

LAKELAND CITY COUNCIL MEETING MINUTES JULY 18, 2017

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OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING TUESDAY, JULY 18, 2017

WORKSHOP: LEAGUE OF MINNESOTA CITIES HANDBOOK – “CITY COUNCIL AND ITS POWERS”
City Clerk Hutchins Farrell presented the League of Minnesota Cities Handbook for Minnesota Cities Chapter 6 for review and discussion of elected officials and council structure and roles.
5:06 P.M. TO 5:55 P.M.

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

STAFF PRESENT: City Attorney Josh Brekken, City Treasurer Tom Niedzwiecki, City Clerk Jennifer Hutchins Farrell

OTHER: Shane Jones (CenterPoint Energy), Todd Nelson (Afton Candle Company), Kandis Hanson (MNSPECT), Natalie Warren and Angelique Dahlberg (St. Croix River Association)

1. CALL TO ORDER by Mayor Glasgow at 6:04 p.m.

2. PLEDGE OF ALLEGIENCE was recited.

3. ADOPT AGENDA

Motion: Council Member Orning / Second: Council Member Fahey to adopt Agenda as presented. No discussion. All Ayes (5-0). Motion carried. Time Stamp 01:20

4. CONSENT AGENDA

City Treasurer Tom Niedzwiecki asked for Item D “Monthly List of Claims” to be pulled from Consent Agenda to discuss additional items.

Motion: Council Member Fahey / Second: Council Member Stanton to approve Consent Agenda Items A-C and E-G as presented. All Ayes (5-0). Motion carried. Time Stamp 02:30

City Treasurer Niedzwiecki noted voided check #22515 in amount of \$20.60 that was Lakeland Shores expense; added two bills received yesterday, #22537 in amount of \$3,337.50 to Johnson and Turner and #22538 in amount of \$7,996 to PeopleServices, Inc. [\$3,998/month for July and August] consistent with contract, for a new total of \$121,270.70; recommended Item D for approval.

Motion: Council Member Paiement / Second: Council Member Orning to approve Consent Agenda Item D “Monthly List of Claims” as amended. All Ayes (5-0). Motion carried. Time Stamp 05:10

5. AGENCY REPORTS

A. LAW ENFORCEMENT REPORT

Deputy was not present, Mayor Glasgow reported nothing of significance in June; wasn't aware of any parking violations associated with changes made for the July 4th holiday.

B. FIRE DEPARTMENT REPORT / LSCVFD PROTECTION DISTRICT 2018 BUDGET

Council Member Stanton reported 2018 operating tax levy finalized in May at .58% increase; Lakeland levy for 2018 is \$115,653 for Fire/EMT; Fire District also will set budget for the year at 2.51%; items on interest – (1) Insurance policy with League of Minnesota Cities down \$8,000; (2) Full-time fire chief salary increment provided for in budget; there were 53 calls for service, 80% of calls medical for the month of June 2017 / Lakeland 16 – Afton 20.

C. GOVERNMENT AFFAIRS REPORT

Mayor Glasgow noted the report in the packet.

D. ANIMAL CONTROL REPORT

City Clerk Hutchins Farrell reported for the month of May a warning letter was sent for a dog at

large, 2 lost dogs and 3 cats at large; for June, there were 8 calls – 1 dog and 2 cats reported lost. Mayor Glasgow reported a successful survival of an at large dog over the July 4th holiday and credited Next Door St. Croix website for posting.

E. BUILDING PERMIT REPORT

Kandis Hanson, MNSPECT reported a semi-annual status of months January through June this year versus last for residential permits; first half permits went from 46 to 63 with valuation of \$318-\$319M, commercial 2 versus 2 (\$40,000 versus \$75,500), and this year a public institutional permit of 2.3MM; results indicate residents are investing in their homes – a positive outlook for Lakeland. City Treasurer Tom Niedzwiecki asked about paying escrow deposits. Candace stated that the City Planner determines land use evaluation prior to a building permit being issued; at the time of application is when the escrow/fee should be collected in advance; City bears some expense in land use applications; directed the City contact City Planner or his supervisor on issue. Mayor Glasgow complimented MNSPECT on their timely service and high quality inspections. Kandis Hanson also thanked City Clerk Hutchins Farrell for completion of an annual report that is mandated by the State, Municipal Construction and Development Fee Revenue and Expense Report. Candace Hanson closed with an article she wrote 25 years ago – there is more to life than one individual's perspective, take time to listen and be open to people's circumstances.

F. ENGINEERING REPORT

Mayor Glasgow noted the report in packet.

G. PERSONNEL COMMITTEE REPORT

Council Member Fahey reported they met last on June 2, 2017, and are finalizing the City Clerk job description; also made changes to update draft of Lakeland Personnel Committee Rules of Procedure; members of Committee are herself, Public Works Commissioner Jim Stanton, and City at-large member Chris White. City Clerk Hutchins Farrell had two questions on rules of procedure (1) Review of Andy Erickson; Noting the position description for his position was reviewed and approved by council at the May city council meeting which included the position reporting to the City Clerk and wanted review process clarified, and (2) Normal record keeping procedures. Council Member Fahey noted the Personnel Committee will be meeting again on Tuesday to discuss and review further.

Time Stamp 30:30

6. OPEN FORUM (Public comments, presentations and petitions)

[see meeting video recording on the Lakeland website for individual comments]

Natalie Warren, St. Croix River Association; Discussed the Landowner's Guide to the Lower St. Croix Riverway that was recently published and Lakeland was very helpful in creating; provided to Cities on the St. Croix River and includes Riverway regulations and land use for pre-application meetings for residents to review before investing in a project; their website provides Riverway boundaries and best practices for local governments.

Angelique Dahlberg, St. Croix River Association – AIS Coordinator; Works as a resource to control invasive species, especially as pertains to the St. Croix River; over 50 stakeholders routinely met and identified what has been done and what has not been done and how to collectively work implementing the strategic plan.

Christopher Onken, Beanie's at Maui's Landing; Entered into a 30-day due diligence agreement that ends August 2, 2017 for purchase of Beanie's at Maui's Landing; parking is major issue for consideration and he asked for assistance and cooperation from the City Council for remedy of shuttling people back and forth.

Shane Jones, CenterPoint Energy Representative; Presented a community partnership grant in the amount of \$2,500 to the City of Lakeland for implementing a safety initiative.

Todd Nelson, Afton Candle Company.

Robin Moline, 16620, 11th St. North - Written comment provided regarding Lakeland Beach uses were read into the record on her behalf.

Tim Wirth, 16160 4th St. North.

Time Stamp 1:07:04

7. CITY BUSINESS

A. Resolution 2017-25: Street Vacation of 1145 Quentin Avenue South

City Clerk Hutchins Farrell advised a Public Hearing was held last month on the street vacation of 1145 Quentin Avenue South with a revised Resolution provided by the City Attorney; input from the City Engineer and CenterPoint Energy indicated no issues; only change was City Planner ; notice was published June 7, with the date Resolution signed today as City Council recommended at their last meeting to approve the request and the City Attorney has also provided the same recommendation as the City Council. Council Member Stanton called the question.

Motion: Council Member Stanton / Second: Council Member Fahey to Adopt Resolution 2017-25, a Resolution Approving a Street Vacation Application for the Property Located at 1145 Quentin Avenue South with the Conditions of Approval as Stated in Part 1A. All Ayes (5-0). Motion carried. Time Stamp 1:10:11

B. Metro Sales Incorporated Lease Agreement

City Clerk Hutchins Farrell met with a Metro Sales representative regarding a copier/printer; City has 2 printers with Metro Sales – one at City Hall [obsolete]; currently have leasing agreement that ends in October and can update printer \$59.13 less/month; if City upgrades now, Metro Sales will lock in at the reduced price, pick up the old printer and deliver the new machine back to City Hall; recommends they keep the old obsolete printer at the City Hall since and not part of a lease agreement.

Motion: Mayor Glasgow / Second: Council Member Joe Paiement to approve the contract with Metro Sales for leasing an upgraded copier/printer at a lower cost per month of \$59.13. All Ayes (5-0). Motion carried. Time Stamp 1:13:47

C. Full Frame Media Service Proposal from Videographer Dietrich Wilke

Dietrich Wilke provided a rough proposal of AV equipment after last month's workshop; a \$20M investment will move the City forward for the next couple of decades; proposal for rough design retrofitted into building that would include 3 cameras, a mounted projector screen, audio and ceiling speakers, backup recordings, live stream, new microphones, and other advantages also available. Council Member Stanton confirmed cameras would include 1 at podium and 2 in back and suggested use of Cable funds. City Treasurer Niedzwiecki pointed out they had \$17M in Cable account from last year with \$30M projected for 2017; City property insurance will cover equipment as long as it is listed. Dietrich continued that a colleague will install, and he recommends Council approve early for best price and they can install later.

Motion: Mayor Glasgow / Second: Council Member Fahey to approve an amount not to exceed \$20,430 for updated audio/video equipment for the Lakeland City Hall with approval of final cost when equipment received. All Ayes (5-0). Motion carried. Time Stamp 1:35:52

D. League of Minnesota Cities Insurance Trust Claim No. CP23816 Settlement

Council Member Paiement reported that he and Mayor Glasgow met with 3 claims adjusters with the League of Minnesota Cities in an effort to have them recognize cost of \$270M to construct the new City Hall and their offer of \$100M was not acceptable and the City does not agree with their appraisal and determination of fair market value; after presenting their appeal, the League stated they would look at the claim amount versus the value of the building including soft costs; they agreed to look at the issue and they will share information; he considered it a productive meeting and believes it worth spending \$2,000-\$5,000 to get an additional appraisal with attorney time to research. Council Member Stanton, noted City Treasurer Niedzwiecki and the City Attorney Snyder had spent hours working the with the League and he felt there wasn't any additional reason to give more money to the cost of replacement as the City had recouped costs by saving the slab cement for garage, windows, carpeting, and doors; agreed fair market value of \$270,000, but didn't feel loss of \$170,000 to City was completely accurate. Mayor Glasgow took a middle ground stance and felt they needed to determine the fair market value and after received, they will come back to the City Council. City Attorney Brekken indicated legal consult would not be a large expense – 5-10 hours of research about \$1,000 and confirmed City Attorney Snyder recommended that as well; appraisal wouldn't cost as much compared to recovery and likely in the city's best interest.

Motion: Council Member Paiement / Second: Mayor Glasgow to authorize and direct the City Attorney to research and determine case law fair market value analysis in relation to the new City Hall project. All Ayes (5-0). Motion carried. Time Stamp 1:51:37

E. Public Works Updates: Hiring of Seasonal Public Works Employees

City Clerk Hutchins Farrell reported the city has hired 2 contract employees, Jim and Emily Nordstrom; City's best interest to retain as seasonal employees to ensure appropriate insurance coverage. Council Member Stanton added that the Personnel Committee is working on position descriptions; they are installing upgraded meters in homes to ensure accurate readings. City Treasurer Niedzwiecki said they were unable to use telephone reads last month and the new equipment upgrading to 2017 standards will be more efficient. Time Stamp 1:56:59

F. Water Utility Discussion: Billing Program Upgrade and Training and Auto-pay Incentive

City Clerk Hutchins Farrell requested review of auto pay with perhaps auto pay incentives. Public Comments; Bradley Lahr, 681 Quixote Avenue North and Paula Pryce, 660 Quixote Avenue North. Discussion on upgrading new water utility billing software (current system was discontinued in 2006). City Council directed staff to research new water utility billing programs. Time Stamp 2:18:39

G. Multiple Code Violations: 130 Saint Croix Trail South

City Clerk Hutchins Farrell noted as of July 7, 2017, there was minimal to no progress on issues; it was recommended to allow the business owner until July 31, 2017 to come in to compliance. Mayor Glasgow advised concern at this business with old tires and cars; suggested an alternative deadline. Council Member Stanton reported unloading of cars on city streets; not in favor of granting additional time as residents and streets are negatively impacted and it appears the business is expanding. City Attorney Brekken suggested a final notice be sent allowing until July 31, 2017 to comply before legal action is taken. After following proper steps, City Council does have the option to revoke the Conditional Use Permit.

Motion: Mayor Glasgow / Second: Council Member Fahey to authorize the City Attorney to send final notice to the business and property owners of 130 Saint Croix Trail South allowing a deadline of July 31, 2017 to come into compliance or the City will pursue legal action. All Ayes (5-0). Motion carried. Time Stamp 2:06:51

H. Minnesota Statutes 340A, Liquor Changes

City Clerk Hutchins Farrell informed Minnesota Statute 340A passed July 1, 2017 provides for liquor sales on Sunday but no further changes are needed in the City's Code as the Lakeland ordinance 113.01 provides that any changes in Minnesota Statutes are automatically adopted.

Motion: Council Member Paiement / Second: Council Member Fahey to make no changes to Lakeland City Code 113.01 in regard to Sunday liquor sales or hours of operation. All Ayes (5-0). Motion carried. Time Stamp 2:20:31

I. Schedule of Fees Discussion: Watering Permit, Emergency Response Cost, Liquor Licenses, and Vendor Hydrant Permit Use

[Council Member Orning left the meeting at 2:28:19] City Clerk Hutchins Farrell reviewed the City Council typically approves fees at the beginning of the year; has received in the past months items that should be addressed such as City ordinance of odd/even watering does not provide a provision in the ordinance for residents who have new sod; she suggested they review and determine fees to bring up-to-date. Discussion showed consensus for (1) emergency response cost (equipment, material and staff needed), (2) vendor hydrant use (hoses, hydrant wrench, meter) with a separate fee for water usage from hydrant, and (3) annual parking fee as the Ordinance is not clear on event parking, summer parking, and applicable fees. Public Comment; Bradley Lahr, 681 Quixote Avenue North. Discussion ensued (Council Member Stanton, Mayor Glasgow, City Clerk Hutchins Farrell). Time Stamp 2:41:42

J. Employee Handbook: Discussion on Section 3.7 Keys and Security

City Clerk Hutchins Farrell noted the installation was completed on the security systems and rekeying of most City buildings; present ISSI operators trained are the City Clerk and Mayor; Section 3.7 is outdated and she requested how Council would like to proceed. The Personnel Committee recommended City Council members be allowed access to view video camera footage.

Motion: Council Member Paiement / Second: Council Member Stanton to authorize City Staff to update Section 3.7 of the Employee Handbook and return for City Council review and approval in August. All Ayes (4-0). Motion passed. Time Stamp 2:44:53

K. Discussion on Resolution 2017-22 Approving Temporary Event Parking Changes for Beanie's at Maui's Landing

Council Member Paiement noted the discussion should be tabled for next month given there is a potential new buyer in the mix. Public Comment: Bradley Lahr, 681 Quixote Avenue North.

Time Stamp 2:55:03

L. Discussion and Possible Action on Remodeling of the Old City Hall

Council Member Stanton provided a concept sketch for remodeling the City Clerk's office area after collaboration with the City Clerk and Utility Billing & Office Clerk, in addition to installing new carpet, lights, and paint; requested approval to go out for bids. Public Comment: Chris White, 311 Queenan Ave. S - Suggested getting additional information on remodeling a public building as State Law restrictions (thinks changed in the 90's) would apply that are mandated – ADA assessable, sprinkler system possible, mold (knows they have one contractor but has anyone else been contacted?), asbestos, radon test, etc. Council Member Paiement concerned about piece-mealing the remodeling; need to devote cost to set staff up. Mayor Glasgow stated they can work on walls, electricity, and plumbing now and address other changes next year such as the security system; major objective is to get the City Clerk back in City Hall.

Motion: Council Member Paiement / Second: Council Member Fahey to authorize the Public Works Commissioner to go out for bids for remodeling the City Clerk's office. Aye (4-0). Motion passed. Time Stamp 3:05:56

9. CITY STAFF REPORTS

City Treasurer/Tom Niedzwiecki

City Treasurer just completed the June financials and they are halfway through the year; collection of property taxes is strong (53.5%) with collection of \$7,300 in delinquent taxes; Public Works fund balance as of 6/30/17 is \$655,000, \$572,000 allocated Streets Maintenance/Improvements and Water Utility fund is \$463,000 that does not include 2nd qtr. billing; 80 of 200 water meters have been delivered to replace old meters at cost of \$10,000. Introduction to budget up .9%; pre-budget figures show levy down 5%; proposing budget reserve LGA to reduce levy by \$50,000 and factored in money from small city assistance both this year and next; took away \$35,000 to subsidize General Fund. Suggested scheduling a pre-budget workshop; however, he will be on vacation during next month's City Council meeting. Council Member Stanton suggested scheduling a special workshop during a weekday from 10 to noon with City Treasurer Niedzwiecki as he has a number of questions being new on the Council; believes Council Member Fahey and Orning would also be interested.

City Attorney Josh Brekken

No additional report.

City Clerk Hutchins Farrell

The City received finalized numbers from the Met Council; regarding Lakeland Beach expanded use – still waiting for underwriter review; data retention still ongoing and continuing tomorrow with Doug Tollefson in office; CodeRed emergency number is still needed from one City Council member; need a City Council member to complete a 30-minute training for the local Board of Appeal and Equalization – Mayor Glasgow volunteered.

Time Stamp 3:18:31

10. CITY COUNCIL AND MAYOR REPORTS

Council Member Shayne Orning

Left the meeting at 2:28:19.

Council Member Tami Fahey

No additional report.

Council Member Joe Paiement

No additional report.

Council Member James Stanton

Up-to-date water utility operating costs show actual costs down \$200,000 than previously planned. He requested council approval to purchase a used generator for Pump House 1 in the amount ranging from \$19,000-\$20,000. City Attorney Brekken reminded council that an expenditure of such an amount would require at least 2 bids to review. City Clerk Hutchins Farrell was directed to add to next month's agenda.

Mayor Glasgow

No additional report.

Time Stamp 3:22:48

11. ADJOURN

Motion: Mayor Glasgow / Second Council Member Paiement to adjourn the July 18, 2017 City Council Meeting at 9:26 p.m. All Ayes (4-0). Motion Passed.

Time Stamp 3:22:52

Respectfully Submitted by Kate Piscitello

Richard Glasgow, Mayor

Jennifer Hutchins Farrell, City Clerk