

LAKELAND CITY COUNCIL MEETING MINUTES

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OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING TUESDAY, SEPTEMBER 19, 2017

WORKSHOP: 5:30 p.m. - 6:01 p.m.

CITY COUNCIL PRESENT: Mayor Richard Glasgow, Council Member James Stanton, Council Member Tami Fahey, Council Member Shayne Orning / CITY COUNCIL ABSENT: Council Member Joe Paiement / STAFF PRESENT: City Clerk Jennifer Hutchins Farrell, City Treasurer Tom Niedzwiecki / OTHERS PRESENT: Personnel Committee member Chris White

QUALITY AVENUE AND OTHER STREETS PROJECTS OVERVIEW

Public Works Commissioner Stanton referred to the overview summary provided in the council meeting packet by SEH in regards to the city's upcoming streets projects. It was recommended that the reconstruction of Quality Avenue and 3rd Street project delayed until 2018 for planning and construction until 2019. The city would look into possible grant opportunities available. Council was in consensus with the plan for street improvements as proposed by SEH.

DISCUSSION ON DRAFTING A NEWSLETTER POLICY

City Clerk Hutchins Farrell shared how content of the city newsletter has shifted with an increased focus in community engagement. She reported there is an apparent need for a policy to be created to protect the city's potential liability, as well as to provide direction to staff, officials and/or related persons. Council consensus was for City Staff to work with Personnel Committee member Chris White, who agreed, to develop a comprehensive policy in regards to the city newsletter.

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, City Planner Kurt Bearinger

1. CALL TO ORDER by Mayor Glasgow at 6:02 p.m.

2. PLEDGE OF ALLEGIENCE was recited.

3. ADOPT AGENDA

Motion: Council Member Stanton / Second: Council Member Orning to approve the Agenda as presented. All Ayes (5-0). Motion carried. Time Stamp 00:36

4. CONSENT AGENDA

City Clerk Hutchins Farrell requested pulling Item H – *Monthly List of Claims* for clarification of invoice from MNSPECT represented by check #22577 in the amount of \$2,405.50 [City Treasurer indicated continued follow-up to clarify amount and to exclude check; new check will be issued when correct amount determined] and an additional note regarding staff payroll check in the amount of \$1,716 payable to Jim Nordstrom that included a pay increase effective to August 1, 2017.

Motion: Mayor Glasgow / Second: Council Member Fahey to approve Consent Agenda Item H as corrected. All Ayes (5-0). Motion carried.

Council Member Stanton requested Consent Agenda Item A "Approve August 15, 2017 City Council Meeting Minutes" be pulled for clarification to the minutes summarizing the workshop to read as follows "pulling the City's wells within the next two years."

Motion: Mayor Glasgow / Second: Council Member Fahey to approve Consent Agenda Item A as corrected. All Ayes (5-0). Motion carried.

Motion: Council Member Paiement / Second: Council Member Fahey to approve Consent Agenda Items B through G and I as presented. All Ayes (5-0). Motion carried.

Time Stamp 04:21

5. AGENCY REPORTS

A. LAW ENFORCEMENT REPORT [103 ICRs and 14 citations issued for August]

A representative was available from Washington County Command Staff and noted quiet month in the area; reminder of scam calling loved ones for money still ongoing.

B. FIRE DEPARTMENT REPORT

Council Member Stanton reported nothing outstanding; overall runs down in 2017; received Federal Grant (written by a member) in the amount of \$140,000 to repair air packs; 911 memorial that involved 40 firetrucks three abreast from I-94 in Wisconsin to Manning in Lake Elmo with local support staged on Stagecoach Trail.

C. GOVERNMENT AFFAIRS REPORT

Report was noted in the packet.

D. ANIMAL CONTROL REPORT

Female Yellow Lab found at Shiners in Lakeland Shores awaiting clarification from Kathi Pelnar.

E. BUILDING PERMIT REPORT

Mayor Glasgow noted many open maintenance building reports from October 2015 and 2016 and would like to see the report to only include current building permits.

F. ENGINEERING REPORT

Council Member Stanton reported he worked with Dave Simons regarding a water department spill-over area; owner of the Bungalow will lease the City an area for drain field for \$1 for 99 years so that when they have pressure problems water will go in this holding area rather than effect the neighbor's land; had in budget for \$10,000; Dave Simons also has been working on street vacating issues.

G. PERSONNEL COMMITTEE REPORT

Council Member and Personnel Committee Chair Fahey reported the Personnel Committee had their first meeting to discuss the City Planning and Zoning process and how to improve; their suggestion to have Council Member Stanton take this over on an open ended basis with process review in six months; also discussed Deputy Clerk position based on current time allotments and plan to revisit at their next meeting and in the meantime having someone help on an ongoing basis with an approximate workload of 8 hours a week.

Time Stamp 14:03

6. OPEN FORUM

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

Public Comments; Marty Simones, 880 Quixote Avenue North.

Time Stamp 15:11

7. PUBLIC HEARING ON A VARIANCE REQUEST FOR 16032 2ND STREET NORTH

Motion: Council Member Stanton / Second: Council Member Orning to open the Public Hearing at 6:19 p.m. All Ayes (5-0). Motion carried.

Time Stamp 17:37

City Planner Kurt Bearinger introduced the variance request application from Steve and Robin Trudeau; application includes a request to discuss their property side yard building setback from 10' to 6' in order to expand their garage; a Public Hearing was appropriately published and noticed to all property owners within 500' of the proposed project; findings of fact, topo map, owner narrative, and note from neighbor with no objection included. *Written Comments* were received from Don and Donna Kosen, 16015 2nd Street North. City Planner referred to an email stating as follows: "We are in complete favor, with no objections to our neighbors Steve and Robin Trudeau's proposed addition and building project."

Motion: Council Member Stanton / Second: Council Member Orning to close the Public Hearing at 6:20 p.m. All Ayes (5-0). Motion carried.

Time Stamp 18:41

8. CITY BUSINESS

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

Discussion and Action on Resolution 2017-28: Variance for 16032 2nd Street North

City Attorney Brekken advised the motion should include to *adopt* the Resolution, not to approve. Mayor Glasgow noted it was a reasonable request for the property. No further discussion.

Motion: Mayor Glasgow / Second: Council Member Stanton to adopt Resolution 2017-28, a Resolution Approving a Variance Request for the Property Located at 16032 2nd Street North to decrease the setback to allow for a garage expansion. All Ayes (5-0). Resolution 2017-28 adopted.
Time Stamp 20:36

Discussion and Action on Conveyance of Tax Forfeited Land at 876 Quinnell Avenue North

Council Member Stanton introduced conveyance by Washington County of tax forfeited land at 876 Quinnell Avenue North that could be used for public use at a purchase price of \$10,410; home is not habitable but the Lower Saint Croix Valley Fire Department could utilize it for training purposes. Council Member Paiement stated that if the tax valuation of the land is anywhere near the noted \$65,000, it made sense for the City to purchase.

Motion: Council Member Stanton / Second: Council Member Paiement to purchase the tax forfeited property at 876 Quinnell Avenue North for a total cost of \$10,409. All Ayes (5-0). Motion carried.
Time Stamp 26:11

Public Comments: Marty Simones, 880 Quixote Avenue North and Clifford Weiss, 799 Quinnell Avenue North.

Discussion and Action on Replacing Heating and Air Conditioning System for the Old City Hall

Council Member Stanton made a recommendation that the City Council replace the heating and air conditioning system for the Council Chambers and basement below; the two furnaces will be replaced by an energy efficient system with air exchange that will take out dust and mold.

Motion: Council Member Stanton / Second: Council Member Fahey to accept the bid by Lakeland Heating and Air Conditioning for replacement of the heating and air conditioning system for Council Chambers and basement below at a total cost of \$11,500. All Ayes (5-0). Motion carried.
Time Stamp 33:36

Continued Discussion and Possible Action on Lakeland City Code Chapter 71: Parking Regulations

City Clerk Hutchins Farrell noted at the August 15, 2017 the City Council discussed amendments to Lakeland City Code Chapter 71, Parking Regulations that included restricting all on-street parking during certain hours; Staff was directed to research parking regulations in relation to similar ordinances and present to Council an amended draft for review; staff requesting clear direction to additional considerations posed to amend Regulations. After additional discussion, Mayor Glasgow suggested a workshop prior to the October City Council Meeting for the City Council to look at the ordinance and have open discussion to gather input from residents in order to proceed with firm direction. It was also suggested to publish in monthly newsletter and website requesting resident comments.

Motion: Mayor Glasgow / Second: Council Member Fahey to table discussion and possible action on Lakeland City Code Chapter 71: Parking Regulations and to schedule a workshop prior to the October City Council Meeting to open discussion and gather resident feedback. All Ayes (5-0). Motion carried.
Time Stamp 47:18

Discussion and possible Action on Plumbing Plan Review Agreement

City Clerk Hutchins Farrell conveyed information received from MNSPECT; noted advantages for the City include; retain all planning review fees that currently go to the State and turnaround time would be reduced. Council Member Stanton advised this pertains to commercial plumbing, not residential; sees it as allowing the City to accelerate process and State allows. City Attorney Brekken noted it is at City Council's discretion how to proceed; he can work with MNSPECT on drafting a final ordinance. Consensus of Council to direct legal counsel and City Staff to put together a draft of ordinance for the October City Council meeting.
Time Stamp 54:41

Garrison's Auto Repair: Update on Status of Compliance with CUP and Ordinances

City Attorney Brekken met with Mr. Garrison and his representatives and property owners Matt and Bobbie Wiederkehr at the property; issues with Conditional Use Permit and City Ordinances were discussed; cleared up any ambiguities and confusion and Mr. Garrison has made significant strides to bring to compliance; one issue was vehicles in back half of property that was taken care of and screening issues also taken care of; appreciates effort made and recommends no additional action; an application for an amendment of the Conditional Use Permit is in administrative process at present.

Time Stamp 56:35

Discussion and possible Action on Benches for the Saint Croix Trail Biking Path

Lower Saint Croix Valley Community Foundation Representative Louis Jambois reported the foundation has generated funds and intends to install 5 benches in the County's right-of-way along the Lower St. Croix Trail in each of the five cities; Washington County could not contract or otherwise agree to enter into an agreement with a non-profit entity, so the Foundation requested the City to act as a fiscal agent between the Foundation and Washington County; construction is estimated at \$17,560.21; if approved, the County Engineer would go out for bids immediately, award the contract by October 6, complete concrete pads October 17, with installation of benches by the end of October; completing project by the end of October would provide the Foundation late fall, winter, and spring to do more fundraising as they would also like to install kiosks on the north/south ends, some picnic shelters, and waste receptacles.

Motion: Council Member Paiement / Second: Council Member Fahey to enter into a Cooperative Agreement with Washington County acting as a fiscal agent for installation of benches along the Lower St. Croix Trail in the communities of Lakeland, Lakeland Shores, Lake St. Croix Beach, St. Mary's Point, and Afton and to amend the existing Cooperative Agreement for an amount not to exceed \$20,000, contingent on full review by the City Attorney. All Ayes (5-0). Motion carried.

Time Stamp 1:04:50

Discussion and Action on Additional Official Posting Sites

City Clerk Hutchins Farrell introduced the item noting as one of the most visited locations in the city--it would be logical to include the Lakeland Plaza as an official posting place. Mayor Glasgow noted an official posting site was previously located at Lakeland Village. However, when the remodeling took place it was taken down and put back. Deb Erickson agreed to a posting board being put back there, as long as their staff performs the installation of it.

Motion: Mayor Glasgow / Second Council Member Fahey to adopt Resolution 2017-31, a Resolution amending the City of Lakeland Annual Appointments for 2017 to Include Additional Official Posting Sites for Notices at Lakeland Plaza effective upon installation of the notice board and the City Hall effective immediately upon adoption. All Ayes (5-0). Resolution 2017-31 adopted.

Time Stamp 1:08:54

Discussion and Possible Action on Zoning and Planning Services

Council Member Fahey noted in recent months it has become evident that the City needs to streamline the City Zoning and Planning process; the Personnel Committee has approved Jim Stanton to be contracted by the City and take over this process on an open ended basis; in six months Zoning and Planning will be revisited to determine if any further changes should be reviewed; Personnel Committee requests the City Council's approval on appointment of Jim Stanton to head the Zoning and Planning for the City of Lakeland. *Public comments*; Chris White, 311 Queenan Avenue South and Personnel Committee member suggested this should be to *contract with* instead of *appointing*. City Attorney Brekken suggested a few clarifications as to compensation, time length and to amending Public Works Commissioner Jim Stanton's existing contract which were included in the motion. Council Member Fahey asked that the City Clerk remind the Personnel Committee when the review for said proposal is due.

Motion: Council Member Fahey / Second: Mayor Glasgow to contract Jim Stanton as lead on Zoning and Planning projects for the City of Lakeland with compensation the same as Public Works Commissioner contract [\$50/hour] on a six month trial basis, with review and contract drafted after trial period. All Ayes (5-0). Motion carried.

Time Stamp 1:14:29

Discussion and Possible Action on a Hazardous and Substandard Building

City Clerk Hutchins Farrell noted documentation was received in relation to a pending application for a variance which indicated that persons are using a garage as a dwelling unit; in addition, review of the address file indicates the property has a noncompliant septic system, as well. The pending application does not address the issues that exist currently. City Staff presented to council for discussion and provided one possible starting point would be to send formal notice to the property owner to schedule an on-site visit with the building inspector and fire chief. City Attorney Brekken noted this to be a sound suggestion by staff. Consensus of council was to move forward with the suggestion as presented to have City Staff send correspondence to the property owner to schedule the site visit as proposed specifically to address the garage being used as a dwelling unit.

Time Stamp 1:18:04

Discussion and Possible Action on Washington County Historical Society Request

A request was made by Washington County Historical Society for a financial contribution. Mayor Glasgow noted a policy of the city to only financially contribute to organizations that contract for services, such as the Youth Services Bureau which has received annual funds. Consensus of Council was for City Staff to send response to the Washington County Historical Society on the City's current policy regarding such requests.

Time Stamp 1:19:49

Discussion and Action on MNSPECT Building Inspection Agreements as Related to Procedure

Mayor Glasgow advised of a meeting with Scott Quale from MNSPECT in order to streamline the building permit application process; issuing a building permit can take several days with current process of pick-up and delivery back and forth causing frustration to homeowners; contracting with Council Member Stanton for Planning and Zoning services should help as well as scanning paperwork immediately when complete [permit] so work can be started as soon as possible.

Time Stamp 1:23:47

Discussion and Action on Resolution 2017-33: Proposed Budget and Levy for 2018

Motion: Mayor Glasgow / Second: Council Member Fahey to adopt Resolution 2017-33 adopting the Proposed Budget for Year 2018 increasing the General Fund, Public Works, and Parks Budget to \$1,043,829, Proposed Debt Service Fund Budget for the Fire Station of \$23,108, and Proposed Fire Relief Association Budget of \$500, for a Total Proposed Budget of \$1,087,437; and adopting the Total Proposed Certified Levy for 2018 with Proposed General Fund, Public Works, and Parks Levy at \$869,691, Proposed Debt Service Fund Levy for Fire Station of \$23,108, Proposed Fire Relief Association Levy at \$500, and Proposed Debt Service Levy for Lakeland Village of \$20,000, for a Total Proposed Certified Levy at \$913,299.

Treasurer Tom Niedzwiecki noted this Proposed Budget and Levy need to be certified through Washington County by the end of the month; total certified levy for 2018 was reduced by \$101,380, or 10.0% that will decrease Lakeland's tax rate from 44.213% to 36.496%. Discussion ensued [Council Member Stanton, Mayor Glasgow].

Time Stamp 1:38:14

9. CITY STAFF REPORTS

City Attorney Josh Brekken

No additional report.

City Treasurer Tom Niedzwiecki

No additional report.

City Clerk Hutchins Farrell

- Read into record Written Comments received from Sandy and John Larsen, 16630 7th Street North regarding boat trailer parking
- Conveyance of Jackson Farms property received and filed
- Recycling Grant Update – Plans to meet with Council Member Stanton in October on project for Recycling Grant
- Working on Conditional Use Permit for City Hall, as well as preparing for the move back to
- Noted City Staff will be attending an online training course offered by the League of Minnesota Cities at a cost of \$15 a person

- Previously completed the Truth in Taxation training, as well as Mayor Glasgow--Council Member Paiement offered to take the training, as well as a fail-safe measure
 - Utility Billing & Office Clerk Andy Erickson - Currently updating water meters, 44 of 139 have already been installed. Has found some customers with unrecorded usage so troubleshooting ongoing.
- Time Stamp 1:45:11**

10. CITY COUNCIL AND MAYOR REPORTS

Council Member Shayne Orning
No report.

Council Member Tami Fahey
No report.

Council Member Joe Paiement
No report.

Council Member James Stanton
Question for City Attorney Brekken regarding different interpretations of City Ordinance process and City Attorney confirmed Staff should work with the City Attorney to clear up any ambiguities/any changes would follow the formal process. Council Member Stanton also noted many manpower hours have been expended to update water meters but will decrease when installation complete. Jim Nordstrom has been working 2 days a week installing, but job description will be changed to temporary employee/seasonal. Urges residents to heed requests for water meter change [note was placed on residents door requesting service call and 2nd notice has been placed if no resident response – it takes about 20 minutes, but Staff has to enter the home to obtain access to the meter.

Mayor Glasgow
No report.

Time Stamp 1:53:11

11. ADJOURN

Motion: Council Member Stanton / Second: Mayor Glasgow to adjourn the September 19, 2017 City Council Meeting at 7:56 p.m. All Ayes (5-0). Motion Passed.

Time Stamp 1:54:11

Respectfully Submitted by Kate Piscitello

Richard Glasgow, Mayor

Jennifer Hutchins Farrell, City Clerk