

LAKELAND CITY COUNCIL MEETING MINUTES / JUNE 19, 2018

REGULAR CITY COUNCIL MEETING

CITY COUNCIL PRESENT: Mayor Richard Glasgow, Council Member James Stanton, Council Member Tami Fahey, Council Member Shayne Orning

ABSENT: Council Member Joe Paiement

STAFF PRESENT: City Attorney Katie Jarvi, Utility Billing & Office Clerk Andy Erickson, City Treasurer Tom Niedzwiecki

OTHERS: Brian Pavel (Used Car Lot at 110 St. Croix Trail South), Hunter Gasper and Shelby Rossow (Gasper Auto, 404 St. Croix Trail North)

1. CALL TO ORDER by Mayor Glasgow at 6:01 p.m.

2. PLEDGE OF ALLEGIENCE was recited.

3. ADOPT AGENDA

Motion: Council Member Stanton / Second: Council Member Orning to approve the June Agenda as presented. All Ayes (4-0). Motion Passed. **Time Stamp 01:03**

4. CONSENT AGENDA

Motion: Council Member Stanton / Second: Council Member Orning to approve Consent Agenda as presented. All Ayes (4-0). Motion Passed. **Time Stamp 01:26**

- A. Approve May 15, 2018 City Council Meeting Minutes**
- B. Monthly List of Claims**
- C. City Treasurer's Report**
- D. Interim City Clerk Contract**
- E. Public Works/Water Utility Contract Renewal (7.01.18)**
- F. Zoning Administrator Contract Update to Match Ordinance (7.01.18)**
- G. Youth Service Bureau POS**

5. AGENCY REPORTS

A. Law Enforcement Report - [Report in Meeting Packet]

For the month of May, there were 78 ICRs processed with 7 citations issued.

B. Fire Department Report – Council Member Stanton reported the Fire District will be voting on new officers at the July meeting when they will also be posting banking and posting places; a \$30,000 grant for new vests was received, and an operations meeting on the vehicle replacement plan is scheduled.

C. Animal Control Report [Report in Meeting Packet]

For the month of May, there were 3 reported lost dogs.

D. Building Permit Report - [Report in Meeting Packet]

E. Engineering Report - [Report in Meeting Packet]

In the month of May, the Engineer continued with planning work on the 2019 Streets project, provided an update to the City on the status of spring road bans, assisted with trouble shooting and repairs at the water treatment plants, and assisted with installation of new chemical feed equipment at both water treatment plants.

F. Public Works / Water Department Report

Council Member Stanton reported new mulch installed in the medians of CSAH 18 (1,200 cubic feet) and done completely with Public Works staff; has been working on water infrastructure locations and continues to work general maintenance at City parks; the Water Department is switching over to a bleach system with filter media next month that will result in cost savings.

G. Zoning Report

Council Member Stanton reported a number of issues regarding zoning; Beanie's had violation with floodplain ordinance that is currently being resolved; many questions regarding City Ordinances have been received because of people moving here or selling their homes; working on a piece of property that could provide 9-10 2.5-acre buildable lots / will update when able to.

H. Treasurer Report

- City Treasurer Tom Niedzwiecki reported Water Utility total expenses for the month of May were \$22,595, very favorable and shows continuing financial stabilization; the Water Plan had \$254,000 annual expenses for 2018, so 1/12 would be \$21,000.
- Clean Up Day on May 7, 2018 – Claims to be paid includes payment to Teens for Christ for their services; still waiting for appliance invoice from A-1 Appliance.
- Recycling: Lakeland Shores needs to be invoiced for recycling for the first three months of 2018; the charge from Maroney's went from 815 households to 727, a decrease of 88; the charge per household went from \$3.71 to \$3.58 and appears reasonable.
- ISSI Security has been paid a total of \$6,000 with more work to be done, bringing the final expense to \$12,147.69 (basement and garage area still to be done).
- General Fund continues to be in good shape.

I. Personnel Report

Council Member Fahey reported she and Interim City Clerk discussed job posting for City Clerk position and recommended to hold for now as office is running smoothly and there is question whether this should be a part or full time position [will be revisited in a couple of months]; review for Andy Erickson, Deputy Clerk/Utility Billing Clerk was completed with input from Council Member Stanton and Interim City Clerk – and will be discussed in Executive Session later in the meeting for review and possible wage increase.

Mayor Glasgow suggested to the Council that Council Member Fahey hold the position of Personnel since she is available during the day for the City and it would negate the need to schedule Personnel Committee meetings; suggests at the July CC meeting they make the change.

Time Stamp 15:48

6. OPEN FORUM [public comments, presentations, and petitions]

Dennis Lund, 16155 1st Street South – Questions about Conditional Use Permits on tonight's agenda.

Tim Wirth, 16160 4th Street North – Wanted to insure contribution for Youth Service Bureau is totally credited to charitable gambling fund and in no part the General Fund; in regard to Agenda Item 8D, if Council is anticipating voting on any beach issues, thinks appointed member of the beach committee should be involved for any changes; concern regarding slide at Humphries Park / should be repaired.

James Kleve, 16416 5th Street Ct. N. – Wanted to comment on Public Hearings and Conditional Use Permits addressed tonight for used car dealerships.

Time Stamp 21:23

7. PUBLIC HEARING

A. Vacation of Fuller Street Adjacent to 485 Quinlan Avenue South

Mayor Glasgow opened the Public Hearing Vacation of Fuller Street Adjacent to 485 Quinlan Avenue South at 6:22 p.m.

Introduction of Application – Council Member Stanton introduced application as request from Jeff Griffith, 435 South Quinlan, for vacation of unused right of way that adjoins his property between Quinlan Avenue South and the River; intent is to leave property as is but it does require some tree maintenance and buckthorn removal that he will take care of when removing from his property.

Written and Public Comments:

Sheryl Lapean, 16715 4th Street South, Lakeland Shores

Received information late but not in favor of any vacation of land as this is public access to the River.

Tom Michelson, 16715 4th Street South, Lakeland Shores

Provided history of family in this area and not in favor at all of vacation since it is a public access to the St. Croix River; believes since it goes down to the River that a 60-day waiting period for notice be filed.

Tim Wirth, 16160 4th Street North

Thinks land being a public access should be a significant factor in determination of vacation.

Mayor Glasgow closed the Public Hearing at 6:55 p.m.

Time Stamp 54:58

8. CITY BUSINESS:

A. Discussion and Action regarding a Vacation of Fuller Street adjacent to 485 Quinlan Avenue South

City Attorney Katie Jarvi suggested the notice requirement of 60 days to the Commissioner of Natural Resources be made as it appears the road goes down to the River and State Statute dictates the Commissioner of Natural Resources be notified of any vacation of land that abuts or is adjacent to the River; suggests they table and provide 60-day notice. Council Member Stanton apologized for his misunderstanding there was no access. Consensus was made to table issue until July or until additional information is received.

Time Stamp 54:58

7. PUBLIC HEARING

B. Application for Conditional Use Permit for a Used Car Dealership at 404-C St. Croix Trail North

Mayor Glasgow opened the Public Hearing for a Conditional Use Permit for a Used Car Dealership at 404-C St. Croix Trail North at 6:58 p.m.

Introduction of Application – Council Member Stanton introduced application from Gasper Auto Sales LLC for a Conditional Use Permit to occupy 404-C St. Croix Trail North [Allphase building] as a used car dealership; business will have up to 15 cars at one time and vehicles will be parked on pavement and on the south side of the property; office is open to show or sell vehicles at any given time or by appointment to meet their customer's needs.

Written and Public Comments:

Dennis Lund, 16555 1st Street South

Thinks the City image should be taken into consideration with so many car dealerships.

James Kleve, 16416 5th Street Ct. N.

Also concerned with City image and being in a residential setting; has observed urinating in the parking lot.

Julie Thron, 16411 Division Street

Wrote letter in regard to car dealership at 110 St. Croix Trail and wasn't even aware of this request; concern with multiple car lots.

Mayor Glasgow closed the Public Hearing at 7:10 p.m.

Time Stamp 1:09:58

8. CITY BUSINESS:

B. Discussion and Action regarding an application for a Conditional Use Permit for a Used Car Dealership at 404-C St. Croix Trail North

Mayor Glasgow explained to the Council and residents that if a business meets all requirements of a conditional use permit, they are a permitted business; unless there are specific reasons why they can't have their business in the Community, the City must allow their use or change the Ordinances. Council Member Stanton asked consideration of the applicants for a specific time they will be open as the other application for a used car dealership had specific times they would be open. City Attorney Jarvi confirmed unless the City has a specific land use plan on how many allowed, this is an allowable use. Council Member Stanton noted a fence was supposed to have been installed between the business and residents and the Council would try to tighten up compliance.

James Kleve, 16416 5th Street Ct. N. Noted compliance needs to be reinforced, suggested sanctions and asked what residents can do.

Applicants Hunter Gasper and Shelby Rossow explained they had opened back in February and plan to have 10 cars at the location, maximum of 3 in front and others in back; plan to be good neighbors. Council Member Stanton expressed frustration of Council in obtaining compliance, but intent to do so; there is a 30' setback from the right of way for car lots, and the conditional use permits are reviewed on an annual basis and, if found in non-compliance, are not renewed.

Motion: Mayor Glasgow / Second: Council Member Stanton to approve the Conditional Use Permit for a Used Car Dealership at 404-C St. Croix Trail North with operating hours of 8 a.m. to 8 p.m. Monday through Saturday and administrative office hours only on Sunday from 8 to 8 and to include bathroom facilities at the location. All Ayes (4-0). Motion Passed.

Time Stamp 1:38:48

7. PUBLIC HEARING

C. Application for Conditional Use Permit for a Used Car Lot at 110 St. Croix Trail South

Motion: Council Member Fahey / Second: Mayor Glasgow to open the Public Hearing for a Conditional Use Permit for a Used Car Lot at 110 St. Croix Trail South at 7:41 p.m. All Ayes (4-0). Public Hearing opened.

Introduction of Application – Council Member Stanton introduced application for a used car lot at 110 St. Croix Trail South that was formerly the State Farm building; the driveway and back are paved and building is screened from neighbors; would like operating hours of 10 a.m. to 5 p.m. Tuesday through Saturday with 25 cars in back of the building.

David Biessiner, Present Owner of 110 St. Croix Trail South. This is an ideal property with a veterinary clinic to the north and resident to the south; ½ acre of woods behind the building.

Written and Public Comments:

James Kleve, 16416 5th Street Ct. N. Suggested screening and green space from the right of way be maintained; presently has 3 car dealerships located by his residence that will make his property hard to sell.

Julie Thron, 16411 Division Street [on file at City Hall] She read letter into the record not in favor.

Mark and Jacki Aldridge, MDA Properties LLC [on file at City Hall] Email read not in favor.

Mayor Glasgow closed the Public Hearing at 7:50 p.m.

Time Stamp 1:49:43

8. CITY BUSINESS:

C. Discussion and Action regarding an application for a Conditional Use Permit for a Used Car Lot at 110 St. Croix Trail South

Brian Pavel, 10398 Fox Run Road, Woodbury

Planning to have 20-25 nice cars on lot and hopes to bring jobs into the area; will maintain trees and vegetation in back and keep screening in place for a back buffer. Council Member Stanton noted zoning ordinance indicates there be a 30' stretch that can't be built on and need of a visible buffer whether it be a 6' fence or trees/vegetation. Mr. Pavel indicated bathroom will be available during working hours.

Motion: Council Member Fahey / Second: Council Member Stanton to approve the Conditional Use Permit for a Used Car Lot at 110 St. Croix Trail South maintaining the vegetative and tree screening already in place as a back buffer and bathroom made available during working hours of 10-5 Tuesday through Saturday. All Ayes (4-0). Motion Passed. Time Stamp 1:58:47

D. Discuss and Review Lakeland Beach Use and Policies

Council Member Stanton reviewed the Memorial Day weekend – on Saturday when he was going to close the gate to the Beach, he noticed there were a couple of cars parked at the Beach with no one in them; 20 minutes later a boat pulled up and it appeared they were camping on the island; suggested policy for Beach or better signage that parks are closed at 10 p.m. Mayor Glasgow agreed there needs to be better signage in all parks and the City should establish a policy with guidelines for Sheriff Deputies should someone be parked in the parks after closing hours. After additional

discussion, Staff was directed to look into establishing a policy that Deputies can follow.
Time Stamp 2:07:50

E. Review Ordinance §159.186 / Temporary Signs (movable)

Deputy Clerk Erickson asked for clarity on mobile signs as they are not permitted by Ordinance; one issue involves Valley Baptist who has been obtaining permits for their portable sign. Mayor Glasgow suggested a stricter policy limiting time a temporary sign can be placed. Discussion continued on changing the Ordinance stating a certain period of time a temporary sign could be displayed and restrictions, as banners can be presently used. City Attorney Jarvi stated it would be a better policy to just not renew permits that will allow temporary signs to be phased out naturally. Consensus made to not issue permits for temporary signs not allowed.
Time Stamp 2:24:19

F. Discuss and Approve Outstanding ISSI Security Invoice

Mayor Glasgow noted they have paid ½ of payment to ISSI for security services; there is additional work that has been approved but needs to be completed; Treasurer Tom Niedzwiecki will be paying balance due in the next couple of months.
Time Stamp 1:12:07

9. CITY STAFF REPORTS

City Attorney Katie Jarvi – Provided update on septic system at 661 Quixote Avenue North [Billig]; Mayor Glasgow informed City Attorney the County will be coming for a final inspection; hoping work will continue to be completed to negate litigation process. Council Member Stanton informed there are also changes in the residence needing correction, including smoke alarms and egress windows. Billig hasn't called yet for a final inspection.

Time Stamp 2:28:37

[Secretary's Note: Presentation by Dave Simons on 2019 Streets Project / Drainage]

Time Stamp 2:29:58 to 3:03:17

Deputy Clerk Andy Erickson – Continues work on converting City files to electronic records and going forward with public archives; starting tomorrow will be going to St. Cloud for a 3-day City Clerk's conference and will be bringing his laptop so he can have remote access; has been reviewing a time clock application QuickBooks TSheets that is a mobile time tracking program; wanted to review with Treasurer Niedzwiecki if this is something that can be used for employee time tracking, as he feels it would be a conventional method of a time clock; he is presently using himself and has not worked out as well as he thought. Council Member Stanton felt the system presented too many negatives and would be difficult for tracking his schedule. Deputy Clerk continued the DNR contacted him regarding the St. Croix River levels; anticipating River will crest Wednesday so 'no wake' will need to be posted.

Time Stamp 3:16:34

10. CITY COUNCIL AND MAYOR REPORTS

Council Member Tami Fahey – none

Council Member Shayne Orning – none

Council Member James Stanton – Informed cost of hardwire for generator at Pump House 2 and other for receptacles for conversion of chemicals; asked timeline for actions requested of his department: cleaning up the basement, installing glass in office ceiling, and Council chambers renovations, i.e. video.

Mayor Glasgow - thought priority should be clearing out the basement getting a dumpster and clearing out filing cabinets, chairs, etc.; suggested they contract help to complete which led into discussion of records retention and getting volunteers in to help scan records. The Mayor volunteered to be in charge of starting basement clean-up.
Time Stamp 3:30:48

11. ADJOURN TO EXECUTIVE SESSION TO DISCUSS CONFIDENTIAL PERSONNEL ISSUES

Motion by Mayor Glasgow, seconded by Council Member Orning, to go into Executive Session at 9:31 p.m. to discuss personnel issues. All Aye (4-0). Motion Passed.

Time Stamp 3:30:54

12. SUMMARY OF EXECUTIVE SESSION

Motion by Mayor Glasgow, seconded by Council Member Fahey, to end Executive Session and resume the Regular Meeting at 9:32 p.m. Council Member Fahey reported review of Deputy Clerk/Water Billing Clerk Andy Erickson with an increase in pay and another review in 3 months. All Aye (4-0). Motion Passed.

Time Stamp 3:32:40

13. ADJOURN

Motion: Council Member Orning / Second: Mayor Glasgow to adjourn the meeting at 9:33 p.m. All Ayes (4-0). Motion Passed. Meeting Adjourned.

Time Stamp 3:33:10

Richard Glasgow, Mayor

Kate Piscitello, Interim City Clerk