

LAKELAND CITY COUNCIL MEETING MINUTES 2017

CITY COUNCIL MEETING MINUTES / MAY 16, 2017

OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING
TUESDAY, MAY 16, 2017

WORKSHOP – 5:00 p.m.
Comprehensive Plan and Quality Avenue Street Project / City Engineer, Dave Simons

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 Dave Snyder, City Treasurer Tom Niedzwiecki, City Clerk Jennifer Hutchins Farrell

OTHERS: Mike Maroney (Maroney's Sanitation), Susan Young (Foth Senior Consultant)

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

2. PLEDGE OF ALLEGIANCE was recited.

3. ADOPT AGENDA:

Motion/Second: Stanton/Fahey. To Adopt the Agenda of the May 16, 2017 Regular City Council Meeting as presented.

Motion carried 5-0.

Time Stamp 0:54

4. CONSENT AGENDA: Mayor Glasgow asked that Consent Agenda Item E: Resolution 2017-17 Simple Recycling Free Curbside Soft Textiles Program Amendment be pulled and removed at request of the City Clerk.

Motion/Second: Fahey/Paiement. To approve Consent Agenda Items A, B, C, D, F, G, H, I, and J as presented. Motion carried

5-0.

Time Stamp 1:38

A. Approve April 18, 2017 City Council Meeting Minutes

B. Ragnar Relay Race – August 19, 2017

C. Security System for Water Treatment Facilities: Innovative Security Systems, Inc. & Low Voltage Agreement (as amended)

D. Resolution 2017-16: Youth Service Bureau, Incorporated Agreement

F. Resolution 2017-18: People Services, Incorporated Contract (as amended)

G. WCD Quixote Agreement Amendment

H. Kodiak Power Systems Incorporated 3-Year Generator Maintenance Agreement

I. Monthly List of Claims

J. City Treasurer's Report

5. AGENCY REPORTS

A. LAW ENFORCEMENT REPORT

Deputy Hager reported 62 calls for service and 1 citation issued during the month of April 2017; no activity stood out for the month; most patrols on 8th Street North. Council Member Stanton requested additional patrolling during weekends and evenings at Water Tower 1 and 2, especially off 5th Street because of isolation. Deputy Hager spoke briefly on the Law Enforcement Memorial Day service at the Historic Courthouse in Stillwater on May 15; at the event, Peace Officers and Correction Officers honor those who have fallen in the line of duty.

B. FIRE DEPARTMENT REPORT / LSCVFD PROTECTION DISTRICT 2017 BUDGET

Council Member Stanton reported at the last meeting that they approved the 2018 budget; aggregate percentage to 5-cities - with increase 2.51%; Lakeland's portion based ½ on taxes and ½ on population so minimal increase; next month he will be present at all the 5-city council meetings to review and get approval of the budget [asked Clerk to put on Lakeland's agenda]; new full time fire chief, Jim Stanley, will begin his duties July 15, 2017; Kris Peterson will be retiring after 40 years of service, being chief for 30 of those years.

C. GOVERNMENT AFFAIRS REPORT – [see entire report on file at City Hall]

It was reported much of time this month was spent on mentoring and assisting the new City Clerk and that focus will be on the 2040 Comp Plan Process.

D. ANIMAL CONTROL REPORT – [report on file at City Hall]

City Clerk Hutchins Farrell reported during the month of April, three dogs were lost and one found.

E. BUILDING PERMIT REPORT – [report on file at City Hall]

City Clerk Hutchins Farrell referred to open maintenance permits as of May 10, 2017 through MNSPECT.

F. ENGINEERING REPORT –

In the month of April 2017, SEH reviewed:

- A permit application by Xcel Energy to replace 51 utility poles throughout the City,
- Responded to questions regarding a street vacation application for 1145 Quentin Avenue South,
- Attended a special information meeting at WTP #1 about the water system,
- Attended a Special City Council meeting and a Regular City Council meeting to respond to questions about the water system,
- Responded to questions on the future Quality Avenue Reconstruction Project,
- Notified the City of the ending date of Spring Road Restrictions,
- Reviewed bids for the St. Croix Trail project, and
- Continued providing interim water system operator services.

6. OPEN FORUM (Public comments, presentations and petitions)
[see meeting video recording on the Lakeland website for individual comments]

The following residents made comments regarding the 4th and 5th Street North Cul-De-Sac Resolution Designating Parking:

Ron Hager, 16211 5th Street North – In Support of Repealing
Tim Wirth, 16160 4th Street South – In Support of Repealing
Bill Dale, 16210 5th Street North – In Support of Repealing
Denny Storley, 16191 5th Street North – In Support of Repealing
LeAnn Behrens, 16200 4th Street North – In Support of Repealing

7. CITY BUSINESS

A. **Discuss Resolution 2015-16: Designating No Parking Regulations on Center Portion of Cul-de-sacs located on 4th Street North, 5th Street North, and 6th Street North**

City Clerk Hutchins Farrell reported a number of written responses received by the City copied in the meeting packet, and the preparation of an addendum to the Resolution with two different responses; also provided a copy of City letter sent to residents encouraging their input and comments.

Written responses received from: [all on file at City Hall]

Ron Hager, 16211 5th Street North
Karla & Alan Bataglia, 16220 6th Street North
Kate & Ralph Piscitello, 16200 6th Street North
Benjamin Arnal, 16160 6th Street North
Lindsey Anderson, 16161 6th Street North
Kregg & Misty Weispenning, 16151 5th Street North
Bill & Sheleen Tumblad, 16190 5th Street North

Staff requested the City Council discuss Resolution 2015-16 with possibility of repealing it in its entirety or a portion thereof. Council Member Stanton asked City Attorney Snyder that, based on comments received, if the City could repeal the no parking on cul-de-sacs on 4th and 5th Street North, and keep the no parking restriction on the cul-de-sac on 6th Street North.

Motion/Second: Stanton/Glasgow. To repeal Resolution 2015-16 Designating No Parking regulations on the center portion of cul-de-sacs located on 4th Street North and 5th Street North only, with designated No Parking on the cul-de-sac on 6th Street North continued as previously approved. Motion passed 5-0. Time Stamp 24:21

B. **Non-Conforming Fence Complaint Update**

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

Staff referred to complaint received regarding a fence at 534 St. Croix Trail North dated March 23, 2016 that alleged the fence was non-compliant with City Code in that the structural side is facing out toward the neighboring properties and the finished side is facing in towards the owner's property; investigation of the conditions confirmed non-compliance; on May 10, 2017, City staff did a follow-up assessment which showed additional finished boards attached to the structural side of the fence, but did not cover the entire height of the fence and therefore were noted to still be in violation; on May 11, 2017, a MNSPECT building official inspected the fence and confirmed it to still not be complaint with City Code; Staff provided two recommendations: (1) to allow until June 1, 2017 for property owner to come into compliance, and if still not in compliance, subject the property owner to a civil penalty, or (2) proceed forward with a civil penalty. Council Member Stanton voiced his opinion fence is compliant as it is almost 100% screened by vegetation. Public Comments; Chris White, 311 Queenan Avenue South and Tim Wirth, 16160 4th Street North.

Motion/Second: Glasgow/Stanton. To Resolve a Complaint made regarding a Non-Conforming Fence located at 534 St. Croix Trail by ruling the fence to be in compliance with City Code as additional finished boards were attached to the structural side of the fence and the fence is adequately screened from the neighbor's view. Motion passed 5-0. Time Stamp 39:33

C. Unpermitted Work and Safety Code Violations: 368 Quentin Avenue North

City Clerk introduced issue of construction work that required a building permit, plumbing, mechanical, and electric permits was being performed at 368 Quentin Avenue North in Lakeland; a letter was sent to the homeowner on February 9, 2017 requesting a building permit be applied for and obtained no later than March 15, 2017, and a separate plumbing, electric, and mechanical permit no later than March 1, 2017; home is being occupied by multiple renters; recommendation to (1) add time to comply up to 30 days, or (2) progress with legal proceeding. Discussion ensued how to seek compliance; determination made to request compliance by letter, and if no action by Monday, May 22, 2017, the City Attorney will proceed to a civil course of action.

Motion/Second: Stanton/Fahey. To authorize the City Attorney to proceed with a civil course of action regarding unpermitted work and safety code violations at 368 Quentin Avenue North if a response is not received from homeowner by Monday, May 22, 2017. Motion passed 5-0. Time Stamp 48:21

D. Unpermitted Work Code Violations: 552 Quinmore Avenue North

City Clerk introduced unpermitted work code violations at the residence located at 552 Quinmore Avenue North regarding a shed, fence, and carport structures that required permits be obtained for construction; a building permit is required, and staff requested action by (1) 15 day compliance, or (2) proceed with civil action; letters have been sent along with applicable ordinances that apply. Council Member Stanton suggested a 15 day period for compliance and then proceeding to civil penalty, as this has been an ongoing issue since June 2015. Mayor Glasgow requested friendly amendment to 7 day compliance period.

Motion/Second/Amended: Stanton/Fahey. To authorize a 7-day period for compliance of unpermitted work code violations at the residence located at 552 Quinmore Avenue North, and if no response within 7 days, to proceed to civil action. Motion passed 5-0. Time Stamp 52:47

E. Water Utility Updates: Discuss and take action regarding additional services related to the SCADA system through Total Control Systems, Incorporated

Council Member Stanton introduced additional equipment and services for the water system proposed by Total Control Systems, Inc. (TCS); TCS would install, modify, program, start-up, and test equipment to verify operation of the replacement filter control system components; they would also provide complete documentation for the modifications; all PLC programming will include all backwash functions for filter control and all alarms associated with the filter and equipment, and new filter PLC would be networked into the existing SCADA system; total cost \$13,076. Council Member Stanton continued this is additional work to the SCADA system that wasn't included initially; has been working with John Thom and Dave Simons and they plan to work within the budget they have and with possible increase of water rates next January; will know in next two months where they are at, as SEH will be providing different options.

Motion/Second: Stanton/Glasgow. To approve proposal from Total Control Systems, Inc. for equipment and services for the water system to install, modify, program, startup, and test equipment to verify operation of the replacement filter control system components at a cost of \$13,076. Motion passed 5-0. Time Stamp 59:21

F. Hiring for Utility and Office Clerk Position

City Clerk Hutchins Farrell introduced position of Utility Billing and Office Clerk, a full-time position with work split between the water utility department (25-30 Hours) and the city office (10-15 hours); requesting the City Council approve the position description, full time status, and hiring range for the position and that the position be filled immediately upon completion of a successful background check by Andy Erickson at a rate of pay of \$16.18 per hour plus benefits with an automatic pay increase to \$18.18 an hour upon a satisfactory review at the six month probation mark.

Chris White, 311 Queenan Avenue South. Referred to job description for positions, especially pertaining to item 8 in Utility Billing and Office Clerk, as both seemed to be similar positions, but requirements very different – huge differential between the two; asked about the nature of office work and responsibilities she thought were being performed by Council Member Stanton. City Clerk Hutchins Farrell explained they may be closely related as jobs as they are attempting to create a cohesive team with cross training; office assistant position will be performing tasks as deputy clerk part time; utility billing hours will fluctuate. Council Member Stanton responded he will continue the day to day water sampling and backing up outsourced work completed by Tri-County; the new position will be doing back-up tasks as needed.

Motion/Second: Stanton/Orning. To approve the position description for Utility Billing and Office Clerk as described with correction to back-up duties for the Public Works Commissioner, hiring of Andy Erickson for said position with pay and increase as delineated in memo provided. Motion passed 5-0. Time Stamp 1:15:13

G. Part-time Position Posting for Office Assistant

A date will be scheduled for the Personnel Committee to meet. Part-time position for Office Assistant will be forwarded to the Personnel Committee for further review and discussion. Time Stamp 1:16:11

H. Street Project Review of Quality Avenue

Mayor Glasgow reported an open house for residents on the Quality Avenue Street Project will be scheduled to gather resident comments and requests [walking paths / reduction in speed / drainage issues / overall plan]; CSAH 18 continues to be an issue; will be getting a citizen's committee established to assist with the Project; Council Member Stanton is working with SEH on next steps; 2018 target date for \$900,000 project. Time Stamp 1:18:55

I. Discuss and take possible action on revision to Lakeland City Code Chapter 50: Garbage and Solid Waste Ordinance

At the February 21, 2017 meeting, the Lakeland City Council approved extending the recycling contract in order to proceed forward with step one of a multi-step process in completing one of the City's recycling grant projects; step two included reviewing the city's current ordinance for garbage and solid waste, which was completed free of charge through a program set up with Washington

County by Senior Consultant Susan Young; staff is requesting the City Council approve Ordinance 7556 with revisions as presented and proposed to the Lakeland City Code Chapter 50: Garbage and Solid Waste; changes have been reviewed with the City Attorney; Lakeland, Lakeland Shores, Lake St. Croix Beach, and St. Mary's Point are all updating their ordinances; after request for proposals [RFP], the decision can be made for a similar recycling system for all cities to make more uniform in scope.

Susan Young, Foth As a consultant for Washington County, has reviewed Lakeland's ordinances that pertain to solid waste management; City's solid waste ordinances have not been updated for a considerable period of time, and she provided modifications to the ordinances required by changes to State law or County ordinances.

Mike Maroney, Maroney's Sanitation Maroney's has recycling contract for every other Wednesday for recycling; trying to address wear/tear on trucks and road picking up more frequently, but would be willing to research if interest for more frequent pick-ups warranted. Mayor Glasgow thanked Mike for facilitating the clean-up day; knows not a money maker and they are billing at cost.

Motion/Second: Paiement/Fahey. To approve Ordinance 7557 with the revisions as proposed to the Lakeland City Code Chapter 50: Garbage and Solid Waste. Motion passed 5-0. Time Stamp 1:31:22

8. CITY STAFF REPORTS

City Attorney Dave Snyder

No report.

City Clerk Hutchins Farrell

Received a notice from Washington County re: tax forfeited land in Jackson Farm; basic sale price (minimum bid price) is \$100; spoke with the City Engineer who considered for right of way issues; deadline for bidding June 16, 2017; Mark Nagel thought it was a good amount of land for the price. City Treasurer Niedzwiecki thought it better for the City if they put in a bid and purchased it. City Attorney Snyder thought it could be used for future drainage or utility needs.

Motion/Second: Paiement/Fahey. To give the City Clerk authorization to place a bid for Tax Forfeited land for tax parcel number 02.028.20.34.0029, Lot D Jackson Farm for a bid amount determined by the City Council. Motion passed 5-0. Time Stamp 1:42:21

City Treasurer/Tom Niedzwiecki

Water Utility and Public Works fund holding their own; hasn't received bill from People Service yet; received 1st invoice from SEH for \$53,000 total [\$40,000 last month and \$13,000 approved tonight]; anticipates other items might come up but optimistic; strategy of contracting out seems to be working.

9. CITY COUNCIL AND MAYOR REPORTS

Council Member Tami Fahey

Will have a Personnel Committee report next month.

Council Member Joe Paiement

No report.

Council Member James Stanton

Contacted by Emergency Management Representative Jean Dornfield regarding Washington County Code Red system for cities; steps to do that will follow, and at June meeting will present for council to discuss.

Mayor Glasgow

- Clean-up continues at both Water Tower 1 and 2; Water Tower 1 is almost done; as have cleaned out garage and will put some items up for auction; plan to be done within 2 months; two residents have volunteered to help purge city records.
- City Hall – plans to engage residents and offer a community room.
- The Security System installation is underway.
- Video Equipment Update – Plans to purchase a high definition system with available Cable Funds; anticipating cost around \$15,000.

10. ADJOURN

Motion/Second: Fahey/Orning. To adjourn the May 16, 2017 City Council at 7:50 p.m. Motion Carried 5-0. Time Stamp 1:46:49

Respectfully Submitted by Kate Piscitello

Richard Glasgow, Mayor

Jennifer Hutchins Farrell, City Clerk