

**CITY COUNCIL MEETING**  
**Tuesday, June 17, 2014**

**CITY COUNCIL PRESENT:** Bob Livingston, Asia Bednar, Richard Glasgow

**STAFF PRESENT:** Chris Wallberg, Matt Kline, Tom Niedzwiecki, Josh Brekken

**OTHERS PRESENT:** Leah Stanton, Chris White, Donald James Space

1. **CALL TO ORDER** by Mayor Livingston at 6:21 p.m.
2. **PLEDGE OF ALLEGIENCE** *was recited.*
3. **CONSENT AGENDA – M/S/P (Glasgow/Bednar) to approve the Consent Agenda. Livingston, Glasgow, Bednar voted aye. Motion passed.**
  - A. Minutes of the May 20, 2014 Regular City Council meeting
  - B. Treasurer's Report
  - C. Bills to be Approved
  - D. Resolution re-appointing Don James to the LSCVFPD Board, term to expire 6/31/16
  - E. Resolution appointing Election Judges for 2014 Primary and General Elections[Recorder's Note: Names of the 2014 Election Judges were added to the minutes by Council direction at the July 15, 2014 meeting]

- Terrie Heimann / Head Judge	- Gloria Phillips
- Sandra Bishop	- Len Schakel
- Walter Jacks	- Jill Tammen
- Sharon Lee	- Roger Tyrell
- Harry Martin	- Chris White
4. **LAW ENFORCEMENT REPORT – Postponed.**
5. **PETITIONS TO THE COUNCIL – Donald James Space, 1109 Quixote Avenue North, requested the Council address his concerns regarding the Court ordered requirements for his property. He stated he has been unable to seed the northern portion of his property, as directed by the court order, due to constant flooding. He stated seeding the northern area of the property is not possible and sought compromise regarding this portion of the court order. Brekken recommended the Council take no action in terms of compromise regarding the seeding requirements. He stated there was discussion with the City Engineer regarding the original seeding completion date requirement, which was June 15, 2014; he advised granting an extension until July 31, 2014. Space stated the belief that the Council has oversight of the seeding per the Court Order and has the ability to waive or amend its requirements. Brekken stated the Court Order does read that the area shall be re-vegetated pursuant to the direction and precautions of the City, which allows a level of discretion with the City Council. He added that he recommends only allowing an extension of the seeding completion date. Any further review could be provided by the City Engineer, which would allow the Council to have complete information with which to make further decisions. Space invited the City Council to visually inspect the area of his property he claims cannot be re-vegetated. Livingston stated he agreed that an extension should be granted until July 31, 2014 to complete the vegetation; would allow the City Engineer to inspect the property if necessary. There was consensus among the Council to extend the vegetation completion date to July 31, 2014. Livingston stated that any recommendations for altering the requirements of the Court Order should be issued by the City Engineer. Space stated his property has become a holding pond since Quixote Avenue North was paved due to the ditch being altered. Space claimed the water used to drain into the park but no longer does. Kline stated that the drainage was not altered when Quixote Avenue North was paved and that the water level was due to the river. Livingston suggested Kline and Parotti examine Space's claim and provide an opinion regarding how to proceed.**
6. **OUTDOOR TEMPORARY SALES / EVENTS STANDARDS – Wallberg stated that the amendment to the Outdoor Temporary Sales/Event Standards was addressed because an individual requested to place a seasonal outdoor produce stand at Lakeland Village. As the standards were originally passed, the stand would not be allowed for longer than 10 days. As the standards currently read, a CUP or IUP would be required for a seasonal produce stand, which would complicate the process for potential businesses. The Planning Commission reviewed the standards and recommended to add exemptions for produce stands and garden centers to the standards. She stated these exceptions would be considered accessory sales for uses that are already permitted. She added that a Certificate of Compliance would be required for tenants. Wallberg reiterated that the 10-day restriction would still be applicable to**

businesses other than Christmas Tree Sales, Farmer's Markets, Produce Stands and Garden Centers. She stated the cost for a Certificate of Compliance is \$125. **M/S/P (Glasgow/Bednar) to approve the amended Outdoor Temporary Sales/Events Standards as presented. Livingston, Glasgow, Bednar voted aye. Motion Passed.**

## 7. STAFF REPORT

**Attorney** – No report.

**City Engineer** – No report.

**City Clerk** – Items reported in the Clerk's Office Administration Report. There was discussion regarding parking at the end of Quixote Avenue North.

**Public Works Director** – Kline provided an update on the Quixote Avenue North Drainage Project and stated the latest estimates from the WMO and City Engineer are approximately \$4,000 greater than what was anticipated. He stated the City would have to contribute \$29,000 as opposed to the anticipated \$25,000 in this scenario. The WMO is applying for a grant to cover some of the engineering costs. He stated that halting the project and not going out for bids would be pointless since the project had progressed so far. Staff recommended that the project be placed for bid. He stated if the bids come in higher than desired it can be placed for bid again in 2015. If bids still are high in 2015, a meeting could be held with contractors to discuss possible areas to cut costs. There was discussion regarding funds allocated during the last legislative session to reduce phosphorus pollution in the St. Croix River. Niedzwiecki stated that he discussed funding for the Quixote Avenue North Drainage Project with Kline. He added that \$18,000 is available in the Long Term Improvement Fund; specifically money that was allocated for a Surface Water Drainage project associated with Great River Greening; funds are no longer designated for that use. He added the City still expects to receive \$15,000 from FEMA. There was discussion regarding use of the Cable Funds. Livingston stated there was a very real need for upgrades of the City's computers and would like to see some of the Cable funds used. He stated he would like Staff to look into upgrading computer equipment. Glasgow stated he received information and materials from a resident stating concern over placing fluoride in the water supply [Documents on file with City Clerk].

**Treasurer** – Niedzwiecki reported he prepared at preliminary 2015 budget. He stated it showed about a 2.2% increase in the budget, which included quite a few changes. He stated all the changes have been made based on his own estimations and he has received no input from staff. He stated he made changes to line items including City Zoning Administration, Recycling and City Attorney. He stated the biggest increase was for Public Works Snow and Ice, which was increased by 25%; feels discussion regarding the increase is warranted. He stated he would like to have a workshop in July to discuss the budget; budget is required to be certified on September 15. He stated final numbers have not been provided for 2015 costs/dues for the Washington County Sheriff, SCVWMO, League of MN Cities and Washington County Elections. He stated there was some uncertainty regarding staff expenses for 2015. There was discussion regarding the increase in Lakeland's tax rate percentage. Kline stated that many communities assess for road maintenance and improvements and Lakeland does not, which can skew the tax rate. Niedzwiecki stated that the main reason for the tax rate increase was a \$40 million decrease in Lakeland's taxable market value since 2010. He stated he does expect an increase in the taxable market value for 2015, but is unsure of what the increase will be. He stated the new playground equipment for Humphries Park was paid for in May. There was \$3,300 in Applicant Escrow write-offs. He added money was received from Donald James Space for the reimbursement of court costs. He is expecting approximately \$10,000 in Applicant Escrow will be written off in the near future. Livingston stated he would like to see a list of Lakeland's assets and a narrative of how they will be utilized. There was discussion regarding quantifying the monetary value of City services.

**Zoning** – None.

8. **COUNCIL MEMBER REPORT/** Glasgow reported the LSVFD had 52 runs in May, 17 were in Lakeland. He read into record a documented statement from Ruth Miller regarding naming the Crocker Park playground in honor of Zach Sobiech [Document on File with the City Clerk]. Livingston stated he would like to honor Zach Sobiech's life in some fashion but would like to investigate options. There was discussion regarding concern over the name of Crocker Park being changed and it was proposed that only the name of the playground would be changed. Glasgow stated he spoke with the Sobiech family who supported the idea, and that many others in the Valley were in favor. Wallberg requested that Glasgow provide documentation he intends to present at Council Meetings to the City Hall prior to the meeting so the Council and public have an adequate opportunity to review it. Glasgow reported that the County

Attorney would be speaking at the Water Street Inn on June 24 at 7:15 p.m. He stated there would be an Alliance meeting on June 23.

9. **COUNCIL MEMBER REPORT/** Williams not present to report.
10. **COUNCIL MEMBER REPORT/** Paiement not present to report. Chris White stated the Personnel Committee did not meet but had discussed Jacob McNabb's performance review via e-mail. She stated this exchange took place between Councilmember Paiement and herself, and they agreed with McNabb's positive performance review from the Public Works Director. She stated the information was e-mailed to Councilmember Williams who had not responded. She added two votes represent a majority of the Personnel Committee and recommended a 3% wage increase for McNabb, retroactive to May 28, 2014. The Council recognized McNabb for a job well done. **M/S/P (Livingston/Bednar) to accept the Personnel Committee recommendation of a 3% wage increase for Jacob McNabb effective May 28, 2014. Livingston, Glasgow, Bednar voted aye. Motion Passed.**
11. **COUNCIL MEMBER REPORT/** Bednar reported that Al Bergevin visited Crocker Park to have his picture taken with his recognition plaque. She recognized all the volunteers who helped with installation of the new park equipment at Humphries Park. She stated the installation of the new equipment is nearly complete. She stated she would now focus on the bike trail. Livingston stated he was pleased that volunteers had participated and hoped that residents would continue to volunteer in the future. Wallberg stated that as a resident, she was appreciative of Bednar's enthusiasm and dedication to completing the Humphries Park playground equipment project.
12. **MAYOR'S REPORT/** Livingston had no report.
13. **ADJOURN – M/S/P (Glasgow/Bednar) to adjourn meeting at 7:27 p.m. Livingston, Glasgow, Bednar voted aye. Motion Passed.**

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Bob Livingston, Mayor

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Steve Iverson, Deputy Clerk/Recorder