

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on February 5, 2007 at the Spring Lake Park Community Center, 1301 81st Avenue N.E. at 7:00 P.M.

1. Call to Order

2. 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; Parks and Recreation Director Rygwall; Administrator Nelson and Secretary Sorensen

Visitors: Jancy Trossen, Spring Lake Park Central Chiropractic
Ed and Muriel Littlejohn, 7884 Taylor Street
Muriel Selseth, 7818 Taylor Street
Hugh and Julia Van Hatten, 7873 Taylor Street
Dan Freih, 8299 University Avenue
Paul Stone, Stone Construction, 2181 107th Lane NE, Blaine
Rob Stenger, 11497 Knollwood Court, Blaine
Dan Daly, Liberty High Charter School, 8421 University Avenue
Greg Dehler, Wold Architects, 305 St. Peter Street, St. Paul
Mike Mullan, Biff's Sports Bar, 7777 Highway 65

3. Pledge of Allegiance

4. Additions or Corrections to Agenda

Councilmember Carlson requested that Item 9D, Clarification of Sign Ordinance - Re: Permanent Sign Square Footage, under New Business be removed from the agenda at the request of the property owner. The Council agreed.

5. Discussion From The Floor - None

6. Consent Agenda

Mayor Nelson reviewed the following consent agenda items:

- A. Application for Exempt Permit to Hold Raffle - N. Suburban Chapter MN Deer Hunter's Assn., at Kraus-Hartig VFW - March 3, 2007
- B. Donation to Anoka County for 150th Anniversary Celebration - \$500.00
- C. Disbursements:
 1. General Fund Resolution No. 07-01 - \$336,674.05
 2. Liquor Fund Resolution No. 07-02 - \$180,967.38

6. Consent Agenda (Con't):

- D. Correspondence
- E. Licenses:
 - 1. Contractors' Licenses
 - 2. Sign Permits

Councilmember Loesch requested that the donation to Anoka County be pulled for discussion.

MOTION BY COUNCILMEMBER CARLSON APPROVING THE CONSENT AGENDA WITH THE EXCEPTION OF THE DONATION TO ANOKA COUNTY. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

Councilmember Loesch stated that he recalls discussing the donation at a budget meeting, but does not recall including it in the budget. Councilmember Loesch stated his opinion that since the County does not contribute to Tower Days, the City should not contribute to the County's celebration.

Administrator Nelson stated that a donation of \$500 was included in the budget and it is now up to the Council to determine if it should be paid.

Councilmember Mason stated that this is a one-time payment and Spring Lake Park should contribute to show unity within the county.

Councilmember Carlson stated that she agrees with Councilmember Mason that Spring Lake Park should show support for the celebration adding that \$500 is a small amount compared to what other cities are contributing.

Mayor Nelson stated his opinion that the City should be involved adding that many local businesses are also contributing to the County's celebration.

Councilmember Loesch asked how contributing to the County's 150th celebration will benefit the taxpayers.

Councilmember Carlson stated her opinion that it is important for the City to have a connection to Anoka County adding that the anniversary is a celebration of the history of Anoka County and Spring Lake Park and it is important that it be shared with the school children and made available to new residents. Councilmember Carlson added that the \$500 expenditure will ensure that the history of the County and its cities is available to all residents.

MOTION BY COUNCILMEMBER CARLSON APPROVING A DONATION OF \$500 TO ANOKA COUNTY FOR THE 150TH ANNIVERSARY CELEBRATION. ROLL CALL VOTE: MASON: AYE; CARLSON: AYE; LOESCH: NAY; DAHL: AYE; MAYOR NELSON: AYE. MOTION CARRIED.

7. Public Works Report

Public Works Director Randall reported as follows: the Public Works crew swept, shoveled and flooded the skating rinks, cleaned up the trash around them and cleaned the warming houses; plowed, sanded streets and swept sidewalks; maintained and repaired equipment; cleaned sanitary sewers.

Mr. Randall stated that a watermain break at 8320 5th Street occurred during January and resultant street and curb repairs will be completed in the spring.

Mr. Randall stated that the crew trimmed trees at the Arthur Street water tower site in preparation for the rehabilitation project, and as soon as the property corners are identified, additional trimming will be done. Mr. Randall stated that Anoka County has advised him they will remove their antennas and storage building from the water tower site adding that since the new radio system is in place, the antennas are no longer needed. Mr. Randall also reported that he met with representatives of the cell phone companies regarding the location of their "cow" on the site for the storage of their antennas during the project.

Mr. Randall stated that the Minnesota Department of Health conducted their annual inspection of the water treatment plants, water towers and wells on January 30th. Mr. Randall stated that there is a "punch list" of items that need replacement however, the equipment is in good shape. Mr. Randall commented that chemicals had to be added to the water as the radium levels were slightly high however, they are now below standard.

Mr. Randall stated that he has received calls today regarding frozen water lines and suggested that residents clear the area around their water meters so heat can circulate around it to avoid frozen water lines.

8. Petitions Requests and/or Correspondence:

A. Request From Biff's Sports Bar - Re: Holding A Street Dance in Late Summer

Mike Mullan of Biff's Billiards Sports Bar & Grill, stated that Biff's has hosted a street dance for the past 18 years as part of the Tower Days Celebration. However, over the past two years, the weather has not cooperated and as a result, the event has been less profitable than a regular week end. Mr. Mullan requested authorization to hold a street dance on August 3rd and 4th as there is less chance of rain at that time.

Councilmember Carlson stated her opinion that a street dance in August would have no bearing on Tower Days. Mr. Mullan agreed adding however, that Biff's will continue its other Tower Days activities.

Mayor Nelson commented that street dances have always been held in conjunction with Tower Days adding that residents understand they will be held during the city's celebration and have learned to tolerate the noise however, if the dances are held at another time of year, it could open a "pandora's box" of complaints. Mayor Nelson stated his opinion that the street dances should continue to be held in conjunction with Tower Days.

Councilmember Carlson stated that she agrees with Mayor Nelson

Mr. Mullan stated his belief that there were very few complaints about the street dance last year. Mayor Nelson agreed adding that there may not be many complaints if the activity is held later in the year. However, there are several other bar/restaurants located adjacent to residential property in the city who may also want to have outdoor activities at other times of the year if the street dance is not held during its traditional time of Tower Days. Mayor Nelson again stated his opinion that neighboring residents will tolerate outdoor dances during Tower Days but not throughout the summer.

Councilmember Carlson stated her belief that past Councils would not allow a street dance under any circumstances however, street dances are now allowed but only in conjunction with Tower Days. Councilmember Carlson stated that if the street dance cannot be held as a Tower Days activity, she will not support the request adding that the dances put a burden on the police department and annoys the residents.

Mayor Nelson asked Parks and Recreation Director Rygwall if thought has been given to moving the celebration to August. Ms. Rygwall stated that Council discussed the possibility of changing the date a few year ago however, August is a month of vacations so the date remained in June. Administrator Nelson interjected that it also becomes a problem for obtaining parade participants such as high school bands, royalty, etc. Ms. Rygwall agreed.

Mr. Mullan stated that the weather last June was cold and rainy and even though there may be many on vacation in August, it is his belief that there would be a better turn out.

Administrator Nelson stated that over the years, complaints have been reduced because residents understand it is a Tower Days event and therefore, tolerate it.

Chief Toth stated that residents and neighbors are used to the activity at that time of year however, if the event is held in August when it is hot, windows will be open and there will be more complaints. Chief Toth stated that he agrees the event should take place during the Tower Days celebration.

MOTION BY COUNCILMEMBER MASON APPROVING A STREET DANCE DURING THE MONTH OF AUGUST AS REQUESTED BY BIFF'S BILLIARDS, SPORTS BAR AND GRILL. ROLL CALL VOTE: MASON: NAY; CARLSON: NAY; LOESCH: NAY; DAHL: NAY; MAYOR NELSON: NAY. MOTION FAILED.

B. Liberty High Charter School - Re: Extension for Completion of Site Improvements to June 15, 2007

Dan Daly, representing Liberty High Charter School, stated that the Council approved a Special Use Permit to operate a Charter High School Academy at 8421 University Avenue on May 1, 2006. Mr. Daly stated that at that time, it was anticipated that closing on the property would occur during the summer of 2006 however, due to additional requirements by the lending institution, the closing did not occur until November 30, 2006.

Mr. Daly stated that due to the late closing on the property, many of the requirements of the Special Use Permit have not been completed. Mr. Daly commented that work has been budgeted and bids received for the trash enclosure, cleaning, repairing and striping of the parking lot, and fence replacement along the east property line. Mr. Daly requested an extension of the requirements of the Special Use Permit to June 15, 2007.

Mayor Nelson asked Public Works Director Randall when road restrictions are removed. Public Works Director Randall stated that road restrictions begin March 15th and are removed about May 1st. Mayor Nelson commented that there should be sufficient time to complete the work between the time when road restrictions are removed and the requested deadline of June 15th.

Councilmember Loesch suggested that the extended deadline should be later so Mr. Daly will not have to return for another extension in the event there are weather problems or the road restrictions are in effect longer than usual. Brief discussion.

MOTION BY COUNCILMEMBER MASON APPROVING AN EXTENSION FOR COMPLETION OF THE REQUIREMENTS OF THE SPECIAL USE PERMIT ISSUED TO LIBERTY HIGH CHARTER ACADEMY TO JULY 15, 2007. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

9. New Business:

A. Planning and Zoning:

1. Lot Split and Special Use Permit to Construct a Two-Story Commercial Building Adjacent to Residential Property. 8299 University Avenue. Affordable Furniture

Mayor Nelson noted that the Planning and Zoning Commission did not recommend approval of the Lot Split and Special Use Permit at their January 22, 2007 meeting due to an insufficient number of on site parking spaces.

Paul Stone, Stone Construction representing Dan Freih of Affordable Furniture, stated that Mr. Freih is proposing to construct a two-story, 17,958 square foot furniture store containing 5,005 square feet of furniture showroom, 1,529 feet of repair area on the first floor and 11,424 square feet of warehousing on the second floor. Mr. Stone stated that the building will be located in the southeast corner of the site.

Mr. Stone commented that a bar and restaurant are located on the northern portion of the site therefore, a lot split will be necessary to create two lots, one parcel being .69 acres for the proposed furniture store and the other parcel being 1.98 acres for the existing building.

Mr. Stone stated that green space and shrubbery is proposed along the south side of the proposed lot; roof runoff will be directed to the green area to the south and an infiltration system will be installed in the green space.

Mr. Stone stated that 64 parking stalls are required for the proposed structure however, only 24 stalls are available therefore, a parking variance is required. Mr. Stone stated that because the number of parking stalls on the proposed site do not meet the city's code, it is proposed to provide a cross easement between the two properties for the purpose of sharing parking spaces. Mr. Stone stated that a survey of the parking requirements of surrounding communities indicates that the City's parking requirements are much higher than those of the cities surveyed.

Mr. Stone commented that the Planning and Zoning Commission expressed concern about the possible change in ownership of either parcel in the future that could cause difficulties with shared parking, upkeep and maintenance costs. Mr. Stone stated that the cross easement will be filed with Anoka County and become a part of the property record therefore, a change in ownership should not cause any hardship.

Mr. Stone stated that since the Planning & Zoning Commission meeting, he prepared a new plan moving the north lot line of Parcel B north 48 feet and lining it up with the center of the southerly driveway on the site. Moving the lot line requires a 17% parking variance for the total site (both parcels) rather than a variance of 44 stalls or 69% for Parcel B.

Mayor Nelson stated that he is concerned about whether large trucks can safely make deliveries to the elevator at the back of the proposed building. Mayor Nelson stated his opinion that eventually, one or both of the parcels will be sold and the new owners will be "saddled" with a cross easement. Mayor Nelson pointed out that if the business on the proposed lot is sold for a use other than a furniture store, the parking requirements could change and the City will have to deal with a substandard parking lot which has caused problems in other areas of the City in the past. Mayor Nelson asked who will be responsible for maintenance of the parking lot.

Mr. Stone stated that the cross easement will have language relating to the maintenance and upkeep of the parking lot. Mr. Stone commented that business condo developments have parking and maintenance agreements and the cross easement for the proposed property will work in the same manner.

Administrator Nelson asked Attorney Carson if a cross easement for this request is the same as that for a business condo development.

Attorney Carson stated that it is the same basic concept adding that the question is whether or not there is enough parking for the business being contemplated. Attorney Carson commented that it appears the number of parking spaces have not changed, it is only how the variance will be distributed.

Councilmember Carlson stated her opinion that the parking is not sufficient for the proposed use.

MOTION BY COUNCILMEMBER CARLSON APPROVING A LOT SPLIT AND SPECIAL USE PERMIT TO CONSTRUCT A TWO-STORY COMMERCIAL BUILDING AT 8299 UNIVERSITY AVENUE, WITH A VARIANCE OF 39 PARKING STALLS (17% VARIANCE), AS REQUESTED BY AFFORDABLE FURNITURE WITH THE FOLLOWING CONDITIONS: (1) SNOW REMOVAL AND EQUAL COST SHARING OF PARKING LOT REPAIR AND MAINTENANCE IS TO BE ADDRESSED IN THE CROSS EASEMENT; (2) MEET ALL REQUIREMENTS OF THE CITY ENGINEER AND BUILDING OFFICIAL;

(3) INSTALL A SPRINKLER LINE INTO THE BUILDING. ROLL CALL VOTE: MASON: NAY; CARLSON: NAY; LOESCH: NAY; DAHL: NAY; MAYOR NELSON: NAY. MOTION FAILED.

Administrator Nelson stated that the next motion would be to instruct the attorney to prepare a resolution of denial for action at the next meeting.

MOTION BY COUNCILMEMBER LOESCH DIRECTING THE ATTORNEY TO PREPARE A RESOLUTION OF DENIAL FOR CONSIDERATION AT THE NEXT MEETING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED

2. Special Use Permit to Remodel Interior of Park Terrace Elementary School; Construct New Gymnasium Addition; Modify Existing Parking Lot to Accommodate Separate Bus & Automobile Loops and Install Additional Parking at SE Corner of Site. 8301 Terrace Road. Independent School District #16

Mayor Nelson noted that the Planning and Zoning Commission recommended approval of the Special Use Permit at their January 22, 2007 meeting.

Greg Dehler of Wold Architects, architect for Independent School District #16, explained that the request is for an expansion of the addition to Park Terrace Elementary constructed and completed in 2006.

Mr. Dehler stated that the Planning and Zoning Commission had issues relating to drainage at the southwest corner of the site. Mr. Dehler stated that he and David Rey, engineer for the school district, met with Engineer Rhein and Administrator Nelson to discuss alternatives and the engineer is now working on devising drainage improvements to that corner of the site.

Mayor Nelson asked if the bus loops are large enough to eliminate conflict with the vehicular traffic picking up children. Mr. Dehler stated that the school district and he worked with the bus company to design the appropriate turn radius' needed for the busses and loops to separate the bus traffic from the car traffic.

Councilmember Carlson asked how the busses will enter and exit the site. Mr. Dehler stated that the busses will enter and exit from Jefferson Street/Reco Lane and cars will enter and exit from Terrace Road.

Mayor Nelson asked Chief Toth for his comments.

Chief Toth stated that he is aware of the limitations of the property however, he would prefer a greater separation of bus traffic from other vehicles. Chief Toth pointed out that the plan shows the busses will travel between rows of cars on the southeast corner of the parking lot and a mix of vehicles can cause confusion. Therefore, he would prefer that cars and busses be separated completely.

Mr. Dehler acknowledged that it would be a problem if parents are allowed to park in the spaces located at the southeast corner of the parking lot however, those spaces are designated for staff parking only. Chief Toth suggested that those parking spaces be signed as "Staff Parking Only" and Mr. Dehler agreed.

Councilmember Loesch suggested extending the island to the south end of the parking lot causing a physical barrier between the visitor and staff parking areas. Mr. Dehler commented that parking stalls would be eliminated and it would make it difficult for an emergency vehicle to drive through the site from Terrace Road to the Jefferson Street/Reco Lane exit.

Chief Toth stated his concern about fire department access and asked Building Official for his comments. Building Official Brainard stated that fire department access needs to be maintained through the entire parking lot. Mr. Brainard added that since parking is limited, reducing the number of parking stalls would not be prudent.

Councilmember Loesch then suggested that a swinging bar gate could be installed that staff members could raise and lower during the bus runs, or a rolling chain link gate could be installed to deter public parking in the southeast lot. Councilmember Loesch stated that either could be mounted on the island or the fence.

Mr. Dehler stated that a bar gate or rolling gate would have to be 45 or 50 feet long once it is mounted in order to accomplish its purpose and parking lot maintenance must also be taken into consideration. Brief discussion. Mr. Dehler commented that it may be possible to place something in the area to limit access from the public lot to the staff lot and he would look into some alternatives.

Councilmember Carlson asked if the trees removed along Terrace Road last year will be replaced. Mr. Dehler commented that several of the trees were dead and some posed a safety hazard however, shrubs and trees will be planted in an area west of the expansion and in front of the building. Councilmember Carlson requested more trees.

Mayor Nelson asked Engineer Rhein to explain how the drainage problem will be handled on the southwest corner of the school site affecting the resident on Terrace Road.

Engineer Rhein stated that the drainage issue in the parking lot has been addressed but not the drainage at the southwest corner of the site. Mr. Rhein stated his belief that the school district did not understand the scope of the problem as they thought it was caused by drainage from the parking lot and not from the hill south of the parking lot. Mr. Rhein stated that a meeting with the school district's architect and engineer clarified the problem and they will devise a plan that will improve the situation, however, it may not be able to be entirely resolved until Terrace Road is resurfaced.

MOTION BY COUNCILMEMBER CARLSON APPROVING A SPECIAL USE PERMIT TO REMODEL THE INTERIOR OF PARK TERRACE ELEMENTARY SCHOOL; CONSTRUCT A NEW GYMNASIUM ADDITION; MODIFY THE EXISTING PARKING LOT TO ACCOMMODATE SEPARATE BUS AND AUTOMOBILE LOOPS AND INSTALL

ADDITIONAL PARKING AT THE SOUTHEAST CORNER OF THE SITE AT 8301 TERRACE ROAD, AS REQUESTED BY INDEPENDENT SCHOOL DISTRICT #16, WITH THE FOLLOWING CONDITIONS: (1) MEET ALL REQUIREMENTS OF THE CITY ENGINEER AND BUILDING OFFICIAL; (2) CITY ENGINEER TO APPROVE DRAINAGE PLAN RELATIVE TO THE SOUTHWEST CORNER OF THE PROPERTY AND (3) DIRECT CITY ATTORNEY AND CITY ENGINEER TO PREPARE DEVELOPER'S AGREEMENT FOR THIS PROJECT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

3. Special Use Permit to Construct a 64,000 Square Foot Addition to Spring Lake Park High School to Include Gymnasiums, Locker Rooms, Fitness/Weight Rooms and Music Rooms. Phase I. 8001 Highway 65 NE. Independent School District #16

Mayor Nelson noted that the Planning and Zoning Commission recommended approval of the Special Use Permit at their January 22, 2007 meeting.

Greg Dehler of Wold Architects, architect for Independent School District #16, explained that this request is Phase I of a multi-phase modification and expansion of the existing Spring Lake Park High School property. Mr. Dehler stated that construction will begin in the spring with the addition of a new wing for athletic and music uses; Phase II will consist of a second addition and renovations in 2008 and Phase III includes the demolition of Kenneth Hall Elementary School and administrative offices and site improvements to be completed by 2010.

Councilmember Mason asked if the bus and auto traffic patterns will change during the construction period.

Mr. Dehler replied positively adding that it is proposed to temporarily move the main entrance located on 79th Avenue between Tyler and Taylor Streets to the east to align with Taylor Street. Mr. Dehler added that the temporary driveway will be removed once construction is completed. Mr. Dehler commented that with the removal of Kenneth Hall School and the relocation of the District Offices, there will be an increase in overall parking on the site.

Councilmember Mason stated that she is concerned about the temporary access aligning with Taylor Street because students will have a straight shot to Osborne Road rather than having to decide to go East to Highway 65; West to Able or South on either Taylor or Tyler Streets. Councilmember Mason stated her opinion that aligning the parking lot access with Taylor Street should be discouraged.

Councilmember Carlson asked if the drop off point for busses will remain on Able Street. Mr. Dehler stated that an access on 81st Avenue may be created for busses and eventually the bus and auto traffic will be separate however, it has not yet been determined how busses and cars will enter and exit the back parking lot which will become the front of the school. Mr. Dehler stated that busses will not however, use the existing Able Street access.

Councilmember Carlson asked Mr. Dehler if there is a driveway alternative if the Council does not agree to the Taylor Street alignment. Councilmember Carlson stated that having the driveway between Taylor and Tyler Streets slows traffic down and makes a student consider alternative routes.

Mr. Dehler stated that if the Council wants to maintain the current entrance, it would not be detrimental to the plan.

Councilmember Carlson referred to the letters received from the residents of Park Heights Townhomes #1 and #2 opposing the proposed driveway alignment with Taylor Street

Mayor Nelson asked Chief Toth if there is any accident data available for the current driveway location.

Chief Toth replied negatively but added that there is history of driving problems however, it is an issue wherever teens are driving. Chief Toth asked if the proposed driveway to be aligned with Taylor Street will be the entrance to the parking lot and the existing driveway the exit. Mr. Dehler stated that if the driveway is aligned with Taylor Street, it would be both an entrance and an exit.

Mayor Nelson stated that it appears the Council is of the opinion the driveway on 79th Avenue should remain in its present location.

Mr. Dehler stated that the reason for the proposal is to use the existing driveway during the summer as the entrance to the construction site and the driveway aligning with Taylor Street as the drive for the students. Therefore, the secondary drive would only be in use from approximately April 1st until the end of the school year in early June. After the school year ends, the traffic on 79th will be construction vehicles and local resident traffic.

Councilmember Carlson suggested that the temporary drive be offset between Taylor Street and Highway 65 so there is not a direct route to Taylor Street. Mr. Dehler agreed that the drive could be located further east.

Public Works Director Randall asked Engineer Rhein if MnDOT has any regulations regarding the distance of an entrance from a highway. Engineer Rhein stated that he would have to consult with MnDOT but added that MnDOT has no jurisdiction over 79th Avenue.

Mr. Randall asked if it is possible to have all busses enter the property from 81st Avenue and exit onto 79th Avenue to Able Street and an 'entrance only' drive on 79th for automobiles with an exit onto 81st Avenue when the entire school project is completed. Mr. Dehler stated that he and the school district will work with the City to develop a workable solution.

Administrator Nelson stated that Dr. Helmstetter contacted her before the Planning & Zoning Commission meeting because of Chief Toth's written comments regarding the bus and car traffic pattern and indicated that this aspect of the project was still being developed and Chief Toth's input would be welcome.

Mayor Nelson asked for comments from the audience.

Mr. Ed Littlejohn, 7884 Taylor Street, stated that if the school driveway is moved to align with Taylor Street, it will become a race track to Osborne Road. Mr. Littlejohn stated his opinion that the entrance should not be moved because the students are used to its placement adding that most of the Park Heights residents are senior citizens and accidents could occur with the students racing down Taylor Street. Mr. Littlejohn also expressed concern that the construction vehicles will also use Taylor Street to reach Osborne Road adding his belief that Taylor Street is not built to carry heavy trucks.

Mrs. Littlejohn interjected that “teenagers and senior citizens don’t mix”.

Hugh Van Hatten, 7873 Taylor Street, commented that there are no sidewalks along Taylor Street therefore, residents walk in the street to get their mail which could be a dangerous situation particularly at the end of the school day. Mr. Van Hatten stated that he would prefer the driveway remain in its present location and further stated his concern that the temporary driveway location will remain permanent.

Administrator Nelson commented that the school district will enter into a developer’s agreement with the City and will be required to submit a letter of credit therefore, if the temporary driveway is not moved back to its original location, the school district will not get their money back or receive a Certificate of Occupancy.

Councilmember Loesch asked if the Council would consider closing off Taylor Street at 79th Avenue. Councilmembers Carlson and Mason replied negatively stating their belief that Taylor Street is an access street into the City via Osborne Road. Brief discussion.

Administrator Nelson pointed out that there are several businesses located on the east side of Taylor Street that would be negatively impacted by closure of the street.

Councilmember Loesch commented that those businesses are located closer to Osborne Road. Administrator Nelson stated her belief that some customers of those businesses travel south on Highway 65 and turn on 79th to reach those businesses.

MOTION BY COUNCILMEMBER MASON APPROVING A SPECIAL USE PERMIT TO CONSTRUCT A 64,000 SQUARE FOOT ADDITION TO SPRING LAKE PARK HIGH SCHOOL TO INCLUDE GYMNASIUM, LOCKER ROOMS, FITNESS/WEIGHT ROOMS AND MUSIC ROOMS AT 8001 HIGHWAY 65 NE, AS REQUESTED BY INDEPENDENT SCHOOL DISTRICT #16, AS PHASE I OF A THREE PHASE PROJECT WITH THE FOLLOWING CONDITIONS: (1) EXTERIOR MATERIAL TO BE A COMBINATION OF BRICK, METAL PANEL AND PRECAST CONCRETE; (2) IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY ENGINEER AND BUILDING OFFICIAL; (3) SUBJECT TO THE SUBMISSION OF A CONCEPTUAL LANDSCAPING PLAN; (4) A TEMPORARY DRIVEWAY WILL BE ALLOWED OFF OF 79TH AVENUE LOCATED EAST OF TAYLOR STREET FOR THE DURATION OF THE PHASE I CONSTRUCTION AND (5) THE CITY ATTORNEY IS DIRECTED TO PREPARE A DEVELOPER’S AGREEMENT.

FRIENDLY AMENDMENT OFFERED BY COUNCILMEMBER CARLSON THAT THE EXISTING PERMANENT DRIVEWAY OFF OF 79TH AVENUE IS TO REMAIN IN ITS CURRENT LOCATION. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Approve Purchase of 2007 Crown Victoria Police Vehicle

Chief Toth stated that Elk River Ford is accepting orders for the 2007 Crown Victoria squad car at a cost of \$22,461.00. Chief Toth stated that \$26,100.00 has been budgeted for this purchase and he is requesting Council approval to order the 2007 Crown Victoria from Elk River Ford.

MOTION BY COUNCILMEMBER LOESCH AUTHORIZING CHIEF TOTH TO PLACE AN ORDER FOR THE 2007 CROWN VICTORIA SQUAD FROM ELK RIVER FORD IN AN AMOUNT NOT TO EXCEED \$26,100.00. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

C. Approve Purchase of Additional CPR Equipment

Chief Toth explained that there have been substantial changes in the way CPR is administered by using a "rescue pod" device on the manual resuscitator bag. Chief Toth stated that for officers to perform the updated CPR techniques, an initial purchase of rescue pods and disposable manual resuscitator bags is needed. Chief Toth added that ambulance personnel will replace the items as they are used, therefore only the initial purchase is necessary.

Chief Toth commented that the cost of outfitting the police vehicles will be approximately \$850.00 with tax and shipping and the vendor is Tri-anim, a company having the state and local government contract pricing.

Chief Toth noted that this is an unplanned expenditure and he therefore, is seeking Council approval to pay for the purchase with money from the Forfeiture Fund.

MOTION BY COUNCILMEMBER CARLSON AUTHORIZING CHIEF TOTH TO PURCHASE THE ADDITIONAL CPR EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$850.00 WITH TAX AND SHIPPING, FROM TRI-ANIM, WITH FUNDING FROM THE FORFEITURE FUND. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

D. Clarification of Sign Ordinance - Re: Permanent Sign Square Footage - Councilmember Carlson

Removed from the agenda.

10. Engineer's Report

Engineer Rhein stated that bids will be taken for the rehabilitation of the Arthur Street water tower on Friday, February 16th and the cell phone companies are in the process of taking their antennas off the tower therefore, bids could be considered at the February 20th meeting.

11. Attorney's Report - None12. Councilmember Reports

Councilmember Mason reported that she attended the Anoka County Elected Officials meeting on January 31st; attended the Northstar Corridor Quarterly meeting on February 1st and met with Heidi Arnson at North Metro Cable on January 22nd.

Councilmember Carlson reported that she attended the Taxation Board of Review Training on January 18th.

Mayor Nelson reported that he attended a Liquor Commission meeting on January 24th; attended a League of Minnesota Cities Mayor/Councilmember training seminar on January 26th and 27th and attended the Anoka County Elected Officials meeting on January 31st.

13. Staff Reports

Building Official Brainard stated that at the January 22nd Planning and Zoning Commission meeting, he was directed to research the parking requirements of surrounding cities. Mr. Brainard referred to his memorandum outlining the results of the survey pointing out that the City of Spring Lake Park requires a higher number of parking stalls in commercial districts. Mr. Brainard commented that after the Council has an opportunity to review his memorandum, it may determine that the city's existing parking regulations should be amended.

Administrator Nelson commented that parking can still be a problem because developers want to put large buildings on small lots making parking requirements difficult to meet.

Mayor Nelson suggested that if a Councilmember wishes to discuss amending the City's parking requirements, they should call Administrator Nelson and she will place the item on a workshop agenda.

Councilmember Carlson asked Administrator Nelson if she believes the city's parking requirements need to be reviewed. Administrator Nelson replied negatively stating that parking has historically been an issue in the City because there is never enough. However, the Council has the ability to grant a reasonable variance.

Building Official Brainard stated that some communities may have lowered their parking requirements to provide more green space on the site.

Mayor Nelson stated his opinion that the current parking requirements should remain. Councilmember Carlson agreed.

Building Official Brainard stated that because the City's commercial properties are small, 35% building coverage may be too high leaving insufficient space for parking. Mr. Brainard suggested that building coverage should be reviewed and adjustments could be made.

Administrator Nelson commented that it is clear the special use permit for the furniture store was denied by Council because of the lack of parking however, the applicant could reduce the size of the building to address the parking issue and bring the request back to the Council for review. Ms. Nelson pointed out that if the building size is reduced, the parking requirements are reduced. The Council agreed.

Chief Toth stated that residential water pipes have been bursting because they are freezing during the cold "snap" of the past few days and reminded residents to insulate and heat their utility areas where water comes into the house.

14. Other

The Council agreed to hold a workshop on Thursday, February 22, 2007 at 6:30 PM. Administrator Nelson stated that she has a list of topics to discuss and will prepare a draft agenda with staff memorandums where applicable which will be provided to the Council prior to the meeting.

Mayor Nelson stated that the City will be reviewing its comprehensive plan this year. Because of the City's membership through the League of Minnesota Cities, their staff will conduct a workshop to address questions regarding variances, land use and zoning issues and answer any questions Council may have while reviewing the comprehensive plan. Mayor Nelson stated his opinion that the Council should take advantage of this tool.

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

The meeting adjourned at 9:10 P.M.

Robert Nelson, Mayor

ATTEST:

Barbara L. Nelson, Administrator, Clerk/Treasurer