

CITY COUNCIL MEETING MINUTES / APRIL 21, 2015

OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING TUESDAY, APRIL 21, 2015

CITY COUNCIL PRESENT: Mayor Amy Williams, Council Member Jeri Ryan, Council Member Richard Glasgow, Council Member Joe Paient, Council Member Evan Loenser

STAFF PRESENT: Public Works Director Matt Kline, City Administrator/Clerk Sandie Thone, City Attorney Representative Katie Jarve, City Treasurer Tom Niedzwiecki

OTHERS PRESENT: John Ruprecht, Pam Ruprecht, Planning Commission Chair Chris White, Planning Commission Member Diane Wirth, Washington County Deputy Sullivan, Interim Superintendent ISD #834 Tom Nelson, Jenifer Sorensen (DNR)

WORKSHOP: 5:07 p.m. to 5:55 p.m. Discussion on Code Enforcement and Fees and City Newsletter

1. CALL TO ORDER by Mayor Williams at 6:05 p.m.
2. PLEDGE OF ALLEGIENCE was recited.
3. ADOPTED AGENDA: **Motion/Second/Passed; Council Member Jeri Ryan, Council Member Richard Glasgow**
4. ADOPTED CONSENT AGENDA: **Motion/Second/Passed; Council Member Richard Glasgow, Council Member Jeri Ryan**
 - A. Approve March 17, 2015 Regular City Council Meeting Minutes
 - B. Approve April 7, 2015 Local Board of Appeals and Equalization Meeting Minutes
 - C. Approve for Staff to Post and Recruit for Deputy Clerk Position Vacancy
 - D. Approve Treasurer's Report
 - E. Approve Monthly Claims
5. AGENCY REPORTS
 - A. Deputy Sullivan reported a total of 93 ICRs; vandals destroying local mailboxes identified; working on loitering issues at Plaza and neighborhood noise issues.
 - B. Fire Department Report/Reported by Councilmember Glasgow: 48 calls – 8 in Lakeland.
6. OPEN FORUM (Public comments, presentations, and petitions)
 - A. Tom Nelson, Interim Superintendent ISD #834. Residents of the Stillwater Area School District will be asked to go to the polls May 12 for a \$97.5 million bond question; board decided to ask amount to fund all aspects of the long-range facilities plan that features an addition and renovations at the high school, construction of a new elementary school in the southwestern corner of the district, and at least some improvements to all of the district's school buildings; plan would also convert the district's current junior high model - a middle level school containing seventh, eighth, and ninth-graders into a middle school model grade configuration of grades six through eight at the district's two junior highs and would move the entire ninth grade to the high school; will also implement at least one classroom for preschool programming at each of the elementary schools; if voters approve bond, construction will start at the beginning of the 2017-2018 school year.
 - B. Rob Newman – not present
7. CITY BUSINESS
 - A. Mary E. Planten-Krell, Executive Director of Youth Service Bureau explained services and funding structure. **Motion/Second/Passed; Council Member Jeri Ryan, Council Member Richard Glasgow, to enter into a contract for services for the Youth Service Bureau at \$5,200 for 2016.**
 - B. **Motion/Second/Passed; Council Member Loesser, Council Member Ryan, to adopt Resolution 2015-16, a resolution designating No Parking Regulations on center portion of cul-de-sacs located on 4th Street North, 5th Street North, and 6th Street North. Resolution adopted unanimously.**
 - C. 1109 Quixote Ave. N. Jim Space has contracted with Final Grade, Inc. to seed and restore his project; scheduled for May 18, 2015.
 - D. Approve Quixote Street Project. **Motion/Second/Passed; Council Member Glasgow, Council Member Loenser, to accept bid by Fitzgerald Excavation and Trucking for an amount not to exceed \$20,000 for the 2015 Quixote Avenue No. Drainage Improvements.**

Motion/Second/Passed; Council Member Ryan, Council Member Paiement, to authorize a contract with SEH, Inc. for Construction Administration for 2015 Quixote Avenue N. Drainage Improvements in the amount of \$10,916. Appreciation expressed to Public Works Director Matt Kline for coordinating grant funds for this project that totaled \$67,000 with matching 25% City funds.

E. Motion/Second/Passed; Council Member Glasgow, Council Member Ryan, to accept bid by Fitzgerald Excavation and Trucking for the 2015 Street Project in the amount of \$367,381.25.

Motion/Second/Passed; Council Member Loenser, Council Member Ryan, to authorize construction engineering and surveying services for the construction phase of 2015 Street Improvements to SEH, Inc. in the amount of \$38,442.

F. A Public Hearing was held regarding a proposed amendment to City Code Chapter 159 pertaining to zoning regulating occasion ceremony venue signs by the Planning Commission on April 8, 2015. **Motion/Second/Adopted; Council Member Glasgow, Council Member Ryan, to adopt Ordinance 7544, an ordinance amending Lakeland City Code Chapter 159 Section 117.4 adding N) signage requirements pertaining to commercial special occasion ceremony venues and Section 192 and 205 of the Sign Ordinance allowing the signage upon approval of an IUP in agricultural and residential districts. By roll call, Mayor Williams voted aye, Council Member Loenser voted aye, Council Member Ryan voted aye, Council Member Glasgow voted aye, and Council Member Paiement voted aye.**

G. Motion/Second/Passed; Council Member Ryan, Council Member Paiement, to approve Resolution 2015-17 Summary Publication of Ordinance 7544 amending Chapter 159 of the City Code Pertaining to Signage Requirements for Commercial Special Occasion Ceremony Venues.

H. Public Works Director Matt Kline introduced Resolution 2015-15, a resolution approving variances to allow the removal of an existing residential home and subsequent rebuild of the home on the existing footings and foundation walls along with adding new construction on the non-River facing side of the lot at 737 Quentin Avenue South. Attorney Jarve consulted on protocol passing Resolution as written with PC recommendations.

Variances denied included impervious surface request of 21.5% where maximum impervious surface is 20% and exceeds maximum allowed within the Lower St. Croix River Bluffland and Shoreland Management Regulations. It was consensus of CC that the Ruprechts have taken steps to mitigate runoff by rain garden and swales around the property and WMO submitted project meets all standards to decrease by 20%; opinion Ruprechts have met the intent.

The second variance denied was applicant's proposal to raise the roof by installing rafters with an 8/12 roof pitch; substandard structures which do not meet bluffland and/or shoreland setbacks shall not be raised in elevation and raising the roof would increase the visual impact of the structure from the River. It was decision of CC this subjective and percentage not defined viewing home from River; City does not presently have formula for policy and ordinance problematic. Chris White, Planning Commission Chair, stated PC job to see how ordinance fits and how application complies. Mayor Williams asked going forward that variances are individually presented and encouraged White to make ordinances such as this a priority of PC review; reason we have variances that can determine if strict adherence to an arbitrary number not accomplishing goal of community.

Jenifer Sorenson, DNR, spoke to impervious surface and research that helps define percentage; will provide Council literature to that fact; has been working with City re-vegetative cutting violation and need to include as a condition of granting variance a Vegetation Restoration Plan; provided DNR's opinion on denial of two variances; Wild & Scenic Rules in place for several decades by State Statute – will provide staff and council statute rules of how height determined.

Council Member Ryan requested a friendly amendment to Resolution 2015-15 as presented to reflect and allow the variance accepting impervious surface to allow for a greater amount of surface than allowed as presented in the 4/21/15 plan review. Mayor Williams accepted; Council member Glasgow accepted. Motion amended. CC directed attention to variance of roof height. Mayor Williams made motion, Council Member Glasgow seconded, wording as follows: Whereas ordinance re-substandard structures shall not be raised in elevation, finding is that Ruprechts' have been willing to address impervious surface and have made several design changes to attempt meeting code with regard to substantial structures that do not meet bluffland and/or shoreland setbacks. **Motion/Second/Passed Mayor Williams, Council Member Glasgow, to approve Resolution 2015-15 as amended deleting variances denied and changing findings of fact.**

8. CITY STAFF REPORTS

City Attorney Representative – no report

City Administrator/Clerk Sandie Thone – no report

Public Works Director Matt Kline reported road restrictions off as of midnight tonight; has bid from Weisbrod Landscape for median weeding on CR 18; will see what Lakeland Shores wants to do and bring back at next month's meeting.

City Treasurer Tom Niedzwiecki reported at next month's meeting will have preview refunding of 2 Bonds related to Street Improvements for Lakeland Village and the 2nd Water Tower; George Iverson from Northland Communications will provide presentation and they will have resolution for approval; last month reported water receipts low, but found some receipts missing; in black through 1st quarter.

9. CITY COUNCIL AND MAYOR REPORTS

Council Member Loenser had no report.

Council Member Ryan stated she would be reviewing Robert's Rules of Order.

Council Member Glasgow attended an Alliance Meeting that included a road project update from Washington County Department of Transportation; also discussed septic systems and information on that; Alliance will meet next Monday; transition moving offices to water department went well; appreciates DNR opinions and goal to understand DNR opinions of ordinances better.

Council Member Paiement suggested the city council work together with the planning commission and make it a priority to tighten up ordinance language.

Mayor Williams thanked the planning commission and staff as ordinance policies have been ongoing issue for number of years; will be attending Mayor's Association Annual Conference in White Bear on water management; speaking Thursday at Mankato State supporting public service; encouraged residents to keep abreast of bills brought up in Legislature regarding land use; still planning to expand facilities at the water facility and will continue direction with task force on facility spaces and what the community wants as well as exploring cost savings; plans to focus on land use and city administration.

10. ADJOURN

Motion to adjourn effective 8:15 p.m. Motion/Second/Passed; Ryan/Loesser


Richard Glasgow, Acting Mayor
Sandy Thone, City Administrator/Clerk