

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on January 2, 2007 at the Spring Lake Park Community Center, 1301 81st Avenue N. E., at 7:00 P.M.

1. Call to Order

Acting Mayor Mason called the meeting to order at 7:00 P.M.

2. Pledge of Allegiance

3. Oaths of Office

Administrator Nelson administered the Oath of Office to Mayor-Elect Robert Nelson.

Administrator Nelson administered the Oath of Office to Councilmember Mason.

Administrator Nelson administered the Oath of Office to Councilmember-Elect Dahl.

4. Roll Call

Members Present: Councilmembers Mason, Carlson, Loesch, Dahl and Mayor Nelson

Members Absent: None

Staff Present: Attorney Carson; Engineer Rhein; Building Official Brainard; Public Works Director Randall; Chief Toth; Administrator Nelson and Secretary Sorensen. Parks and Recreation Director Rygwall arrived at 7:15 PM.

Visitors: Donna Green, 459 Maple Street
Eileen Hanson, 458 Maple Street
Marjorie Nueberger, 450 Maple Street
Tim Hennagir, ABC Newspapers
Theresa & Darryl O'Donnell, 8020 Jefferson Street
Suzanne Bickford, 1095 Manor Drive
Mayor Nelson's Family

Mayor Nelson thanked the residents for their support during the election and thanked former Mayor Harley Wells for his many years of service to the City.

5. Additions or Corrections to Agenda - None

6. Discussion From The Floor:A. Senator Don Betzold and Representative-Elect Tom Tillberry

Senator Betzold expressed congratulations to Mayor Nelson and Councilmembers Mason and Dahl on their election and thanked the residents for returning him to the Legislature.

Senator Betzold reported that the 2007 Legislature will convene on January 3, 2007 and adjourn May 31, 2007. Senator Betzold stated that 2007 is a budget year which is a 2-year cycle for the period beginning July 1, 2007 through June, 2009. Senator Betzold stated that the budget is \$32 billion however, there has been some speculation about a \$2 billion budget surplus consisting of "one time" money gained through tax collections in the current budget year ending June 30, 2007 and left over funds from the last legislative session. Senator Betzold stated that economists indicate the State should have a 5% budget reserve as a cushion in the event there is a down turn in the economy.

Senator Betzold stated that he anticipates introduction of bills in the Senate relating to property taxes, health care reform, transportation, energy, early education and funding for the outdoors. Senator Betzold stated that he will chair the State Government Budget Division which oversees agency budgets, the Governor's budget and the Legislative budgets.

Senator Betzold stated he recently received a packet of City Council minutes and during the August 7, 2006 meeting, there was discussion regarding whether addresses for National Night Out activities are public or private information. Senator Betzold stated that he authored that particular provision of the Data Practices Act and it states that the addresses for neighborhood events are public data.

Senator Betzold introduced Representative-elect Tom Tillbury. Representative-elect Tillbury stated that he is looking forward to serving the residents and is anxious to begin his duties on the education, tax and commerce committees.

Mayor Nelson stated that Spring Lake Park has several concerns including transportation, LGA reform, health care reform and wine in grocery stores. Mayor Nelson stated his belief that it is important to keep municipal liquor stores viable because they are a good source of revenue with which to keep taxes down. Mayor Nelson commented that the monies received from the City's municipal liquor store will fund 2 police officers each year; or 2-1/2 of the 3 Parks and Recreation Department employees each year; or 2-1/2 public works employees each year; or almost the entire City's share of the 2007 fire department operating budget or the entire 2007 budget for repair and maintenance of City Hall which includes debt service on the Police Department addition. Mayor Nelson stated that if these monies are no longer available to supplement the City's general operating budget, the tax burden on residents would increase considerably.

Senator Betzold acknowledged that Spring Lake Park suffered a significant loss of LGA funds in 2003 causing a serious reduction in City services. Senator Betzold stated that he cannot support wine in grocery stores until there is resolution regarding property taxes which have increased because of the cuts in LGA funding, and the Legislature must do something about returning those funds

Senator Betzold stated that if the Legislature allows wine in grocery stores, property taxes will rise even more and he does not want that to happen.

Mayor Nelson stated that if LGA is reinstated, both the levy and tax rate would be reduced considerably.

Administrator Nelson stated that municipal liquor laws were created to control sales so minors would not have access to liquor and that is the greatest concern if wine becomes available in grocery stores because minors work and shop in grocery stores. Ms. Nelson stated that grocery stores may take precautions but it will be easier for minors to have access to the wine. Ms. Nelson stated that the next concern is that grocery stores will lobby for the right to sell all alcoholic products.

Representative-elect Tillbury stated that perhaps more public education is needed to point out what "municipal" means and how municipal liquor funds help keep City services in place and lowers taxes.

Mayor Nelson asked if LGA funds will be returned to Spring Lake Park. Senator Betzold stated that he is not sure because the LGA formula needs revision.

Mayor Nelson stated that the growth component of the LGA formula should be revised so that the needs of older, fully developed communities are recognized and the housing component also needs to be updated to pre-1960 housing, not 1940 housing stock which was the threshold when the formula was established in the 1970's.

Councilmember Carlson stated that another component of the LGA formula is based on the number of traffic accidents occurring within a community. Councilmember Carlson stated her opinion that traffic accidents are not caused entirely by faulty roadways but by weather and speed. Councilmember Carlson stated her opinion that the accident component does not make sense.

Senator Betzold agreed adding that the formula must be reviewed and revised.

Mayor Nelson asked Senator Betzold his thoughts on transportation issues. Senator Betzold stated his belief that the proposed increases in license plate fees will not solve the funding problem. Senator Betzold stated his opinion that it will take years to "catch up" on transportation projects and added his hope that the Senate and House will resolve their respective transportation issues this legislative session.

7. Consent Agenda

Mayor Nelson reviewed the following consent agenda items:

- A. Approve Invoice for Annual Dues - North Metro Mayor's Assn. - \$2,500.00
- B. Disbursements:
 - 1. General Fund Resolution No. 06-23 - \$322,548.50
 - 2. Liquor Fund Resolution No. 06-24 - \$441,312.01

7. Consent Agenda (Con't)

- C. Correspondence
- D. Contractors' Licenses

MOTION BY COUNCILMEMBER CARLSON APPROVING THE CONSENT AGENDA AS SUBMITTED. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

8. Public Works Report

Public Works Director Randall reported as follows: the Public Works crew began flooding the skating rinks even though the weather hasn't cooperated however, flooding will continue until there is good ice for skating; streets were plowed twice in December; a fire hydrant was replaced at Terrace Park; sewers north of 81st Avenue between Able Street and Terrace Road were cleaned and a watermain break occurred at 8104 Pleasantview Drive which provides service to the Pleasantview Townhomes and the Townhome Association has agreed to pay for the repair and street patching to be done in the spring.

Councilmember Mason thanked Public Works Director Randall and his crew for plowing the streets so quickly after the New Years snowfall.

9. New Business:

A. 2007 Appointments

The Council reviewed the list of annual appointments.

Mayor Nelson opened nominations for the office of Acting Mayor.

Councilmember Carlson nominated Jeanne Mason.

Mayor Nelson called three times for further nominations and hearing none, closed nominations for the office of Acting Mayor.

MOTION BY COUNCILMEMBER CARLSON CASTING A WHITE BALLOT APPOINTING JEANNE MASON TO THE OFFICE OF ACTING MAYOR. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

MOTION BY COUNCILMEMBER MASON MAKING THE FOLLOWING ANNUAL APPOINTMENTS FOR 2007: OFFICIAL NEWSPAPER: SUN FOCUS; OFFICIAL DEPOSITORY: WELLS FARGO BANK; AGENT OF RECORD: CORPORATE FOUR AGENCY; ATTORNEY: CARSON, CLELLAND AND SCHREDER; AUDITOR: STUART BONNIWELL; ENGINEER: BONESTROO, ROSENE, ANDERLIK & ASSOC.; WEED INSPECTOR: MAYOR NELSON; ASSISTANT WEED INSPECTOR: PUBLIC WORKS DIRECTOR; ANIMAL CONTROL: ANIMAL CONTROL SERVICES. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

MOTION BY COUNCILMEMBER MASON APPROVING THE FOLLOWING APPOINTMENTS TO THE COUNCIL COMMITTEES FOR 2007: PARKS & RECREATION COMMISSION LIAISON: JEANNE MASON AND DALE DAHL AS ALTERNATE; ANOKA COUNTY JOINT LAW ENFORCEMENT: BILL LOESCH AND JEANNE MASON AS ALTERNATE; LIQUOR COMMISSION: ROBERT NELSON, BILL LOESCH AND BARBARA NELSON; VARIANCE COMMITTEE: DALE DAHL AND BARBARA CARLSON; NEGOTIATIONS-POLICE: DALE DAHL, BARBARA CARLSON AND BARBARA NELSON; NEGOTIATIONS-SERGEANTS: BARBARA CARLSON, DALE DAHL AND BARBARA NELSON; FIRE DEPARTMENT LIAISON: BILL LOESCH; NEGOTIATIONS-LIQUOR: BOB NELSON, BARBARA CARLSON AND BARBARA NELSON; NEGOTIATIONS-PUBLIC WORKS: BOB NELSON, JEANNE MASON AND BARBARA NELSON; NON-BARGAINED EMPLOYEE NEGOTIATIONS: BARBARA CARLSON, BOB NELSON, BARBARA NELSON; NORTH METRO CABLE COMMUNICATIONS COMMISSION: JEANNE MASON AND BOB NELSON AS ALTERNATE; NORTH METRO CABLE COMMUNICATIONS OPERATING COMMITTEE: BARBARA NELSON; TOWER DAYS COMMITTEE LIAISON: BARBARA CARLSON; ENVIRONMENTAL QUALITY COMMISSION LIAISON: BARBARA CARLSON AND DALE DAHL AS ALTERNATE; LIGHT RAIL TRANSIT INTER-GOV'T ADVISORY COMMITTEE: JEANNE MASON AND TECHNICAL REVIEW COMMITTEE: BARBARA NELSON; SCHOOL BOARD LIAISON: BILL LOESCH; ADMINISTRATIVE COMMITTEE FOR FIRE PROTECTION SERVICES: BARBARA NELSON; ANOKA COUNTY HRA INTER-GOVERNMENTAL ADVISORY COMMITTEE: BARBARA CARLSON AND TECHNICAL ADVISORY COMMITTEE: BARBARA NELSON; CREATING COMMUNITY: BARBARA CARLSON; SUBURBAN RATE AUTHORITY: BOB NELSON AND BARBARA NELSON AS ALTERNATE; NORTHSTAR CORRIDOR AUTHORITY: JEANNE MASON. ROLL CALL: ALL AYES. MOTION CARRIED.

MOTION BY COUNCILMEMBER CARLSON CONFIRMING THE FOLLOWING 2007 ADMINISTRATIVE APPOINTMENTS: ADMINISTRATOR, CLERK/TREASURER: BARBARA NELSON; POLICE CHIEF: DAVID TOTH; POLICE SERGEANTS: DOUG EBELTOFT AND MARK MALONEY; PARKS AND RECREATION DIRECTOR: MARIAN RYGWALL; PUBLIC WORKS DIRECTOR: TERRY RANDALL; LIQUOR STORE OPERATIONS MANAGER: JOYCE ZACHMANN; BUILDING OFFICIAL: BARRY BRAINARD; PLUMBING INSPECTOR: BARRY BRAINARD; FIRE MARSHAL: BARRY BRAINARD. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

Mayor Nelson reported that Robert White and Jason Letourneau have requested reappointment to the Planning and Zoning Commission.

MOTION BY COUNCILMEMBER MASON CASTING A WHITE BALLOT APPOINTING ROBERT WHITE AND JASON LETOURNEAU TO THE PLANNING AND ZONING COMMISSION FOR THREE YEAR TERMS TO EXPIRE DECEMBER 31, 2009. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

Mayor Nelson appointed Police Chief Toth and Fire Chief Zikmund as co-directors of the Emergency Management Agency and Sergeants Ebeltoft and Maloney as deputy directors.

MOTION BY COUNCILMEMBER LOESCH CONFIRMING THE MAYOR'S APPOINTMENT OF POLICE CHIEF TOTH AND FIRE CHIEF ZIKMUND AS CO-DIRECTORS OF THE EMERGENCY MANAGEMENT AGENCY AND SERGEANTS DOUG EBELTOFT AND MARK MALONEY AS DEPUTY DIRECTORS. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

Mayor Nelson noted that the Planning and Zoning Commission, the Parks and Recreation Commission and the Environmental Quality Commission have vacant positions open and stated that if anyone is interested, they should call City Hall.

Administrator Nelson pointed out that females are specifically encouraged to serve on the Planning and Zoning Commission which currently consists of all males and both males and females are needed on the Parks and Recreation Commission. Administrator Nelson suggested that if anyone in the viewing audience is interested, they should call the City offices for further information.

Mayor Nelson reported that Ann Radichel and Dean Waldvogel have requested reappointment to the Parks and Recreation Commission.

MOTION BY COUNCILMEMBER MASON CASTING A WHITE BALLOT APPOINTING ANN RADICHEL AND DEAN WALDVOGEL TO THE PARKS AND RECREATION COMMISSION FOR THREE YEAR TERMS TO EXPIRE DECEMBER 31, 2009. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

10. Engineer's Report - None

11. Attorney's Report

Attorney Carson recalled that at the November 20, 2006 Council meeting, several residents submitted a written appeal to their special assessment for the 81st Avenue Reconstruction Project however, only one property owner, the owners of the mobile home park, have taken the appeal to the next step, which is court action. Attorney Carson stated that he met with the appraiser the City hired who will do an appraisal of the mobile home park property and submit his report to the City in time for the appeal to be heard in District Court on February 28, 2007.

Attorney Carson commented that this is the only appeal that has occurred since the street projects were begun in 1999 which he believes is evidence that the City's assessment policy is very good.

12. Councilmember Reports

Mayor Nelson reported that he, Administrator Nelson and Joyce Zachmann attended a meeting on December 12th regarding proposed legislation allowing grocery stores to sell wine and attended a North Metro Mayor's Board meeting on December 13th.

13. Staff Reports

Administrator Nelson reported that on December 19th, she and Attorney Carson met with the property owner on Terrace Road, whose property was declared a public nuisance, to help her understand the need and process for cleaning up her property.

Building Official Barry Brainard reported that the 2006 building permits were down about 5% from 2005.

Parks and Recreation Director Rygwall stated that the Parks and Recreation Commission met earlier this evening and identified projects for 2007. Ms. Rygwall stated that residents will be invited to attend a "visioning" meeting on March 3rd to give their input on desired improvements at the parks. Ms. Rygwall commented that resident input has been helpful to the Parks and Recreation Commission in the past.

Ms. Rygwall stated that Tower Days will be held in June, 2007 and the first committee meeting will be held at a date to be determined toward the end of January.

14. Other

Mayor Nelson stated that he has asked Administrator Nelson to schedule a Council workshop in late January to discuss new ideas and bring Councilmember Dahl and himself "up to speed" on problems that exist and issues that the former Council may have been dealing with and have not been resolved. Mayor Nelson asked that department heads also attend.

Administrator Nelson suggested meeting at the new fire station as it is important that they not be disturbed during the session.

Mayor Nelson stated that an evening meeting might work better for those Councilmembers who work during the day.

The Council agreed to meet on Wednesday, January 31 at 6 PM at City Hall.

Theresa O'Donnell, 8020 Jefferson Street, invited the Council, City staff and the viewing public to attend a reception for Mayor Wells on Saturday, January 6 from 5 PM to Midnight at Kraus-Hartig VFW.

MOTION BY COUNCILMEMBER MASON TO ADJOURN. VOICE VOTE: ALL AYES.
MOTION CARRIED.

The meeting was adjourned at 8:13 P.M.

Robert Nelson, Mayor

ATTEST:

Barbara L. Nelson, Administrator, Clerk/Treasurer