR YEAR 2020**

| | |
|---|---|
| 1. ACTING MAYOR | Hughes |
| 2. ACCOUNTANT | Abdo Eick & Meyers, LLP |
| 3. AUDITOR | MMKR, James Eichten |
| 4. CITY ATTORNEY | Kennedy & Graven |
| 5. CITY PROSECUTING ATTORNEY | Greg Keller |
| 6. EMERGENCY MANAGEMENT DIRECTOR<br>LOCAL COORDINATOR | Chief of Police<br>PeopleService |
| 7. CITY ENGINEER | Sambatek |
| 8. CITY ASSESSOR | Hennepin County |
| 9. OFFICIAL SIGNATURES<br>ALTERNATE SIGNATURES | Mayor, City Clerk<br>Acting Mayor, City Administrator |
| 10. OFFICAL NEWSPAPER | The Laker |
| 11. WEED INSPECTOR<br>ALTERNATE | Mayor<br>VACANT |
| 12. ADMINISTRATIVE COMMITTEE<br>ALTERNATE | Rockvam, Hughes<br>VACANT |
| 13. GILLESPIE CENTER REPRESENTATIVES<br>(City may appoint up to 2 representatives; at least 1 shall be a Council Member) | Horton, Bren (resident) |
| 14. POLICE COMMISSION<br>ALTERNATE<br>(City may appoint up to 2 representatives) | Rockvam, VACANT, Administrator<br>VACANT |
| 15. PLANNING COMMISSION EX-OFFICIO<br>ALTERNATE | VACANT<br>Horton |
| 16. BEAUTIFICATION COMMISSION | Planning Commission |

| | |
|---|---|
| 17. LAKE MINNETONKA CABLE COMMISSION | Horton, Williamson (resident) |
| 18. SUBURBAN RATE AUTHORITY (SRA) | City Administrator |
| 19. DATA PRACTICES COMPLIANCE OFFICIAL<br>RESPONSIBLE AUTHORITY | City Clerk<br>City Clerk |
| 20. INVESTMENT, FINANCE, & PERSONNEL | Rockvam, VACANT, Administrator |
| 21. FIRE COMMISSION<br>ALTERNATE<br>(City may appoint up to 2 representatives) | Hughes, Administrator<br>VACANT |
| 22. LMCD BOARD OF DIRECTORS | Hughes (term ends 01/22) |
| 23. PLANNING COMMISSIONERS | Avalos<br>Hoffman<br>Homan<br>Kaczanowski<br>Mason |

#7d

SPRING PARK
*On Lake Minnetonka*

STAFF MEMO

BACK CHANNEL BREWERY
SPECIAL EVENT
SUNDAY, FEBRUARY 23RD

1. BACKGROUND: Back Channel Brewery is requesting a permit for a special event to be held on Sunday, February 23rd. The event is scheduled from 12:00 p.m. to 8:00 p.m. and is an organized gathering and fundraiser for the Westonka Walleye Organization. The event will not include outdoor music but will allow for patrons to have alcoholic beverages in a defined area of the south parking lot which will be demarcated with barriers.

2. DISCUSSION: The request for outdoor alcohol requires a special event application and a one-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 organizers will need to coordinate with the Mound Fire Department and Orono Police Department prior to the event to ensure that all necessary safety precautions have been taken.

3. FINANCIAL CONSIDERATIONS: All required permit fees have been received.

4. RECOMMENDED ACTION: By Motion: Approve Special Event Application No. 20-01 and Temporary On-Sale Liquor License for Back Channel Brewery for an event on Sunday, February 23, 2020 with the attached list of conditions.

SPRING PARK
*On Lake Minnetonka*

DRAFT CONDITIONS

BACK CHANNEL BREWING
LAST CALL 4 WALLEYE EVENT
SUNDAY, FEB 23RD

## SPECIAL EVENT CONDITIONS

1. Event organizer must obtain a one-day temporary on-sale liquor license from the Minnesota Department of Public Safety, Alcohol & Gambling Enforcement Division.

2. Any alcoholic beverages being sold or taken outside of the principal building shall be limited to confines of the 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 demarcated outdoor area or the principal building and patio area.

3. Any and all temporary entrances to the outdoor area must be staffed by a designated ID monitor.

4. If the quantity or dimensions of any outdoor recreational fire require a permit, the Applicant must obtain a recreational fire permit from the Mound Fire Department and provide a copy to City staff prior to the event.

5. All mobile food units operating at the event must be licensed by the City of Spring Park.

6. If the Applicant wishes to operate a pig roast or fish fry at this event which will not be self-contained in a mobile food unit, the Applicant's food vendor must also obtain a short-term event food license from Hennepin County Public Health Department and provide a copy to City staff prior to the event. Furthermore, the Applicant must ensure that the pig roast or fish fry area is monitored at all times and that there is a means of fire extinguishment nearby.

7. Any additional conditions recommended by the Mound Fire Department and the Orono Police Department shall be complied with.

#7e

# HENNEPIN COUNTY
MINNESOTA

To: Spring Park City Clerk/City Administrator

From: Kim Jensen, Senior Appraiser

Date: December 16, 2019

Re: 2020 Open Book Meeting

| Thursday, April 16, 2020 | 6 – 7:30 PM |
|---|---|
| Date | Time |

Minnesota Statute 274.01, Subdivision 1, requires that the County Assessor set the date and time for your local board of appeal and equalization meeting. Your city has opted for an Open Book meeting in place of a Local Board of Appeal and Equalization meeting. We are proposing the date and time referenced above based upon last year's meeting date.

Please confirm the date and time above, or if you wish to change the date, call us with an alternative by January 24. This will allow for Notices of Valuation and Classification to be prepared timely. If you have any questions, please call me at (612) 348-6106 or send me an e-mail at kimberly.jensen@hennepin.us.

Please return the confirmation to Kim Jensen, A-2103 Government Center, Minneapolis, MN, 55487, or email to AO.Admin@hennepin.us.

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**CONFIRMATION**

City: City of Spring Park

Date: Thursday, April 16, 2020

Time: 6 - 7:30 PM

Place: Spring Park City Hall

City Clerk/City Administrator Signature:

_____

#7f,g,h

SPRING PARK
*On Lake Minnetonka*

STAFF MEMO

CANCEL/RESCHEDULE CERTAIN
UPCOMING CITY COUNCIL MEETINGS

1. BACKGROUND: In previous years the City Council has typically cancelled one or both of the Council meetings in February to accommodate winter travel plans of Council Members. Furthermore, this year the March 2 City Council meeting occurs 12 hours before the start of the March 3 Presidential Nomination Primary Election in the council chambers.

2. DISCUSSION: Currently there are not any critical items that the Council needs to consider in February when Council attendance will be reduced. Additionally, all billing and claims are still able to be paid by the City in a timely manner due to Council Resolution No. 20-04 which authorizes staff to pre-pay certain claims and disbursements.

   The Presidential Nomination Primary Election will occur on Tuesday, March 3, 2020. City staff completes the election room set-up prior to Election Day to ensure that the opening of the polls goes as smoothly as possible for the City's election judges; therefore, the council chambers will be unavailable for the regularly scheduled March 2 meeting. There are many components to Election Day and the City's election judges appreciate the assistance from staff since the room set-up process can be time consuming and physically demanding. Due to the fact that the March 2 City Council Meeting is a mere 12 hours before the opening of the polls, City staff are recommending the first Council meeting of March be rescheduled to March 9, 2020 at 7 p.m.

3. RECOMMENDATION: Approve the following items as part of the Consent Agenda:
   - Cancel February 3, 2020 City Council Regular Meeting
   - Cancel February 18, 2020 City Council Work Session & Regular Meeting
   - Reschedule March 2, 2020 City Council Regular Meeting to March 9, 2020 @ 7 p.m.