

OFFICIAL PROCEEDINGS

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

1. Call to Order

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

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: Jerry Linke, Mounds View

3. Pledge of Allegiance

4. Additions or Corrections to Agenda

Administrator Nelson requested that the General Fund Disbursement Resolution be added to the Consent Agenda. The Council agreed.

5. Discussion From The Floor- None

6. Consent Agenda

Mayor Wells reviewed the following Consent Agenda items:

- A. Approval of Minutes - January 16, 2007, February 5, 2007, February 20, 2007
- B. Disbursements:
 - 1. General Fund Disbursement Resolution No. 07-07 - \$345,192.05
 - 2. Liquor Fund Disbursement Resolution No. 07-08 - \$240,793.37
- C. Correspondence
- D. Contractors' Licenses

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

7. Public Works Report

Public Works Director Randall reported as follows: the Public Works crew built a new mezzanine area in the shop; ran air lines from the new compressor into the Police Department; salted the streets because of ice and snow; rented equipment to begin cleaning up the property north of Lakeside Lions Park on McKinley Street and upon completion, will bring the equipment to City Hall to dig out the area on the west side of the

Police Department and bring that fill to the McKinley Street property; the streets were swept the week of April 16th; began cleaning the parks; aerated over seeded Terrace Park; removed diseased trees at 80th and Jackson and 7700 Tyler Street and flushed fire hydrant dead ends. Mr. Randall stated that the entire water system will be flushed in the fall after the Arthur Street water tower is back in service.

Mr. Randall reported that on April 3rd and 4th, he attended a tree school in Brooklyn Center; on April 10th, he met with Engineer Rhein regarding the McDonald's construction project; on April 24th, he attended a North American Snow Conference in St. Paul and on April 27th, he attended a pre-construction meeting for the Highway 10 service roads.

Public Works Director Randall stated that rental of the equipment for clean up of the McKinley Street property was \$7,742 compared to the original cost estimate of \$15,000.

8. Petitions, Requests and/or Communications:

A. Comprehensive Plan Amendment - City of Fridley

Engineer Rhein stated that the proposed amendment to Fridley's Comprehensive Plan concerns a 1.18 acre site located at 6120 5th Street. The site is located east of University Avenue, approximately two miles south of the municipal boundary of Spring Lake Park. Mr. Rhein stated that the amendment would change the land use designation for the site from Public/Semi-Public to Multi-Family in order to add sixteen new households.

Mr. Rhein stated that there will be no impact on the City's sanitary sewer; there is no interconnection of the area included in the proposed amendment with the water distribution system that serves Spring Lake Park and the area is located within the Six Cities Watershed Management Organization that lies south of Rice Creek therefore, no storm water runoff from the proposed development would flow into or through Spring Lake Park.

The Council voiced no objection to the proposed amendment.

Administrator Nelson stated that she will notify the City of Fridley that the City of Spring Lake Park has no objection to their proposed amendment.

B. Roadway Classification Change Request - City of Blaine

Engineer Rhein commented that many cities are in the process of updating their Comprehensive Plans and as part of their updates, they are allowed to review the functional classifications of their roadways. Mr. Rhein stated that the City of Blaine wants to change the designation of the segment of Able Street from County Highway 10 to 89th Avenue from a local street to a collector street.

Mr. Rhein explained that functional classifications for streets within the metropolitan area fall under the jurisdiction of the Metropolitan Council and the City of Blaine submitted its request to change the classification of that segment of Able Street to the Met Council for review. Mr. Rhein stated that the Met Council stated they will not approve the request without the concurrence of Spring Lake Park because the Able Street/County Highway 10 intersection and a very short segment of Able Street north of County Road 10, technically lie within the corporate limits of Spring Lake Park.

Mr. Rhein stated that he reviewed the request and finds no adverse impact to the City of Spring Lake Park by the reclassification of the segment of Able Street under discussion. Mr. Rhein pointed out that the segment of Able Street south of County Highway 10 within Spring Lake Park, is currently designated as a collector street therefore, the proposed classification by the City of Blaine would be consistent and result in the same classification for Able Street on both sides of County Highway 10.

Mayor Nelson asked if Blaine and Spring Lake Park could influence MnDOT to upgrade the traffic signals at the intersection of Able Street and County Highway 10 if Blaine's segment of Able Street becomes a collector street.

Engineer Rhein stated that when a street is classified as a collector street, it means that it collects traffic from local streets and has preference over local streets, so there could be some benefit when seeking federal aid funding in the future for improvements at that intersection.

Administrator Nelson asked Engineer Rhein if Anoka County has plans to improve either traffic signals or the intersection and Engineer Rhein stated his belief that Anoka County has had discussions about upgrading the intersections and the traffic signals at the same time.

Engineer Rhein stated that the letter sent to Blaine advising them of the City's approval, if it is forthcoming, could include a statement that the reclassification could have future benefits in obtaining federal funds for a state project at the intersection and a copy could be sent to the Anoka County Highway Department so they will be aware that Spring Lake Park approves the reclassification and strongly support a safer intersection.

Public Works Director Randall recalled that he attended a meeting at the Anoka County Highway Department, and it was indicated that as soon as work on the frontage roads is completed, Anoka County would consider upgrading the traffic signals.

MOTION BY COUNCILMEMBER CARLSON APPROVING THE CITY OF BLAINE'S REQUEST TO RECLASSIFY THE SEGMENT OF ABLE STREET FROM COUNTY HIGHWAY 10 TO 89TH AVENUE FROM A LOCAL STREET TO A COLLECTOR STREET AND DIRECTING STAFF TO NOTIFY THE CITY OF BLAINE EXPRESSING STRONG SUPPORT FOR ANY AND ALL IMPROVEMENTS TO THE ABLE STREET/COUNTY HIGHWAY 10 INTERSECTION TO MAKE IT SAFER. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

9. New Business:

A. Set Date for NPDES MS4 Storm Water Permit Annual Meeting - June 18, 2007

Engineer Rhein stated that since March 2003, the City of Spring Lake Park has been operating under an NPDES Phase II General Storm Water Permit from the Minnesota Pollution Control Agency (MPCA). The City was required to obtain an "MS4" Permit (Municipal Separate Storm Sewer System) because the City owns and operates a storm sewer system that ultimately drains to natural water resources.

Mr. Rhein stated that a requirement of the permit is that each City prepare and submit an Annual Report to the MPCA to document the status of compliance with the permit conditions. Mr. Rhein stated that the deadline for submitting the Annual Report to the MPCA is June 30, 2007. In addition, the City is

required to hold a storm water public hearing to educate the public, give interested citizens an update on the City's progress toward reaching the goals outlined in the SWPPP (Storm Water Pollution Prevention Program) and to provide an opportunity for public comment. Mr. Rhein added that the permit also requires all public comments to be recorded and that a formal response to all comments be prepared and included in the Annual Report.

Mr. Rhein commented that the annual public hearing must be scheduled for a certain date and time and be properly advertised in the official City newspaper a minimum of 30 days in advance of the meeting date, therefore, he recommended that the public hearing be held on June 18, 2007.

Mr. Rhein stated that the public hearing will consist of a short presentation by staff briefly reviewing the goals that have been achieved under each of the six sections of the permit and the Annual Report will document the 2006 activities conducted under the current MS4 permit.

MOTION BY COUNCILMEMBER MASON CALLING A PUBLIC HEARING FOR MONDAY, JUNE 18, 2007 AT 8:00 P.M. TO REVIEW THE CITY'S ACTIVITIES RELATED TO ITS NPDES PHASE II MS4 PERMIT; AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND PUBLISH THE REQUIRED NOTICE IN THE OFFICIAL CITY NEWSPAPER AND AUTHORIZING THE CITY ADMINISTRATOR TO WORK WITH THE ENGINEER TO PREPARE THE ANNUAL REPORT AND PRESENTATION FOR THE PUBLIC HEARING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Approve Hiring of PT Code Compliance Specialist

Building Official Brainard stated that on April 24, 2007, he, Chief Toth and Nancy Kelm interviewed five applicants for the part-time position of Code Compliance/Housing Specialist.

Mr. Brainard stated that a contingency offer of employment was made to Jerry Linke on April 27, 2007 and he is recommending the Council approve the hiring of Mr. Linke effective May 8, 2007 at the hourly rate of \$16.24 per hour. After a six month probation period, Mr. Linke will advance to \$16.66 per hour. Mr. Brainard commented that Mr. Linke will work 20 hours per week and one Saturday each month.

Mr. Brainard commented that Mr. Linke has several years experience as a construction manager for several firms and political experience as the former Mayor of Mounds View. Mr. Linke currently holds a limited Building Official State Certification and will be able to perform inspections in his absence.

Councilmember Mason asked Mr. Brainard to explain a Limited Building Official's Certificate. Mr. Brainard stated that it means that an individual can perform housing inspections under supervision of an experienced building official.

Mr. Linke stated that the certificate allows him to inspect housing units up to duplex units and is allowed to do any inspections requested by the supervising building official at any level. Mr. Linke stated that he will soon be taking the test for a building official's license which he believes will benefit the City.

MOTION BY COUNCILMEMBER MASON APPROVING THE HIRING OF JERRY LINKE AS PART-TIME CODE COMPLIANCE/HOUSING SPECIALIST, EFFECTIVE MAY 8, 2007 AT A WAGE OF \$16.24 PER HOUR. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

Mr. Brainard stated that he would like the Council to complete the survey left at the table this evening which will help his department prioritize enforcement categories in accordance with the Council's wishes.

Administrator Nelson stressed the importance of all councilmembers completing the survey adding that if there are conflicting priorities on the Council, a workshop could be called to discuss the issues.

Councilmember Carlson stated that she has difficulty completing the survey because she believes that several items are just as important as another.

After considerable discussion regarding how to rate the enforcement issues, Administrator Nelson suggested that the issues should be marked with 1 as a high priority, 2 as medium priority and 3 as low priority. The Council agreed to the system.

Mayor Nelson asked that the councilmembers return the completed list by the end of the week and suggested that staff take another week to analyze the results and determine if a workshop is necessary.

C. Terrace Park Renovations

Parks and Recreation Director Rygwall stated that the Terrace Park tennis courts have been patched several times over the past six years and currently have many large cracks. Ms. Rygwall stated that she and Public Works Director Randall are recommending renovating the courts by removing the old surface and replacing it with a new surface. Ms. Rygwall stated that the courts are not safe to play on without some work being done.

Ms. Rygwall stated that residents and the Parks and Recreation Commission have voiced concern over both the condition of the tennis and basketball courts and the location of the basketball court in relation to the playground equipment. The Parks and Recreation Commission and staff are recommending removing the old basketball court and installing a larger one near the new tennis courts. Ms. Rygwall stated that the new court complex would be the same size as the existing four tennis courts with the new basketball court located on the east end of the complex providing the maximum distance from the playground.

Ms. Rygwall stated that there have been rare requests for court lighting and if the basketball courts have light, they could be used until 10:00 PM which, she believes would create a nuisance for the neighbors. Staff is therefore not recommending lighting for the court complex.

Ms. Rygwall stated that the project is included in the capital improvement plan and was scheduled for consideration in 2006 and was originally estimated to cost \$40,000 however, the current estimate is \$55,000. Ms. Rygwall commented that the bituminous cost could be less if the court complex is completed while the proposed Highway 10 service road project is underway.

Ms. Rygwall stated that the public works department is willing to do the rest of the work with overtime when needed, adding that several projects have been completed in-house at a cost savings to the city.

Ms. Rygwall added that she is seeking permission to install a new tennis/basketball court complex at Terrace Park in an amount not to exceed \$60,000 with funding from the Park Acquisition and Improvement Fund.

Councilmember Carlson stated that some parents play basketball and keep an eye on their children in the play area and if the basketball court is moved from its present location, it will be difficult to see the play area.

Ms. Rygwall commented that there is a shelter between the basketball court and the playground for parents to sit as well as a proposed seating area near the play area.

Mayor Nelson asked if the proposal is for two tennis courts and two basketball courts in the northeast corner of the park. Ms. Rygwall replied positively.

Mayor Nelson stated that he would like a skateboard court to be located in the area designated for the basketball court closest to 79th Avenue adding that if it is discovered that there is no interest or there is an abundance of bad language or accelerated graffiti, the area could be turned back into a basketball court. Mayor Nelson stated that perhaps an organization in lawful gambling would provide portable equipment needed for the skateboard court which would keep the City within the confines of its existing insurance coverage. Mayor Nelson asked the Council if they are agreeable to this concept.

Councilmember Carlson stated that she does not object to a skateboard area adding that she sees many of them in smaller communities.

Parks and Recreation Director Rygwall asked the Council if lighting should be made available for a skateboard and basketball courts. Councilmember Mason replied positively.

Public Works Director Randall stated that if the lights are to be replaced, additional funds will be necessary. Mr. Randall explained that the plan was to remove lights located in the middle of the four courts because they must be protected for insurance purposes. Mr. Randall stated that an additional \$10,000 will be needed for lighting if the lights are to be replaced.

Councilmember Mason asked if approval of the project can be given without a decision being made on the lights at this time and possibly, having them installed at a later date. Public Works Director Randall replied negatively explaining that the light standards must be in place before the new asphalt is placed. Brief discussion.

MOTION BY COUNCILMEMBER MASON APPROVING THE TERRACE PARK COURT RENOVATIONS TO INCLUDE TWO TENNIS COURTS, A HALF COURT BASKETBALL COURT AND HALF COURT SKATEBOARD, WITH LIGHTING, AT A COST NOT TO EXCEED \$65,000 FROM THE PARK ACQUISITION AND IMPROVEMENT FUND AND AUTHORIZATION TO SOLICIT FUNDS FOR SKATEBOARD EQUIPMENT. ROLL CALL: MASON: AYE; CARLSON: NAY; LOESCH: NAY; DAHL: NAY; MAYOR NELSON: AYE. MOTION FAILED.

Councilmember Loesch asked why the interior lighting is needed. Councilmember Mason stated that it will be needed in the fall when the courts are occupied.

Councilmember Loesch disagreed expressing his opinion that lighting the courts until 10:00 P.M. will create a nuisance for the neighborhood and that the City should not be encouraging people to use the park after dark.

Councilmember Mason asked how the lighting was handled in the past. Public Works Director Randall stated that a button on the fence, when pushed, turns the lights on and a timer shuts off the power to the lights at 10:00 P.M. Mr. Randall pointed out that the proposed plan was to remove the two lights in the middle of the court complex but retain the four lights on the four corners of the courts.

MOTION BY COUNCILMEMBER MASON APPROVING THE TERRACE PARK COURT RENOVATIONS TO INCLUDE TWO TENNIS COURTS, ONE BASKETBALL COURT AND ONE SKATE BOARD COURT, AT A COST NOT TO EXCEED \$60,000 FROM THE PARK ACQUISITION AND IMPROVEMENT FUND AND AUTHORIZATION TO SOLICIT FUNDS FOR SKATEBOARD EQUIPMENT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

Additional discussion regarding the interior lights in the court complex resulting in a suggestion to seek the recommendation of the Parks and Recreation Commission.

Parks and Recreation Director Rygwall suggested that the lights located in the four corners could be put on timers to extinguish at 10 PM and the only lighting available after 10 PM would be the street light, lighting on the water treatment building and security lighting within the park itself.

10. Engineer's Report:

A. Status Report - Arthur Street Water Tower Project

Engineer Rhein stated that the interior structural repairs are 95% complete; the interior grinding is 95% complete; the exterior structural repairs are 100% complete and the primer coat in the interior is approximately 70% complete. Mr. Rhein stated that the contractor has not experienced any major problems on the site however, work was stopped for two days because of rain and high wind.

Mr. Rhein stated that the overall quality of the work completed by the contractor to date has been very good and it appears that they are on schedule.

B. Approve Feasibility Report and Order Plans and Specifications for 2007 Street Maintenance Project

Engineer Rhein recalled that a long range plan for pavement maintenance was reviewed with City staff in November, 2004 as part of the overall Capital Improvement Plan. At that time, the pavement maintenance schedule was based on a 6 year cycle similar to the street improvement projects done from 1999 to 2004.

Mr. Rhein stated that the area identified for the 2007 project includes those streets from the 2002 portion of the street improvement projects which is an area bounded by Sanburnol Drive on the north; 81st Avenue on the south, University Avenue on the west and Monroe Street on the east. In addition, Mr. Rhein commented that the segment of 83rd Avenue from University Avenue to Terrace Road which was reconstructed in 1994 has not been included in any recent street maintenance project so is therefore included in the 2007 project as well as the small block west of Monroe Street formed by Jefferson Street, Reco Lane, Madison Street and 83rd Avenue.

Mr. Rhein explained that the project will include crack sealing to prevent widening of the cracks and water from seeping into the street base and sub grade, which could accelerate deterioration of the street surface. Mr. Rhein stated that a seal coat operation will not add structural strength to a road but will increase the friction of the surface through the application of the aggregate material which results in increased safety as vehicle tires are able to grip the surface more readily for braking and maneuvering.

Mr. Rhein stated that detailed cost estimates have been prepared for the improvements, based on unit prices for the 2007 construction season plus allowances for engineering, administration, legal costs and financing. The total estimated cost for the 2007 Street Maintenance Project is \$112,000.00.

Mr. Rhein commented that the City does not assess for routine crack filling and seal coat maintenance therefore, the project will be funded through City funds from an account dedicated for this purpose.

Mr. Rhein stated that he previously advised the Council that Mounds View would be undertaking a similar project and had expressed an interest in combining the projects in the interest of convenience, consistency and potential cost savings. Mr. Rhein stated that Mounds View City Council has ordered a feasibility report for their 2007 Street Maintenance Project and it will be reviewed next week. Mr. Rhein commented that Mounds View's project is larger in size than Spring Lake Park's so Mounds View has volunteered to be the lead agency on the project, handling the project bidding, contract award and administration of construction payments. Mr. Rhein added that Mounds View's city attorney will also prepare the joint powers agreement for the joint project.

Mr. Rhein reminded the Council that the cost estimates contained in the feasibility report are based on Spring Lake Park proceeding with the 2007 Street Maintenance Project on its own however, it is estimated that the joint project could save each city approximately 10%. Mr. Rhein stated that the joint powers agreement will be presented to the Mounds View City Council on May 14 and submitted to Spring Lake Park on May 21st.

MOTION BY COUNCILMEMER LOESCH ACCEPTING THE REPORT AND ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE 2007 STREET MAINTENANCE PROJECT. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

11. Attorney's Report - None

12. Councilmember Reports

Councilmember Mason reported that on May 2nd, she attended an Executive Cable Commission meeting and on May 3rd, she attended a NorthStar Corridor meeting.

Councilmember Loesch reported that on April 25th, he attended the Liquor Commission meeting.

Mayor Nelson reported that he attended the Liquor Commission meeting on April 25th.

14. Staff Reports

Parks and Recreation Director Rygwall reported that 27 teams have registered for the softball program this summer; Tower Days plans are continuing to be developed and one new activity is a City-wide garage sale for which 25 homeowners have registered.

14. Other

Councilmember Loesch asked Administrator Nelson asked if negotiations for health insurance can begin earlier this year to determine if the employees and the City can save some money.

Administrator Nelson stated that she will contact the broker however, she may be somewhat restricted in what she can do because the insurance companies do not want to negotiate too early in the year as their premiums are claims rated.

Mayor Nelson asked Engineer Rhein if Harlan Olson would review the business condo property across the street from City Hall and the Pleasant View Townhomes to be sure they have fulfilled the conditions of their development agreements.

Administrator Nelson stated that she and staff have been discussing the status of several projects within the City that need review and the two mentioned by Mayor Nelson are on the list as well as others and staff will make inspections in the next week or two and report back to the Council.

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

The meeting was adjourned at 8:30 P.M.

Robert Nelson, Mayor

Attest:

Barbara L. Nelson, Administrator, Clerk/Treasurer