



Regular City Council Meeting 6:00 p.m.  
Tuesday, November 21<sup>st</sup> 2023  
Lakeland City Hall

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## REGULAR CITY COUNCIL MEETING MINUTES

**City Council Present: Council Member Robert Craggs, Council Member Mike Thron, Council Member David Millard**

**City Staff Present: City Clerk Michelle Elsner, & Treasurer Kristen Hoheisel**

**Via Zoom: Mayor Joe Paiement, City Attorney Dave Snyder, Public Works Shane Jacks & Zoning Administrator Kate Eiyneck**

**1. CALL TO ORDER - 6:00 PM**

**2. PLEDGE OF ALLEGIANCE – Recited**

**Council Member Thron made a motion to designate Council Member Craggs as the acting Mayor for the meeting. Seconded by Council Member Millard, all ayes motion carried.**

**3. ADOPT AGENDA – Mayor Paiement requested to add 5I as a report from the City Attorney. Council Member Millard made a motion to adopt the agenda with the change Mayor Paiement requested. Seconded by Council Member Thron, all ayes motion carried.**

**4. CONSENT AGENDA - Council Member Thron requested to pull item C and Council Member Craggs requested to pull item F. Council Member Thron made a motion to approve items A B D & E. Seconded by Council Member Millard, all ayes motion carried.**

A. Approve October 17, 2023, City Council Meeting Minutes

B. Monthly List of Claims

C. AGREEMENT FOR LAW ENFORCEMENT SERVICES-. A motion was made by Council Member Thron to table until the December meeting when a representative from the Sheriff's office can attend the meeting. Seconded by Council Member Millard, all ayes motion carried.

D. 2024 Election Services Agreement

E. Resolution 2023-13 ADOPTION OF THE WASHINGTON COUNTY ALL-HAZARD MITIGATION PLAN

F. Resolution No. 2023 – 14 RESOLUTION APPROVING A 38% SLOPE VARIANCE FOR RIP RAP INSTALLATION AT THE PROPERTY LOCATED AT 499 QUINLAN AVENUE SOUTH – Pulled for clarification, just wanted to confirm that the findings of fact have been updated in the initial report. Attorney Snyder recommended having a consultation with the DNR regarding rip rap placement and the need for a variance. Council Member Thron made a motion to approve item 4F. Seconded by Council Member Millard, all ayes motion carried.

**5. AGENCY REPORTS**

A. Law Enforcement Report

B. Fire Department Report

C. Animal Control Report

D. Building Permit Report –

E. Engineering Report – Erik Henningsgard – SEH Engineering

F. Public Works/Water Department Report – People Service

G. Zoning Report – Kate Eiyneck – MSA Professional Services

H. Financial Report – Kristen Hoheisel – Treasurer – The Audit will start on the 10<sup>th</sup> of January 2024. The Truth in Taxation Hearing is on Monday, December 18<sup>th</sup> at 6:00 PM.

I. The City Attorney gave an update on the PFA's litigation class action suits. Council Member Craggs made a motion to allow Dave to explore if at some point Lakeland might be eligible for any type of reimbursement at no expense to the City or the taxpayers of Lakeland. Seconded by Council member Millard, all ayes motion carried.

**6. OPEN FORUM (Public Comments, Presentations, and Petitions)**

**PLEASE KEEP COMMENTS TO LESS THAN 5 MINUTES**

**Julie Thron 16411 Division St** – Happy to see the fence issue being addressed, it has been a long ongoing ridiculous situation with this building. The revocation hearing that was scheduled on November 22, 2022, was canceled and in early 2023 we were told they were being written a new CUP and it would be locked tight so if they violated it would be set for revocation. My neighbor and I were asked to be the neighborhood representatives for the negotiations for the new CUP. The new CUP was approved on April 19<sup>th</sup>, but it gave no relief to the neighbors in May, the violations started adding back up with the delivery of motor freight in the form of E-bikes. The first semi idled for over 3 hours and per the CUP it was supposed to be only 10 minutes. There was no discussion about a modification to the fence, it was discussed that the 6' fencing would be moved to the auxiliary lot and a new 10' fence would be put in its place. I do not understand why we are not having a revocation hearing tonight instead of an informal discussion. It violates a couple of city ordinances and state statutes. I just want the council to know this should never have been given a building permit by zoning and Rum River.

**Mary Maloney Miller 16087 1<sup>st</sup> St N** – Why are e-alerts not being sent out from the website? Does anyone have an update on Mary Moeller? Last week I sent an email to the council because when I got the packet that the Comp plan had been sent to the Met Council. One thing I noticed that some of the attachments that were stated that they had been submitted to the Met Council and they were not provided in the packet. According to the contact at the Met Council they haven't gotten any communication from the City of Lakeland. I do not know why zoning doesn't have it or the Met Council doesn't have it.

**Art Doyle 73 Quehl Ave S - Why** is there a grafted fence in our backyard? The discussions all stated that a new fence would be put in place of the 20-year-old fence. I am confused how it got through zoning as a structure.

**Julie Thron 16411 Division St** I forgot to mention earlier in the packet tonight SEH's report mentions continuing communication over the fencing and stormwater requirements. The stormwater requirements are a violation that was supposed to be completed 45 days after approval of the CUP. There was no enforcement over the condition being violated. Ordinance § 159.155 REASONABLE MAINTENANCE REQUIRED. In all districts, all structures, landscaping, and fences shall be reasonably maintained so as to avoid health and safety hazards and prevent degradation in the value of adjacent property.

**Nancy Millard 16051 Quality Ct** – There is a lot of misinformation going around I want to clarify that there is not any handicapped transportation offered in Lakeland or south of 94. I want people to be aware that we are not included and it doesn't exist.

**Tim Wirth 16160 4<sup>th</sup> St N** – I was surprised to see on the agenda making adjustments to the office hours of City offices. There are a lot of reasons the water department being one of them that the neighboring communities are not comparable other than their proximity I think Lakeland has a lot more businesses than these other communities we have more parks and beaches. The population density is a lot tighter than the other communities. The main thing I want to discuss is the arson at the new city hall building 8 years ago. I promised I would be back every November to remind everyone. It has caused a lot of problems to the community, and we are still dealing with issues 7 years later because of this action. It is a disappointment that the statute of limitations has run out on the reward. Washington County Law enforcement opened the case in November of 2016 and the case was closed in February of 2017 and never asked for any assistance from the Federal Bureau of Alcohol and Firearms.

**7. PUBLIC HEARING**

**8. CITY BUSINESS**

A. Discussion on Earned Sick and Safe Time Effective Jan. 1, 2024, Minnesota's earned sick and safe time law requires employers to provide paid leave to employees who work in the state. Minnesota's current sick and safe

leave law remains in effect until Dec. 31, 2023 and will be replaced by the new earned sick and safe time law on Jan. 1, 2024. An employee earns one hour of sick and safe time for every 30 hours worked and can earn a maximum of 48 hours each year unless the employer agrees to a higher amount. Kristen Hoheisel asked for some direction on adjusting the employee manual and policies. Juneteenth is now a holiday that needs to be added to the paid holiday listing. It needs to be decided if we are loading as you go or if it is going to be frontloaded for ESST time. How is this going to impact the current policy on sick time? The Council is going to have a workshop on Monday the 18<sup>th</sup> of December at 5:00 PM to discuss ESST policies.

B. Discussion and Action on City office hours potential changes. Council Member Craggs made a motion starting January 1, 2024 to change city office hours to 9 – 2 Monday – Thursday with an additional 10 hours for the Clerk and a salary adjustment for the Clerk to be discussed at the December meeting. Seconded by Council Member Millard, all ayes motion carried.

C. Discussion and Action on weather siren maintenance – The Council is going to consider the proposal and will decide at another time.

D. Informal discussion on the fence at 44 St. Croix Trail – Dave Snyder asked the council if the fence should be evaluated again for its construction, footings, and compliance with building codes. Does the council want to hold a violation hearing in December? Engineering confirmed that it has not seen a stormwater management plan as requested by the council as a condition of the CUP.

**9. CITY STAFF REPORTS** – Acting Mayor Craggs requested a complaint log to be created for the council to have.

**10. CITY COUNCIL AND MAYOR REPORTS**

**11. ADJOURN** – Council Member Millard made a motion to adjourn. Seconded by Council Member Thron, all ayes motion carried. Adjourned at 9:05 PM