



CITY OF SPRING PARK  
CITY COUNCIL AGENDA  
JANUARY 22, 2019 – 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 December 18, 2018
  - b. Regular City Council Meeting Minutes from January 7, 2019
  - c. Resolution 19-07: Approving Variance for Head-In Parking on Warren Avenue
  - d. Resolution 19-08: WeCAN Resolution of Support
  - e. Establish Open Book Meeting Date & Time: Thursday, April 18 from 6:00-7:30pm
5. PUBLIC FORUM\*\*
6. PRESENTATIONS & GUEST SPEAKERS
7. PUBLIC HEARINGS
8. PETITIONS, REQUESTS, & APPLICATIONS
  - a. Special Event 19-01 with Temporary On-Sale Liquor License for Back Channel Brewery Event on February 24<sup>th</sup>.
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. January 22, 2019 Claims
13. UPCOMING MEETINGS & TRAINING
  - a. January 23 – Fire Commission – 11:00 AM
  - b. January 23 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
  - c. TBD – February 4 – Regular City Council Meeting – 7:00 PM
14. MISCELLANEOUS (INFORMATION ONLY)
15. ADJOURNMENT

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\* 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  
 DECEMBER 17, 2018 – 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; Pamela Horton; Gary Hughes; Catherine Kane Palen; and Megan Pavot

Staff Present: Dan Tolsma, City Administrator; Mike Kuno, City Engineer; Bob Kirmis, Acting City Planner; and Mary Tietjen, City Attorney

1. RENTAL ORDINANCE UPDATE

City Administrator Tolsma provided an update on the direction of the Planning Commission regarding a rental ordinance in the City. He requested feedback to ensure the Planning Commission is moving in the right direction so that their time can be utilized efficiently.

City Administrator Tolsma stated that the Planning Commission is looking at a licensing procedure for all rentals with requirements for both short-term and long term rental properties. He further discussed the rental ordinances of several surrounding communities.

The City Council discussed inspections and associated fees, the diversity in the City's housing stock, dock issues especially at short-term rental properties, and parking issues in the City.

City Administrator Tolsma stated that currently there are few remedies in place for rundown rentals; this licensing process is to ensure that from the get-go the City's rental stock is up to health and safety standards.

Council Member Pavot stated she was in favor of rental licensing since there is nothing in place right now to prohibit renting unsafe properties in the City.

Council Member Kane Palen agreed adding that basic safety features are necessary.

Mayor Rockvam encouraged advertising for major public participation so that many points of view are considered while shaping this ordinance.

City Administrator Tolsma responded that there would be a massive push for public involvement similar to the outdoor storage ordinance. He added that this ordinance would serve two purposes in protecting renters but also protecting neighbors from living next to unsafe rental properties that can cause safety issues and decrease property values.

Council Member Pavot stated that some people in the community want to the opportunity to operate a short-term rental and this would provide clear guidelines on how to accomplish that.

Council Member Kane Palen agreed but noted she wanted to make sure there was adequate parking on these sites and that potential operators are educated about how to operate their short-term rental in the City.

The City Council consensus was that the Planning Commission is moving in the right direction and should proceed.

## 2. NUISANCE CODE ENFORCEMENT UPDATE

City Administrator Tolsma provided a summary of nuisance properties from the past year. He discussed certain properties that are ignoring the City's requests for clean-up. He asked City Attorney Tietjen to provide a summary of options for these owners who refuse to bring their properties into compliance.

City Attorney Tietjen discussed the pros and cons of the three basic options available to the City including criminal prosecution, civil action, and the City's current process of administrative citations and abatement agreements.

City Attorney Tietjen suggested the City continue to pursue signed abatement agreements with these non-compliant properties because the agreement is very clear with a deadline and what will occur if they do not meet the agreed upon terms. She added that the City technically doesn't need a signed agreement but added that it helps so that the homeowner is fully aware of the process that will occur.

Mayor Rockvam responded that he would like to stay away from civil and criminal action because even if you win the lawsuit you don't necessarily get the site cleaned up and that is the ultimate goal. He is in favor of gaining signed agreements and also prefers the abatement process since the City pays the cost up-front but will recover those funds eventually.

City Attorney Tietjen stated she mainly wants feedback as to the Council's desire for court action.

The Council consensus was that court action should not be a first route on these properties and that abatement is preferable.

City Attorney Tietjen responded that if the City had a property where the abatement process was unsuccessful she would come back to the Council for approval to initiate the legal process.

The City Council consensus was that the goal of the ordinance was to clean up the city and it is not fair that we would enforce on some properties but not others who choose to ignore the City's efforts for clean-up. The Council prefers signed abatement agreements whenever possible; court action should be the last possible action.

Council Member Pavot asked if there are services available for people to seek help especially with the mental health component that can sometimes accompany homeowners of nuisance properties.

City Administrator Tolsma responded there are services and he has notified homeowners of these services but they are always refused because the homeowners simply do not want to clean up their properties or do not feel their property constitutes a nuisance.

### 3. 2019 STAFF WAGES DISCUSSION

City Administrator Tolsma presented a summary of the options for staff wages in 2019.

The City Council consensus was to make a motion at the regular Council meeting in January 2019 to approve the 2019 City of Spring Park staff wages with a 3% increase.

### 4. 2019 COUNCIL APPOINTMENTS DISCUSSION

City Administrator Tolsma asked Council to review the current appointments and give him feedback prior to January 2.

### 5. MISCELLANEOUS

Item #4 – Miscellaneous was moved prior to Item #1.

City Engineer Kuno stated he needed council feedback on two issues after a recent meeting with Hennepin County; push-button pedestrian crossing near Bayview Place and flashing yellow left turn signals at two intersections on Shoreline Drive (Interlachen Road and Sunset Drive).

City Engineer Kuno stated that Hennepin County is very opposed to a push-button pedestrian crossing on the eastern side of Bayview Place but would be in favor of a regular pedestrian crossing with safety area on the western side of Bayview Place. City staff relayed concerns about use and safety but the county asked if the City would be willing to partner on the county's proposal.

The Council consensus was that they have been very clear about their safety concerns in that area and are not in favor of putting City money towards something that they don't believe will increase safety.

City Engineer Kuno stated that both the City and Hennepin County are trying to improve pedestrian safety in the area but are in disagreement over how best to get that result. The county still states that there is a putting a push-button pedestrian crossing too close to Bayview Place to install another one.

City Engineer Kuno stated the county's version of the pedestrian crossing would cost approximately \$12,000 and are asking the city for a 50/50 split of the cost.

The Council directed City Engineer Kuno to notify Hennepin County that the Council does not agree with their proposal and will not partner on this particular project.

City Engineer Kuno asked the Council for feedback on the county's proposal for flashing yellow turn arrows on Shoreline Drive at Interlachen Road and Sunset Drive. Hennepin County has asked if the City would like to participate in this project as they tend to be very popular and have been receiving multiple requests for these types of signals.

Mayor Rockvorn asked about the costs associated with installation.

City Engineer Kuno responded that this agreement would have the City pay for the equipment and Hennepin County would pay for labor and installation. The estimated cost to the City for both signals would be \$9,200.

The City Council directed City Engineer Kuno to inform Hennepin County that the City is interested in partnering on this project and are agreeable to the estimated costs.

6. ADJOURN - The work session was adjourned by unanimous consent at 6:59 p.m.

Date Approved: January 7, 2019

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Dan Tolsma, City Administrator

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Theresa Schyma, City Clerk



CITY OF SPRING PARK  
CITY COUNCIL MINUTES  
JANUARY 7, 2019 – 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; Gary Hughes; Pamela Horton; and Catherine Kane Palen

Council Members Absent: Megan Pavot

Staff Present: Dan Tolsma, City Administrator; Bob Kirmis, Acting City Planner; and Theresa Schyma, City Clerk

- a. Oaths of Office for Jerry Rockvam, Mayor; Pam Horton, Council; Gary Hughes, Council

City Clerk Schyma administered the oaths of office to Mayor Rockvam, Council Member Horton, and Council Member Hughes.

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

3. ADOPT MEETING AGENDA

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

Motion carried 4-0.

4. ADOPT CONSENT AGENDA

- a. ~~Work Session Meeting Minutes from December 17, 2018~~
- b. Regular City Council Meeting Minutes from December 17, 2018
- c. Staff Wages for 2019
- d. Resolution 19-01: Naming Official Depositories
- e. Resolution 19-02: Establishing Order of Business
- f. Resolution 19-03: City Appointments
- g. Resolution 19-04: Dates of Meetings, Holidays, & Office Hours
- h. Resolution 19-05: Pre-authorization of Certain Payments
- i. Resolution 19-06: City Credit Card Authorized Users

Mayor Rockvam removed Item #4a from the Consent Agenda for consideration at the next regular City Council meeting.

M/Hughes, S/Kane Palen to adopt the Consent Agenda as amended.

Motion carried 4-0.

5. PUBLIC FORUM – None.
6. PRESENTATIONS & GUEST SPEAKERS – None.
7. PUBLIC HEARINGS – None.
8. PETITIONS, REQUESTS, & APPLICATIONS
  - a. Variance Application for Head-In Parking on Warren Avenue (Resolution 19-07)

Acting City Planner Kirmis presented Resolution No. 19-07 regarding Land Use Application No. 18-04 VAR requesting a parking variance to allow parking stalls having direct access from a public street for the industrial property located along 4164 Shoreline Drive. He provided an overview of the previous discussions regarding this application and the conditions recommended by the Planning Commission in their approval. He further noted that the 60-day clock on the application will expire before the next City Council meeting; however, the property owner/applicant has agreed to a 60-day extension.

Joel Buttenhoff, property owner/applicant, was available for questions.

Council Member Horton stated her main concern was the additional eight parking spots on Interlachen Road due to traffic concerns and loss of greenspace.

Council Member Hughes agreed with Council Member Horton about safety concerns with the additional eight parking spots on Interlachen Road. He added that he is particularly concerned with the four spots designated for compact cars as the spots are only 15 feet deep. He restated his comments from the previous meeting that he is in support of the 12 spots on Warren Avenue.

Council Member Kane Palen stated she supports the 12 parking spots on Warren Avenue but has safety concerns regarding the eight parking spots on Interlachen Road. She added that she has concerns regarding snow removal and storage in the area as well.

City Administrator Tolsma responded that a condition of approval would be that the applicant has to provide a snow removal and snow storage plan to City staff to review and approve.

Mayor Rockvam asked Mr. Buttenhoff how critical the parking issue is to future tenants of the building.

Mr. Buttenhoff responded that marketing the site to prospective tenants has been challenging due to the lack of convenient and safe employee parking. He stated that he would be open to removing his request for the four compact car parking spots to make the area available for snow storage, adding a small sidewalk area, and minimizing the loss of greenspace.

Mayor Rockvam suggested Mr. Buttenhoff return to his architect with the main talking points from tonight's discussion and revise the site plan and application for the Council to consider at a future meeting.

Mr. Butenhoff responded that since the Council is responding favorably to the 12 spots on Warren Avenue, he would be agreeable to revising his application and site plan for only those 12 spots and remove the eight parking spots along Interlachen Road. He added that if a future tenant required more parking he would submit an additional application at a later date to address potential parking on Interlachen Road.

The City Council consensus was to direct staff to amend the language of the proposed resolution to remove the eight spots that were requested along Interlachen Road and include only the 12 parking spots along Warren Avenue so that this item could be considered at the next regular meeting.

9. ORDINANCES & RESOLUTIONS – None.

10. REPORTS OF OFFICERS AND COMMITTEES

a. Mayor & Council – Mayor Rockvam asked staff how the Fire Department’s budget was impacted with the withdrawal of Minnetonka Beach from the contract.

City Administrator Tolsma responded that Fire Chief Pederson was able to crunch the numbers so that remaining member cities were affected as little as possible; Spring Park saw a minimal increase overall.

b. City Staff – None.

c. Contract Staff – None.

11. NEW BUSINESS & COMMUNICATIONS – None.

12. CLAIMS FOR PAYMENT

a. January 7, 2019 Claims

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

Motion carried 4-0.

13. UPCOMING MEETINGS & TRAINING

a. January 9 – Planning Commission – 6:00 PM

b. January 9 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM

c. January 15 – Administration Meeting – 12:00 PM

d. January 22 (Tuesday) – City Council Work Session – 6:00 PM

e. January 22 (Tuesday) – Regular City Council Meeting – 7:00 PM

14. MISCELLANEOUS (INFORMATION ONLY) – None.

15. ADJOURNMENT

M/Hughes, S/Kane Palen to adjourn the City Council Meeting at 7:53 p.m.

Motion carried 4-0.

Date Approved: January 22, 2019

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Dan Tolsma, City Administrator

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Theresa Schyma, City Clerk

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

**RESOLUTION NO. 19-07**

**RESOLUTION APPROVING THE SITE PLANS AND VARINANCE TO ALLOW  
HEAD-IN PARKING FOR TONKA VENTURES WEST AT 4164 SHORELINE  
DRIVE WITHIN THE CITY OF SPRING PARK**

**WHEREAS**, Tonka Ventures LLC is proposing to add additional parking stalls accessed directly from Warren Avenue for the 28,000 square foot tenant bay located at 4164 Shoreline Drive and has submitted an application for land use review; and

**WHEREAS**, City Staff have reviewed submitted plans and prepared a planning report dated December 12, 2018; and

**WHEREAS**, the Spring Park Planning Commission met and held a public hearing on December 12, 2018 to consider the variance request, the staff reports, and to take public testimony.

**WHEREAS**, upon closing the public hearing, the Planning Commission recommended that the City Council approve the site plan and Variance for expanded parking at 4164 Shoreline Drive subject to the conditions outlined in the December 12, 2018 Planning Report as amended and based on the following findings-of-fact:

- Additional parking is permitted in the M, Manufacturing district, and is a reasonable use of the property, especially given the six current stalls on the property is not sufficient for the 28,000 sq. ft. tenant bay.
- Unique circumstances stemming from the property’s physical layout (lot size, atypical shape, curved roadways) are not hardships created by the landowner.
- The proposed parking would not impact the supply of light or air to adjacent properties, and will not increase the danger of fire or endanger public safety.
- The additional parking is not expected to change congestion on Warren Avenue to an unreasonable degree. Warren Avenue is a low volume road and open sight lines will accommodate the proposed site layout.
- Direct head-in parking stalls accessed from a public street exists in other areas of the city including Interlachen Road, Warren Avenue, Spring Street and Del Otero. This request is consistent with these past accommodations.
- The additional parking on the site would not impact surrounding property values and would be expected to increase the individual site’s value as well as make the site appealing to future renters/leasers of the building.
- Private improvement and investment are consistent with goals of Comprehensive Plan of having commercial and industrial properties provide sufficient parking to accommodate the proposed business.

**WHEREAS**, the Spring Park City Council met on December 12, 2018 and January 7, 2019 to consider the variance application; and

**WHEREAS**, the Spring Park City Council has received the aforementioned plans, staff review documents, and the Planning Commission recommendation, and agrees with the findings and recommendation of the Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Spring Park, Minnesota hereby approves the site plan and parking variance for 4164 Shoreline Drive, subject to the following conditions:

- A lighting and photometric plan shall be provided for any exterior lighting being proposed for the parking area. Any new lighting must be 90 degree cutoff light fixtures with a shielded light source.
- The Applicant shall provide a snow removal and storage plan for the parking area. Said plan shall illustrate that snow storage will not obstruct sight lines for vehicles within the parking stalls or on the public streets.
- Subject to comments of other City Staff.

**Adopted by the City Council of the City of Spring Park this 22<sup>nd</sup> day of January, 2019.**

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Jerome Rockvam, Mayor

Attest:

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Theresa Schyma, City Clerk



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**Dan Tolsma**

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**From:** Christie Larson <executivedirector@wecan-help.org>  
**Sent:** Monday, January 7, 2019 1:49 PM  
**To:** Dan Tolsma  
**Subject:** WeCAN's CDBG Application  
**Attachments:** CDBG City Letter 2019.docx; Sample Resolution and Letter of Support 2019.doc

Hi Dan,

Hope you are having a good new year. WeCAN is preparing our annual Community Development Block Grant application and would appreciate the City of Spring Park's support once again. Attached is a sample resolution and letter of support. Once this has passed by the council, please send it back to me and I include it in our application packet. The deadline is February 1. Please let me know if you have any questions or need additional information.

Thanks much!  
Christie

**Christie Larson**, *MPP, CFRM*  
Executive Director



5213 Shoreline Drive  
Mound, MN 55364  
Phone 952.472.0742  
FAX 952.472.5589

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

**RESOLUTION NO. 19-08**

**RESOLUTION RECOMMENDING CONTINUATION OF CDBG  
FUNDING OF WESTERN COMMUNITIES ACTION NETWORK (WeCAN)**

**WHEREAS**, the City of Spring Park has supported services for its residents given by WeCAN, a community-based human service organization dedicated to helping low-income people achieve greater self-sufficiency and family stability; and

**WHEREAS**, these services include emergency assistance for housing stability, family support services, Meals on Wheels, a mobile food shelf, employment support, public assistance intake services and other resources.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Spring Park recommends to the Consolidated Pool Selection Committee that Community Development Block Grant (CDBG) funding of Western Communities Action Network (WeCAN) be continued.

**Adopted by the City Council of the City of Spring Park this 22<sup>nd</sup> day of January, 2019.**

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Jerome Rockvam, Mayor

Attest:

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Theresa Schyma, City Clerk



## STAFF MEMO

BACK CHANNEL BREWERY  
SPECIAL EVENT  
SUNDAY, FEBRUARY 24<sup>TH</sup>

1. **BACKGROUND:** Back Channel Brewery is requesting a permit for a special event to be held on Sunday, February 24<sup>th</sup>. The event is scheduled from 12:00 p.m. to 7:00 p.m. and is an organized ice fishing gathering and fundraiser for the Westonka Walleye Organization. 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. Additionally the event organizers are proposing to have a fish fry which will be prepared by an on-site food truck.

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 site plan and a list of draft conditions is attached for Council review. The event organizers will need to coordinate with the Mound Fire Department, Orono Police Department, Hennepin County Water Patrol, and Hennepin County Public Health Department prior to the event to ensure that all necessary safety precautions have been taken.



Map data ©2019 Google 20 ft



4787 Shoreline Dr  
Spring Park, MN 55384



## FINAL CONDITIONS

### BACK CHANNEL BREWING LAST CALL 4 WALLEYE EVENT SUNDAY, FEB 24<sup>TH</sup>

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#### 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/wristband monitor.
4. 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. The Applicant must obtain a special event permit from the Hennepin County Water Patrol and provide a copy to City staff prior to the event.
6. All mobile food units operating at the event must be licensed by the City of Spring Park.
7. Any additional conditions recommended by the Mound Fire Department and the Orono Police Department shall be complied with.