

**CITY COUNCIL MEETING MINUTES / JANUARY 17, 2017**

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OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING  
TUESDAY, JANUARY 17, 2017

WORKSHOP: Lower Saint Croix Valley Fire Department Relief Association Fire Chief Kris Peterson and Deputy Chief Jim Stanley were present to provide an overview of the policy adopted by the LSCVFDRA Board of Directors which insures fiduciary responsibility to membership when determining benefit level increases.  
5:10 p.m. to 5:55 p.m.

REGULAR CITY COUNCIL MEETING

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

STAFF PRESENT: City Attorney Dave Snyder, City Administrator/Clerk Sandie Thone, City Treasurer Tom Niedzwiecki, City Engineer John Parotti

OTHERS PRESENT: Deputy Tanner Van Sommeran (Sheriff's Department), Kandis Hanson (MNSPECT Relationship Manager)

1. CALL TO ORDER by Mayor Richard Glasgow at 6:00 p.m.
2. PLEDGE OF ALLEGIENCE was recited.
3. ADOPT AGENDA
4. CONSENT AGENDA
  - A. Approval of December 20, 2016 City Council Meeting Minutes
  - B. Approval of January 6, 2017 City Council Meeting Minutes
  - C. Resolution 2017-05 2017 Annual Appointments
  - D. Resolution 2017-06 Signers for 4M Fund US Bank
  - E. Resolution 2017-07 2017 City Fee Schedule
  - F. Resolution 2017-08 Community Foundation Support: Bike Trail Improvement Funding
  - G. IT Services Contract
  - H. Monthly List of Claims
  - I. City Treasurer's Report

**Motion: Council Member Paiement / Second: Council Member Stanton to adopt Consent Agenda (A-I), pulled items 4C and 4G for discussion. All Ayes (5-0). Motion carried.**  
**Time Stamp 2:25**

Council Member Stanton requested City Administrator/Clerk Sandie Thone to provide a brief summary as to why the IT Services Contract with Star Tech was recommended. She reported city staff was assisted by Star Tech over the past month with high responsiveness, and the contract allows for a roll-over of unused hours to utilize at a later date for bigger projects. Further, said portion of the contract required no start-up costs. City Treasurer Tom Niedzwiecki in reviewing the two proposals recommended going with Star Tech, as well. Mayor Glasgow inquired as to why IT services would be necessary at all, outside of an on-call basis. City Administrator/Clerk Sandie Thone stated in addition, to all of the computers and servers the contract includes handling of all e-mail exchanges and the services provided would be invaluable. Discussion ensued (Council Member Stanton, City Administrator/Clerk, City Treasurer Tom Niedzwiecki).

**Motion: Council Member Paiement / Second: Council Member Stanton to adopt Consent Agenda item 4G. No further discussion. All Ayes (5-0). Motion carried. Time Stamp 12:36**

Mayor Glasgow pulled Consent Agenda item 4C: Resolution 2017-05 2017 Annual Appointments specifically to discuss annual appointments of the City Engineer and the newspaper used for publications. He referred to City Attorney Dave Snyder regarding whether or not current state legislature no longer required publishing certain documents in a newspaper versus just online. City Attorney Dave Snyder stated legal notifications must still be published, such as; public hearings, ordinance adoptions and so forth. City Administrator/Clerk Sandie Thone reported it is still a legal requirement of the city to post and designate a legal publishing newspaper at the first meeting of the year. Additionally, it is where we get the best rates. Further discussion ensued (Council Member Stanton, City Administrator/Clerk Sandie Thone). Mayor Glasgow requested city staff to look into other options for legal publications, and to add the old city hall location to post notices. Mayor Glasgow made a motion to not appoint a City Engineer at this time, and to go out for RFP for city engineering services. City Administrator/Clerk Sandie Thone inquired as to whether or not SEH should be appointed in the interim, so that a city engineer would remain on staff. Discussion ensued (Council Member Stanton, City Engineer John Parotti, Mayor Glasgow). Mayor Glasgow withdrew the motion.

**Motion: Mayor Glasgow / Second: Council Member Stanton to adopt Consent Agenda item 4C appointing SEH as the City Engineer. No further discussion. All Ayes (5-0). Motion carried. Time Stamp 24:00**

**Motion: Mayor Glasgow / Second: Council Member Paiement to approve appointments. No further discussion. All Ayes (5-0). Motion carried. Time Stamp 26:49**

## 5. AGENCY REPORTS

### A. Law Enforcement Report

Deputy Tanner Van Sommeran introduced himself. There was a call for a possible burglary in process. The suspect was intoxicated and did not know he was at the wrong house. He was taken to detox. A robbery was reported, however upon further investigation it was determined to have been a medical situation in which the caller had hallucinated. A pursuit entered the city from Saint Croix County and the suspect was taken into custody.

### B. Fire Department Report

Council Member Stanton reported eight calls for the month of November with four to I-94. The Appreciation Dinner recently took place where Lower Saint Croix Valley firefighters were honored. Mayor Glasgow and Council Members Fahey and Stanton were in attendance.

### C. Government Affairs Report

Mayor Glasgow reported hopes to soon complete the Comprehensive Plan, --a task undertaken every ten years.

### D. Engineering Report

City Engineer John Parotti referred to a report in the packet providing an update on activities that took place over the past couple of months. He noted the field survey of Cully Park neighborhood was conducted in November as part of the advanced planning process for 2018 street improvement project per the city's Capital Improvement Plan. The city has been working on drainage improvement throughout the watershed over the past fifteen to twenty years. This is the final project which would potentially tie all the drainage improvements together and bring the drainage down to the old gravel pit. City Engineer John Parotti sought direction from council in regards to meeting attendance, as in the past his presence was not necessary due to the Public Works Director having been present. Discussion ensued (Council Members Stanton and Fahey, Mayor Glasgow and City Administrator/Clerk Sandie Thone). Consensus was for a written report to be provided and if questions arise, council will request the City Engineer to be in attendance at the city council meeting by contacting City Administrator/Clerk Sandie Thone.

#### E. Animal Control Report

Mayor Glasgow referred to the reports in the packet, which included an invoice from the Animal Humane Society showing a total of 3 cats for the quarter. Council Member Stanton noted seeing an announcement on the city website regarding a coyote roaming the area and to ensure small pets are under supervision when outside. Discussion ensued (Council Member Orning, Mayor Glasgow, City Administrator/Clerk Sandie Thone). City staff was directed to research options for trapping and releasing the coyote.

#### F. Building Permit Report

MNSPECT Relationship Manager, Kandis Hanson shared a comparison analysis report of the most recent 2016 quarter to 2015, which showed valuation totals for building permits and plan review have more than doubled. A detailed comparison report between 2015 (\$1.25 million, 75 permits) and 2016 (\$1.58 million, 125 permits). Mayor Glasgow inquired on the process of closing out a building permit.

**Time Stamp 46:45**

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

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

##### MNSPECT Relationship Manager - Kandis Hansen

Kandis Hanson noted MNSPECT being the contracted building official service for the city, such as plan review, inspections and related. MNSPECT has been in existence and partnered with cities since 1987. It was purchased by Scott Qualle in 2007, at which time it became a family owned business and underwent a name change. MNSPECT provides a comprehensive range of designated building official services, as well as supplemental as needed building and department inspection services. MNSPECT has been committed to providing quality service and keeping safety at the forefront. Mayor Glasgow inquired on the processing time and asked for Council Member Stanton to work with city staff in tracking time of building permits from being dropped off to issuance of.

**Time Stamp 1:04:50**

#### 7. CITY BUSINESS

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

##### Non-Conforming Fence Complaint Resolution

City Administrator/Clerk Sandie Thone introduced the Non-Conforming Fence Complaint Resolution noting the issue was previously discussed at the December 2016 council meeting. The fence was built with the face side facing in and the structural side facing out. The issue has been long-standing. Discussion ensued (Council Member Stanton, Mayor Glasgow). The city sent a letter in April 2016 to the property owner of the non-conforming fence to remediate the issue within ninety days. The city attorney sent a follow-up letter requesting again, for the non-conforming fence to be corrected and included that the council could exercise their right to impose an administrative fine of up to \$2,000. The property owner of the non-conforming fence was not in attendance. City Administrator/Clerk Sandie Thone read a letter provided into the record on her behalf. Public comments; Bruce Edberg, 558 Saint Croix Trail North. City Attorney Dave Snyder reported that at the city council meeting held in December 2016 he indicated council should set the issue for a violation hearing to discuss the matter comprehensively. Additionally, he recommended the meeting tonight to be for fact-finding on the condition of the fence, hearing from interested parties, reviewing documents included in the packet and for council to come to a resolution on how to move forward. Mayor Glasgow stated he was in favor of allowing the property owner of the non-conforming fence a 120-day extension as requested, and if not corrected then a violation hearing would be set.

City Attorney Dave Snyder noted present options for council; immediately authorize formal enforcement proceedings, or stay in informal enforcement proceedings dependent on additional findings (i.e. 120-day extension). If council decided the latter, he recommended a council member be appointed to serve as a liaison to effect communication between the city and property owner as to what is planned for resolution. Council Member Orning volunteered to serve as the liaison on the issue. Council Member Paiement stated there is no question that the fence is in violation of city ordinance. City Attorney Dave Snyder noted that to the extent the fence exposes its' unfinished side to the neighboring property is a violation, unless the fence predates the adoption of the ordinance. Council Member Paiement stated the property owner does not make the claim that the fence predates the code. Discussion ensued (Mayor Glasgow, Council Member Paiement, City Attorney Dave Snyder). Public Comments; Lloyd Edberg, 558 Saint Croix Trail North. Council Member Paiement noted one option would be to make a finding that a violation has occurred and the property owner has 120 days to remedy the issue or a fine will be imposed. Discussion ensued (Mayor Glasgow, Council Members Paiement, Orning and Stanton). Public comments; Lloyd Edberg, 558 Saint Croix Trail North, questioned whether or not the condition of the *repaired* portion of the fence met city code. Mayor Glasgow promised once the fence was completed it would meet city code. City Attorney Dave Snyder again, stated the council's available options for moving forward and further noted that formal enforcement would consist of a lawsuit. Council Member Paiement posed whether or not a fine could come before a lawsuit, which the City Attorney Dave Snyder said it could. City Administrator/Clerk Sandie Thone stated that the city has an administrative process in place with an option to fine up to \$2,000 for noncompliance of the city code, at the council's discretion. Discussion ensued (Mayor Glasgow, Council Member Paiement, City Administrator/Clerk Sandie Thone).

**Motion: Mayor Glasgow / Second: Council Member Fahey to stay the violation for 120-days with Council Member Orning appointed to serve as a liaison to work with the property owner and revisit the issue with an option to withdraw the decision at any time. No further discussion. Ayes (4-0-1-Abstained-Council Member Stanton). Motion carried.**

**Time Stamp 1:30:24**

#### Cable Commission

Mayor Glasgow reported the contract with Central Valley Cable expired December 31, 2016. The renewal contract being an open-end three-year agreement which would prescribe the same fees charged to the city as to their cable subscribers, and would not allow for negotiation. Valley Access Channels are the four PEG channels which air the city council meeting videos. He noted efforts to engage residents on *saving* the PEG channels resulted in just one phone call to himself. It would cost the five cities approximately \$22,500 a year to renew the contract. The city currently subscribes to the online service, Vimeo for the total cost of \$200 a year for all five cities. Mayor Glasgow shared the cable commission will be meeting and discussing the renewal contract at their upcoming meeting scheduled for February. He asked for a consensus or motion from council to not renew the contract and save the city about \$8,000 (per year). Further, the city would receive an additional approximate \$13,000 from franchise fees. Discussion ensued (Council Member Stanton, Mayor Glasgow, City Administrator/Clerk Sandie Thone).

**Motion: Council Member Fahey / Second: Council Member Orning to not renew the cable contract. No further discussion. All Ayes (5-0). Motion carried.**

**Time Stamp 1:38:10**

Water Operations/Public Works

Council Member Stanton noted he has been appointed as the Interim Public Works Commissioner as the city currently has no Public Works Director. The city plans to send out for RFPs to contract for water utility management to run the water plants (personnel, billing and repairs). Current Public Works Operator Joshua Conroy would be hired as staff by the contracting company. He noted the plan was in the concept phase. A sub-contractor would be hired, as well for all of maintenance of the city. Mayor Glasgow stated the plan was temporary. Once Public Works Water Operator Joshua Conroy gained the required experience and obtained his Class C Water Operator license he would take over. City Administrator/Clerk Sandie Thone inquired on the city billing process, which Mayor Glasgow replied the plan was to contract out for this service, too. Discussion ensued (Mayor Glasgow, Public Works Water Operator Joshua Conroy). **Time Stamp 1:44**

Request for Proposals (RFP) for Contractor Services for Old City Hall Remodel

Mayor Glasgow asked for approval from the council on moving forward with a request for proposals to remodel the Old City Hall.

**Motion: Council Member Paiement / Second: Council Member Stanton to go out for RFPs for remodeling the old city hall. Discussion ensued (Council Members Stanton and Paiement, Mayor Glasgow). All Ayes (5-0). Motion carried. Time Stamp 1:45:22**

2017 Vision

Mayor Glasgow requested City Administrator/Clerk Sandie Thone to read his report in the packet "2017 Vision for Lakeland" which listed ten items: 1. Newsletter - Stop mailing out to all residents beginning March 1, except for those who "opt-in" to continue receiving a hard copy. The newsletter would be available in local businesses and the library to pick-up. 2. Contract for water department services. Contract with another water department for a Class C license. 3. Contract for Public Works department. 4. Shorten building permit approval time. 5. Remodel the old city hall and relocate city offices back there. 6. Sell city property located at County 18 and 8th Street, if possible. 7. Evaluate having five parks (Beach, Crocker, Cully, Humphrey and the Bike Trail). 8. Reduce the city budget and property taxes. 9. Make communication with residents a priority, with focus towards improving the city website. 10. Focus on maintaining city parks, not improving. Discussion ensued (Mayor Glasgow, Council Members Stanton and Fahey, City Administrator/Clerk Sandie Thone). The council decided to poll residents prior to moving forward with changes to the newsletter. **Time Stamp 2:05:52**

Ordinance 7556: Repealing City Code Chapter 160 Subsurface Sewage Treatment System

City Administrator/Clerk Sandie Thone explained Ordinance 7556 was an item brought back from a presentation from the city council meeting in December regarding the SSTS ordinance. The ordinance was repealed in April 2016 and the county's was adopted, which required an annual renewal. Washington County Engineers Girard Goder and Jeff Travis were advised by their attorney to have the cities who previously adopted Chapter 160 to repeal city codes *and* to not adopt county codes, but instead rely on the county to administer and provide the service to the city.

**Motion: Council Member Stanton / Second: Council Member Orning to adopt Ordinance 7556 Repealing City Code Chapter 160 Subsurface Sewage Treatment System. No further discussion. All Ayes (5-0). Motion carried. Time Stamp 2:08:24**

New City Hall Project Update: Arson, Insurance, Clean-Up and Contractor Payment

City Attorney Dave Snyder stated there are two components of cost being handled. The first was an outstanding request for payment from contractor, Parkos Construction in the amount of \$211,000. A discount of approximately \$4,200 would be given, if payment was received the same week. Second, the contribution from the insurance company was still being analyzed and resolved. If the decision is to not rebuild the new city hall, the League of Minnesota Cities stated they would pay fair market value for what was standing before the loss, which he stated would be approximately \$100,000. He noted a counter-offer would be presented to the LMC for a more significant payment. Treasurer Tom Niedzwiecki provided a further breakdown of the costs incurred, noting that total costs included to date are \$273,744. Discussion ensued (Council Member Stanton, City Attorney Dave Snyder, Mayor Glasgow). **Time Stamp 2:19:40**

Washington County Afton-Lakeland St. Croix Trail Project Update

Mayor Glasgow reported he attended a meeting with Washington County regarding the trail project. Washington County will be putting \$380,000 towards fixing the bike trail path with no assistance from the cities. However, there was a small portion of the trail owned by the state, in which they have asked the City of Lakeland to consider repairing said portion with four options to choose from in proceeding to do so. Discussion ensued (Mayor Glasgow, Council Members Fahey and Stanton, City Administrator/Clerk Sandie Thone). Public comments; Louis Jambois, Lower St. Croix Valley Community Foundation representative. Chris White, 311 Queenlan Avenue South inquired where the money would come from. City Treasurer Tom Niedzwiecki reported funds would come from one of the funds from Fund 200: Special Parks fund which carried a balance of \$96,179.15 as of December 31, 2016. City Attorney Dave Snyder added the motion should include where the funds for the trail project would come from.

**Motion: Council Member Stanton / Second: Council Member Paiement to \$33,607.25 for cost of the work in the MN Dot right-of-way with funds from Fund 200: Special Parks. No further discussion. All Ayes (5-0). Motion carried. Time Stamp 2:35:40**

9. CITY STAFF REPORTS

**City Engineer John Parotti**

No report.

**Treasurer Tom Niedzwiecki**

Reported he hoped to finalize the numbers by the February meeting, with formal approval of financials in March in time for the auditors. He also, started the brainstorm budget for 2017 which was included in the packet. He inquired of council of whether or not the check already prepared for Parkos Construction should be voided and rewritten for the \$4,200 less as discussed. City Attorney Dave Snyder confirmed the check payment should be voided and reissued as noted.

**City Administrator/Clerk Sandie Thone**

Noted she was contacted by Washington County regarding radios no longer used by the Public Works department due to changes in the way business is conducted. There are five radios at \$200 each for a total of \$1,000. Council provided direction to proceed forward with selling the radios. Also, Xcel Energy would be replacing all street lights with LED lights.

**City Attorney Dave Snyder**

Thanked city staff and council for continued involvement on the city hall related issues.

10. CITY COUNCIL AND MAYOR REPORTS

**Council Member Tami Fahey**

No report.

**Council Member Shayne Orning**

No report.

**Council Member James Stanton**

No report.

**Council Member Tami Fahey**

No report.

**Mayor Glasgow**

Thanked council and staff in dealing with the arson and insurance. Reported to look forward to the progress the council would make this year.

11. ADJOURN

**Motion: Council Member Orning / Second: Council Member Paiement to Adjourn the Regular City Council Meeting. All Ayes (5-0). Meeting adjourned at 8:51 p.m.**

Respectfully submitted by Jennifer Hutchins Farrell

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Richard Glasgow, Mayor

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Sandie Thone, City Administrator/Clerk