



CITY OF SPRING PARK
CITY COUNCIL AGENDA
JULY 6, 2020 – 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 Work Session Meeting Minutes from June 15, 2020
 - b. City Council Regular Meeting Minutes from June 15, 2020
 - c. Resolution 20-15: Supporting Electronic Payment Options for City Hall Customers
 - d. Back Channel Brewery Artimer Market Special Events 20-05 (July 29), 20-06 (August 26), & 20-07 (September 30) & Temporary On-Sale Liquor Licenses
5. PUBLIC FORUM**
6. PRESENTATIONS & GUEST SPEAKERS
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. July 6, 2020 Claims
13. UPCOMING MEETINGS & TRAINING
 - a. July 8 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
 - b. July 8 – Planning Commission – 6:00 PM
 - c. July 14 – Administration Committee – 12:00 PM
 - d. July 20 – City Council Work Session at 6:00 PM with Regular Meeting at 7:00 PM
 - e. July 22 – Police Commission – 8:00 AM
 - f. July 22 – Fire Commission – 11:00 AM
 - g. July 22 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
14. MISCELLANEOUS (INFORMATION ONLY)
 - a. Mound Fire Department May Report
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
 WORK SESSION MINUTES
 JUNE 15, 2020 – 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; Mark Chase; Jeff Hoffman; Pamela Horton; and Gary Hughes

Staff Present: Dan Tolsma, City Administrator; Al Brixius, City Planner; Mary Tietjen, City Attorney; and Theresa Schyma, City Clerk

1. LONG-TERM RENTAL ORDINANCE DISCUSSION

City Administrator Tolsma discussed the proposed long-term rental ordinance, the State's landlord/tenant handbook, and the rental escrow process. He stated that he has discussed rental properties with Hennepin County and they do not license rental properties at all. He added that the county only gets involved if there are children involved or if it is an extremely unsafe structure which are separate issues from rental licensing.

City Administrator Tolsma asked City Attorney Tietjen if the proposed long-term rental ordinance could only be applied to single-family properties.

City Attorney Tietjen responded that legally speaking yes, the City could only apply the proposed long-term rental ordinance to single-family properties. However, in order to legally validate that distinction you would need to have some factual justification such as if there is a concern for quality of housing or if the majority of complaint calls have been about single-family properties. In her experience many cities are focused more on bigger buildings because that is where the majority of issues and complaints are but that is not every city.

Council Member Hoffman asked if the City has any data to support complaints and where they are coming from.

City Administrator Tolsma responded that, other than the anecdotal examples, the City has never kept a log of rental complaints. He stated that one of the differences that came up during the Planning Commission review of the proposed ordinances was that multi-family building owners are required to have inspections with their insurance companies. He stated that is one argument that came up as to why they should be treated differently from single-family homes that operate as rental properties.

Mayor Rockvam stated one of his concerns is that he doesn't see the difference between a multi-family apartment building and one individual who owns and rents out 10-15 single-family homes.

City Administrator Tolsma responded that one general position that came out of the discussions at the Planning Commission is that multi-family buildings were built for rentals and did not need to be retrofitted. However, some of the single-family homes have been retro-fitted for rentals and that sometimes even a building that was originally built as a garage has been converted into a rental unit.

Council Member Hoffman stated that he wanted legal advice regarding separating the ordinance and only applying it to single-family rental properties. He stated that he has walked the City and knocked on doors. What he found was unsafe decks, peeling paint, and run-down conditions at single-family rental properties.

City Attorney Tietjen stated that observations of the quality of the housing could be a basis for only applying the proposed ordinance to single-family homes. She stated that there needs to be more of a concerted effort to look at the inventory and really take stock of that. She added that if the City was to move forward for only single-family rental properties then the City needs some sort of summary report about the quality of housing stock.

Mayor Rockvam asked about the history of rental complaints.

City Administrator Tolsma responded that some complaints are due to a bad tenant-landlord relationship. However, he has received several calls that are legitimate complaints throughout the years including someone calling with standing sewage in the basement where their landlord is refusing to help and they are unable to afford to stay anywhere else. There is definitely a range in complaints from minimal to legitimate. He estimated that staff receives approximately three to five complaints per year. However, he believes it is necessary to consider worst-case scenario including a property that staff never receive a complaint on but it is a hazardous property and there are serious concerns regarding tenant safety. There are hazardous rental properties in the City that are not up to what most communities would deem a safe structure to be living in. The counter-argument is that it was a free-market transaction. However, many cities do have rental ordinances as a proactive approach to ensure rental properties are safe and keep quality housing stock in the city.

City Planner Brixius stated that most communities that he works for have long-term rental ordinances when their cities have aging housing stock. This helps ensure that the properties are maintained and livable. The Planning Commission process attempted to draft an ordinance that would work for both tenants and landlords. There are built-in protections for the tenant against landlord retaliation. Also, this would help resolve tenant issues in a more immediate manner. Furthermore, the landlord is protected from tenants who are trying to cause unfounded issues in order to delay paying rent. This process can be managed in a fair and equitable fashion.

Council Member Chase asked if there were any concerns that, if this ordinance passes, the City would even have the capacity to work with this ordinance.

City Administrator Tolsma responded that the vast majority of the work would be conducted by MNSPECT, the City's building official. MNSPECT already provide rental inspection services in other communities and have the number of staff to take care of the inspections. City Hall staff would certainly have some increased time needing to be spent on general issues regarding rental properties but the time-consuming portion of the process would be conducted by MNSPECT.

Mayor Rockvam stated that if the City is concerned with substandard housing then maybe the City should begin buying some of these dilapidated properties in order to demolish and resell.

City Planner Brixius stated that some of his other cities have developed a scattered site redevelopment approach in order to purchase dilapidated properties.

Council Member Hughes said that the State already has a process to deal with landlord/tenant issues so he is not in favor of any sort of long-term rental ordinance in the City.

Council Member Hoffman stated that he is in favor of looking into purchasing dilapidated properties but that can take time, especially when trying to find willing sellers. He stated that is why he is in favor of a proposed rental ordinance for single-family properties.

Mayor Rockvam restated his earlier concern about separating the ordinance, that he doesn't see the difference between a multi-family apartment building and one individual who owns and rents out 10-15 single-family homes.

Council Member Hoffman responded that the difference is multi-family buildings get inspected by insurance companies.

City Planner Brixius added another difference is that these single-family rentals occur in owner-occupied neighborhoods and having a problem landlord in a single-family rental could be more impactful to the neighborhood than a multi-family property.

Council Members Chase, Hoffman, and Horton are in agreement that they are not in favor of a long-term rental ordinance for multi-family properties but are in favor of exploring the option of a long-term rental ordinance that would only apply to single and two-family residential rental properties in the City.

Mayor Rockvam and Council Member Hughes are not in favor of a long-term rental ordinance for both single-family and multi-family properties in the City.

The City Council consensus was that entire council is in favor of starting a redevelopment fund and purchasing dilapidated properties in the City.

City Planner Brixius stated he would provide Council with a proposed redevelopment plan, prepare an ordinance prohibiting short-term rental properties, and prepare an ordinance that would examine opportunities to apply a long-term rental ordinance only to single and two-family rental properties.

City Administrator Tolsma stated that these items would be reviewed at one more work session in order to iron out the details and then the updated, proposed ordinances should be ready for a Council vote.

2. CODE ENFORCEMENT UPDATE/DIRECTION

City Administrator Tolsma stated that the Council was provided a confidential update on the court proceedings regarding some nuisance properties in the City.

City Attorney Tietjen added that some of the impediment has been due to the court system being delayed due to COVID-19. She stated that things are moving forward and there is the potential of agreements with some of the property owners.

City Administrator Tolsma wanted direction from the Council about how they would like staff to handle any new nuisance complaints that come into City Hall. He stated that these are very uncertain and difficult times so he wanted to know if staff should continue the same process regarding nuisance complaints. Each property owner's situation is different but asked if staff should pursue complaints or offer a grace period due to the difficult times we are in and that some owners may have legitimate reasons.

The Council consensus was that staff should keep to the defined procedures regarding nuisance complaints.

Council Member Chase added that during the course of the process, staff would find out if there are legitimate concerns and they could alter their approach on an individual basis.

3. COVID-19 PREPAREDNESS PLAN

City Administrator Tolsma discussed the proposed COVID-19 Preparedness Plan that the City is required to adopt before June 29. He asked Council if they had any questions or feedback.

The Council did not have any questions or feedback regarding the proposed plan.

4. ADJOURN – The work session was adjourned by unanimous consent at 7:02 p.m.

Date Approved: July 6, 2020

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk



CITY OF SPRING PARK
 CITY COUNCIL MINUTES
 JUNE 15, 2020 – 7:00 PM
 SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Mayor Rockvam at 7:04 p.m.

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

Staff Present: Dan Tolsma, City Administrator; Al Brixius, City Attorney; 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

Council Member Hughes requested to add Item #14C to discuss the car seat checks with the Orono Police Department.

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

Motion carried 5-0.

4. ADOPT CONSENT AGENDA

- a. City Council Regular Meeting Minutes from June 1, 2020
- b. Approval of Covid-19 Preparedness Plan
- c. Special Event: Annual United Healthcare Children’s Foundation Bike Ride

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

Motion carried 5-0.

5. PUBLIC FORUM – None.

6. PRESENTATIONS & GUEST SPEAKERS – None.

7. PUBLIC HEARINGS – None.

8. PETITIONS, REQUESTS, & APPLICATIONS – None.

9. ORDINANCES & RESOLUTIONS

- a. Resolution 20-14: Approving Variance Request at 2463 Black Lake Road

City Planner Brixius presented a summary of the public hearing process and setback variance application for 2463 Black Lake Road to allow for a home and garage expansion. He stated that the Planning Commission recommended approval of the variance application at their June 10, 2020 meeting.

M/Hughes, S/Chase to approve Resolution 20-14 allowing street side setback variances for the expansion of the home and garage at 2463 Black Lake Road.

Motion carried 5-0.

10. REPORTS OF OFFICERS AND COMMITTEES

a. Mayor & Council

Council Member Chase took a moment to acknowledge and address the tragic death of George Floyd while in police custody in Minneapolis. He stated that racism has no place in our society and he offered resources for residents who want to donate items to help support the communities that were impacted by the unrest in the metro area that followed Mr. Floyd's death.

b. City Staff – None.

c. Contract Staff – None.

11. NEW BUSINESS & COMMUNICATIONS – None.

12. CLAIMS FOR PAYMENT

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

Motion carried 5-0.

13. UPCOMING MEETINGS & TRAINING

- a. June 23 – Special Capital Projects Work Session Meeting – 5:00 PM
- b. June 24 – LMCD – 6:00 PM
- c. July 6 – Regular City Council Meeting – 7:00 PM

14. MISCELLANEOUS (INFORMATION ONLY)

- a. Narrows Channel Closure
- b. Mound Fire Department Weekly Covid-19 Update
- c. Car Seat Checks with Orono Police Department

Council Member Hughes provided information for residents who would like to have their car seats checked to ensure they are setup properly inside of their vehicles. He recently used this service, provided by the Orono Police Department, and was impressed with the level of service he received to help ensure the safety of his grandchildren.

15. ADJOURNMENT

The meeting was adjourned by unanimous consent at 7:15 p.m.

Date Approved: July 6, 2020

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk



STAFF MEMO

RESOLUTION SUPPORTING
ELECTRONIC PAYMENT OPTIONS

1. **BACKGROUND:** For many years, residents and customers of Spring Park City Hall have commented to City staff that they would like to have an option for electronic payments. In 2020, most consumers have come to expect electronic payment options at all businesses that they interact with.
2. **DISCUSSION:** A resolution supporting electronic payment options does not change anything for customers who would still like to pay by cash or check either by mail or in-person at City Hall. Offering electronic payment options simply adds alternatives for customers who are unable to visit City Hall or would simply prefer to pay their bills in a different manner. This option would give the customers the ability to pay utility bills, permits, and other fees online, by phone, or even in-person at City Hall with a credit or debit card. Online access would also include the ability to pay via e-check.

The current COVID-19 pandemic has led many businesses and government entities to revise their procedures and provide contactless options for customer service. City staff have been able to provide options for many different services at City Hall; however, contactless payment options are currently very limited for customers who are unable to leave their homes and/or are experiencing health issues. Furthermore, the 2020 Minnesota Legislature enacted Chapter 77 which has since been signed into law and it requires all cities to have an electronic option for accepting affidavits of candidacy and filing fees. The City does not currently have that capability.

3. **FINANCIAL CONSIDERATIONS:** Staff will research a cost-effective solution that meets the needs of the City and its customers at Spring Park City Hall.
4. **RECOMMENDED ACTION:** By Motion: Adopt Resolution 20-15 that supports electronic payment options and which directs City staff to research and implement an electronic payment solution for City Hall customers.

RESOLUTION NO. 20-15

**A RESOLUTION SUPPORTING ELECTRONIC PAYMENT OPTIONS
FOR CITY HALL CUSTOMERS**

WHEREAS, it is in the City's best interest to have customers pay their debts in a timely manner; and

WHEREAS, today's consumers have come to expect electronic payment options to be available at all businesses that they interact with; and

WHEREAS, residents and customers have long asked for electronic payment options to be available for the business they conduct at Spring Park City Hall; and

WHEREAS, the current COVID-19 pandemic has led many businesses and government entities to revise their procedures and provide contactless options for customer service in order to help protect the health and safety of their residents and customers; and

WHEREAS, the City Council has determined that certain actions should be taken to provide electronic payment options for customers of Spring Park City Hall.

NOW, THEREFORE, BE IT RESOLVED, the Spring Park City Council does hereby direct City staff to research and implement an electronic payment solution that is cost effective and will best fit the needs of the City and its customers at Spring Park City Hall.

ADOPTED by the City Council of Spring Park, Minnesota this 6th day of July, 2020.

CITY OF SPRING PARK

Attest:

Approved:

Theresa Schyma, City Clerk

Jerome P. Rockvam, Mayor



STAFF MEMO

BACK CHANNEL BREWERY SPECIAL
EVENT – “WET” ARTIMER MARKETS
WEDNESDAYS –7/29, 8/26, 9/30

1. **BACKGROUND:** Back Channel Brewery’s “Artimer Markets” began in 2018 after a conditional use permit (CUP) was approved by resolution of the City Council on April 16, 2018. A special event permit application is necessary for any event that deviates from their approved CUP including hours, outdoor music or alcohol.
2. **DISCUSSION:** Back Channel Brewery has submitted applications for special events held in conjunction with their artisan/farmers market on the last Wednesday of the month from July through September. The events are scheduled from 5:00p to 8:00p and are proposed to include outdoor live music from 5:00p to 8:00p and would also allow for patrons to have alcoholic beverages in the market area.

A list of draft conditions is attached for Council review. Both Police and Fire have reviewed the application and have given their consent with no additional comments.

3. **FINANCIAL CONSIDERATIONS:** All required fees have been received.
4. **RECOMMENDATION:** Approve Special Event Application Nos. 20-05 through 20-07 and Temporary On-Sale Liquor Licenses for Back Channel Brewery for events on July 29, August 26, and September 30 with the attached list of conditions.



DRAFT CONDITIONS

BACK CHANNEL BREWERY SPECIAL
EVENT – “WET” ARTIMER MARKETS
WEDNESDAYS – 7/29, 8/26, 9/30

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. Any alcoholic beverages being taken outside of the principal building shall be limited to a defined area 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.
3. Live music (including music played by a DJ) will be permitted between the hours of 5:00 pm and 8:00 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.
4. 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.
5. Any additional conditions recommended by the Mound Fire Department and the Orono Police Department shall be complied with.

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2020 MOUND FIRE DEPARTMENT ACTIVITY REPORT
Emergency Response and Firefighter Hours Detail

MONTH: MAY

City	Call Type	2020				2019			
		Month Calls	Firefighter Hours	YTD Calls	YTD Hours	Month Calls	Firefighter Hours	YTD Calls	YTD Hours
MOUND	Fire	7	174	37	1127	7	107	33	699
	Rescue	14	284	68	1310	19	325	75	1204
	Duty Officer	6	7	9	10	0	0	5	5
MINNETRISTA	Fire	3	80	18	418	2	22	7	109
	Rescue	5	76	22	418	6	122	21	407
	Duty Officer	2	2	3	3	2	2	3	3
SHOREWOOD	Fire	1	18	2	28	0	0	0	0
	Rescue	0	0	1	11	0	0	0	0
	Duty Officer	0	0	0	0	0	0	0	0
SPRING PARK	Fire	2	42	19	412	2	27	10	180
	Rescue	4	66	30	573	10	181	38	613
	Duty Officer	0	0	0	0	1	1	3	3
MUTUAL AID	Fire	1	16	8	282	1	39	18	706
	Rescue	0	0	1	22	0	0	0	0
STAND BY	Weather, Special Event, Etc.	0	0	0	0	0	0	0	0
Total Activity All Cities	Fire	14	330	84	2267	12	195	68	1,694
	Rescue	23	426	122	2334	35	628	134	2224
	Duty Officer	8	9	12	13	3	3	11	11
	Stand By	0	0	0	0	0	0	0	0
	TOTAL	45	765	218	4614	50	826	213	3929

Monthly Activity by Call Category	2020	2019
COMMERCIAL	2	8
RESIDENTIAL	33	38
OTHER (OUTSIDE/ROADWAY/LAKE/OPEN AREA/MISC)	10	4
SERVICE CALLS (Smoke/CO Detectors)	2	1
LEGITIMATE FIRE ALARMS	3	5
FALSE FIRE ALARMS	1	1

MUTUAL AID AND TRAINING/DRILL SUMMARY	2020		2019	
	Month	YTD	Month	YTD
MUTUAL AID CALLS RECEIVED	0	3	0	1
MUTUAL AID CALLS GIVEN	1	9	1	18
TRAINING/DRILL HOURS	327	1655.5	392.75	2009.5

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**Mound Fire Department
Incident Reports - Spring Park
May, 2020**

FIRE NO.	DATE	CITY	ADDRESS	FIRE/ RESCUE	DESCRIPTION	ACTION TAKEN	FF HOURS
205	5/27/2020	Spring Park	3818 Sunset Drive	Fire	Alarm - Fire	Area Power Outage	18
213	5/28/2020	Spring Park	4599 Shoreline Dr, #204	Fire	Alarm - Fire	Burnt Food	24
Total Fire Calls				2	Total Fire Hours		42

197	5/20/2020	Spring Park	4527 Shoreline Drive	Rescue	EMS	Transported	21
200	5/22/2020	Spring Park	4515 Shoreline Drive	Rescue	EMS	Transported	18
209	5/27/2020	Spring Park	Seton Bridge	Rescue	EMS	Cancelled Enroute	14
212	5/28/2020	Spring Park	4515 Shoreline Drive	Rescue	EMS	Cancelled	13
Total Rescue Calls				4	Total Rescue Hours		66

Total Duty Officer Calls				0	Total Duty Officer Hours		0
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TOTAL FIRE, RESCUE & DUTY OFFICER CALLS				6	TOTAL FIRE, RESCUE & DUTY OFFICER HOURS		108
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RECEIVED JUN 12 2020

Mound Fire Department

**City of Spring Park
January-May, 2020**

Fire Alarm / False Alarm Report

Fire No	Date	Address	Alarm Type			Activity or Action Taken	False Alarm	Pre-ventable
			Fire	Smoke	CO			
6	1/13/2020	4599 Shoreline Drive, #205	x			Burnt Food	N	Y
13	1/18/2020	4601 Shoreline Drive	x			Set off by cooking	N	Y
18	1/22/2020	4250 West Arm Road	x			Set off by contractor	Y	Y
26	1/26/2020	4599 Shoreline Drive	x			Child Pulled Pull Station	Y	Y
29	1/28/2019	4250 West Arm Road	x			Set off by contractor	Y	Y
39	2/4/2020	4250 West Arm Road	x			Cancelled enroute	y	Y
67	2/22/2020	3746 Sunset Dr	x			Water Issue	N	N
68	2/23/2020	3746 Sunset Dr	x			Set off by construction	Y	Y
84	3/3/2020	4559 Shoreline Drive	x			Burnt Food, ventilated	N	Y
133	4/3/2020	4601 Shoreline Drive, #106	x			Ventilated	N	Y
169	4/26/2020	4559 Shoreline Drive	x			Set off by haze - unknown origin	N	N
205	5/27/2020	3818 Sunset Drive	x			Set off by Area Power Outage	N	N
213	5/28/2020	4599 Shoreline Dr, #204	x			Burnt Food	N	Y

2020 YTD TOTALS

FIRE ALARM	13			False Alarms	5	
SMOKE DETECTOR		0		Legitimate Alarms	8	
CO DETECTOR			0	Preventable		10
TOTAL - ALL ALARMS	13					