



REGULAR CITY COUNCIL MEETING MINUTES

City Council Present: Mayor Joe Paiement, Council Member Mike Thron, Council Member Robert Craggs & Council Member Doug Sand

City Staff Present: Acting City Clerk Michelle Elsner, Engineer Brian Bergstrom & Engineer Erik Henningsgard

Via Zoom: Council Member Pat Rivers, Financial Consultant Kim Guyer, Financial Consultant Roger Schanus Zoning Administrator Jennifer Haskamp, & City Attorney Dave Snyder

1. **CALL TO ORDER 6:32PM**
2. **PLEDGE OF ALLEGIANCE Recited**
3. **ADOPT AGENDA** Council Member Craggs made a motion to adopt the agenda, seconded by Council Member Sand. All Ayes motion carries
4. **CONSENT AGENDA - (Items may be pulled for discussion and/or separate action)** Council Member Craggs made a motion to adopt the consent agenda pulling item C for further discussion. Seconded by Council Member Thron, all ayes motion carries.
 - A. Approve October 19, 2021 City Council Meeting Minutes
 - B. Monthly List of Claims
 - C. Reimbursement to Council Member Rivers – Pulled for discussion Council Member Craggs asked for further explanation on this issue. Council Member Rivers explained that he was taken by a phishing scam. His mind was not in where it should have been in regards to not falling for the scam. As far as he could tell it was an email that appeared to be from Mayor Paiement asking for some iTunes gift cards. He purchased them and once he realized what had happened filed a police report with Washington County. Lakeland staff worked with the insurance company to file a loss claim. The claim was paid by insurance and we are asking Council to approve reimbursing Council Member Rivers for his loss in this incident. Council Member Craggs made a motion to approve item C on the consent agenda. Seconded by Council Member Thron, Council Member Rivers abstained from the vote, motion carried with 4 ayes
 - D. Quality Avenue Payment Application
 - E. Resolution 2021-16 Approving a Variance at 737 Quentin Ave S for Construction of a retaining wall on a 12% or great slope in the St. Croix River District
5. **AGENCY REPORTS**
 - A. Law Enforcement Report - In Packet – Deputy Munson was in Council Chambers, we are trying to stay very visible in the area. To the residents of Lakeland, please make sure you are keeping your vehicles and garages locked. There have been car jacking's in Woodbury so we are just doing our best to be visible to deter this behavior around here. Please do not leave your vehicles unlocked and running with the cold weather it is the time of year that those vehicles are being stolen.
If you see anything out of the ordinary please call the Non-Emergency number 651-439-9381
 - B. Fire Department Report - In Packet
 - C. Animal Control Report – In Packet
 - D. Building Permit Report – Andy Schreder - Rum River Construction Consultants - In Packet
 - E. Engineering Report – Erik Henningsgard – SEH - In Packet – Erik Henningsgard we have received the final payment application from Quality Avenue project.
 - F. Public Works/Water Department Report – People Service – In Packet
 - G. Zoning Report – Jennifer Haskamp – Swanson Haskamp Consulting, LLC – In Packet
 - H. Financial Report – Roger Schanus – Carlson SV – In Packet – In terms of the budget we are doing very well compared to budget. We can do the budget the American rescue act funding and the capital improvement projects in less than an hour at the same workshop.
6. **OPEN FORUM (Public Comments, Presentations and Petitions)**
 - A. Afton Lakeland PTA playground funding request from charitable gambling funds – Kari Kull-Heng made a request of the Council for 5000.00 from charitable gambling funds to finance the replacement of the large

playground at Afton Lakeland Elementary School. A motion was made by Mayor Paiement to give 5000.00 from charitable gambling funds to the Afton Lakeland Elementary PTA towards the replacement of the larger playground. Council Member Sand seconded the motion, all ayes motion carries.

Julie Thron 16411 Division St– I would like to ask that the video's get posted in a more timely fashion sometimes it is a week or longer before they are up on the website. I also hear there are situations with equipment that are hindering them being posted. I don't understand why there is issues with this since it was noted in the State Auditor's report that 4250.00 was spent on this equipment just a few years ago and it was supposed to carry the City into the future for decades.

Taylor Vallencourt – Traffic patterns in this town are a mess there is no rhyme or reason as to how the stop signs are laid out. I think the City needs to either put up some more stop signs or move some around.

The second thing I have to bring up is our beach you need to do something with that beach or it is no longer going to exist. The beach has become a real eyesore on the river.

Mary Maloney Miller – 16087 1st St N I appreciate the direction Roger Schanus is giving you for acquiring a City Treasurer. I am confused about MN Statue 412.591 duties of clerk and treasurer maybe combined. I could not find anything in regards to a possible Deputy/Treasurer. I find it rather alarming that Roger pointed out that the Treasurer would be in name only. My questions here are can the deputy clerk and treasurer be combined. How part time would the part time person be? Why should the council act on this before year end? I see we are going to get an update from the Personnel Committee I urge them to repost it the position if there has not been a large response. Roger Schanus – a lot of these things are things I have been trying to bring up as a usual this is not stuff they would normally deal with. If you do not have a separate City Clerk/Treasurer you are required to have an audit at the cost of 15 to 20k for the audit. I effectively act as a finance director for the City the treasurer is a position that the City has had for many years. There is a state statute that says if they City has a treasurer they do not need to have an audit. Dave Snyder reminded we are in the public commentary section of the meeting. I think that this will be better handled in a memo to the Council and the residents. Council Member Craggs stated that they need to be made aware of what is legally required for the position.

Julie Thron 16411 Division St. It is because of page 16 of the State Auditor per the audit stating that they need to have an employee with the title of treasurer it can't be a subcontractor.

Resident?? I am frustrated with the fact that the utilities boxes or street lights are not marked with any type of stickers giving direction as to who contact if there is an issue with the equipment.

7. **PUBLIC HEARING –** (Discussion and Action by the City Council will follow each Public Hearing after closing)

- A. Public Hearing to Consider an Amendment to the Zoning Code regarding new pool regulations – Jennifer Haskamp – We had a resident that enquired about instead of fencing for security around their pool if they could use a pool cover. At the last meeting staff was directed to add this as an option to the pool ordinance. The ordinance that is in front of you tonight is just making the change to being able to add the pool cover. A resident asked if we allow pool covers instead of a fence wouldn't it not upset the insurance companies? Jennifer responded that many cities allow this as an option and it is up to the insurance companies to set up their own requirements if the City allows pool covers. It is up to the homeowner to make sure that their homeowners policy would allow the pool cover.

8. **CITY BUSINESS**

- A. Discussion and Action on Amendment to the Zoning Code regarding new pool regulations - Mayor Paiement stated this is an attempt to update Lakeland's code of ordinance to a level that many other communities have moved towards. If we were to adopt the ordinance as amended would it be possible for a resident to take down their fence and add a pool cover that meets the standards noted in the updated ordinance. Council Member Craggs made a motion to adopt the amended ordinance, seconded by Mayor Paiement. All ayes motion carries
- B. Discussion and Action on Impervious surface coverage violation 303 Quentin Ave N – The Council was provided with a lengthy chronology of the history of efforts that the City has made to try and get this homeowner to provide documentation that by adding the shed he is not violating the impervious surface ordinances for the City. Dave Snyder – Since the homeowner has not responded to many requests for a survey of the property to prove he has not exceeded the impervious surface maximum it is the stand of the City that the impervious surface ordinance has been violated based on the fact that when he was given the variance for the garage after working with SEH at that time to stay within the confines of the ordinance that the addition of the shed has exceeded the maximum limit of impervious space allowed. Dave Snyder made the recommendation to direct staff to move forward with enforcement action if this is not corrected one day after the December Council meeting. Council Member Craggs made a motion to take the action recommended by the City Attorney on this matter, seconded by Council Member Thron all ayes motion carries.
- C. Discussion on Generator Replacement at Water Treatment Plant #1 – Simon Wirth the generator at Plant 2 is failing to the point of almost disrepair and needs to be replaced. We had a resident come and voice their

complaint over the diesel generator at plant 1 over near the bungalow. Since that generator is in such close proximity of homes the thought is let's alleviate some of the concerns that the residents have down by plant 1 and get a gas powered generator installed up there and moving the generator from plant 1 down to plant 2 to replace the failing generator. The gas powered generator is much quieter when it runs and since there are not homes in such close proximity to plant 2 it makes sense to have the diesel generator to the other end of town. Mayor Paiement made a motion to approve to Kodiak proposal for a new generator to include a possible 5% price increase for the work to be completed in 2023. Council Member Thron seconded all ayes motion carries.

- D. Discussion on SEH Building Report and Options to consider – Mike Thron We seem to have to separate things going on the short term and the more long term things. In terms of long term it seems that staff may be having some issues with the air quality and I feel that if staff is able to move to Pumphouse 2 and relocate City Hall functions to that building while the long terms solutions are being decided on. Chris White 311 Queenan Ave S – Please remember you are going to have another listening session in January so a decision does not need to be made tonight. Would you consider sending a post card to every resident so that everyone is personally informed over the major impact this decision could have on all the residents of Lakeland.
- Julie Thron 16411 Division St. This building has no historical value because it has been remodeled and once a building has been remodeled it can't be added to a historical register.
- Mary Maloney Miller 16087 1st St N – Regarding the January meeting I would like to see the listening session exactly as a listening session in January so that the council is not leading the discussion when there are a lot of citizens that may have opinions on this situation.
- Dave Snyder made a recommendation of asking a couple of Council Members to be on a committee for a space and needs study. Maybe they can come up with a rational road map of all the options that might be available to the City on this matter to help narrow down the range of inquiries on all of these fronts. Council Member Sand and Council Member Rivers are going to take on the space and needs study.
- Mayor Paiement made a motion to move staff to PH2 as of December 1st as a temporary measure until a final decision has been made over what is going to happen with City Hall. Seconded by Council Member Craggs seconded the motion, Council Member Sand abstained from the vote motion carries with 4 ayes.
- E. Update on City Clerk job posting – Personnel Committee – Council Member Craggs updated that the City Clerk position has been posted for approximately 1 month with only 3 applicants, we would like to see a larger response to the posting. We would like to generate more interest in the position.

9. **CITY STAFF REPORTS** Dietrich Wilke spoke before the Council in regards to the video issues. In 2016 U was hired to install a completely new AV system this system was never meant to live stream with Zoom. The only intent was for the video to be broadcast and we have technical difficulties with the equipment you have in this building. This has been myself solely struggling to get this system up to par and make it possible to work with Zoom.

10. **CITY COUNCIL AND MAYOR REPORTS**

11. **ADJOURN** A motion to adjourn was made by Council Member Craggs at 9:09 PM, seconded by Mayor Paiement all ayes meeting was adjourned