



CITY COUNCIL REGULAR AGENDA
MONDAY, MARCH 06, 2023
CITY HALL at 7:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADDITIONS OR CORRECTIONS TO AGENDA**
- 5. DISCUSSION FROM THE FLOOR**
- 6. CONSENT AGENDA**
 - [A.](#) Approval of Minutes - February 21, 2023 Council Meeting
 - [B.](#) Approval of Minutes - February 21, 2023 Council Work Session
 - [C.](#) Resolution 2023-09 - Accepting Donation from Spring Lake Park Lions
 - [D.](#) First Quarter Billing for 2024 Payable 2025 Property Tax Assessment - Ken Tolzmann
 - [E.](#) Travel Marketplace and Conference 2023
 - [F.](#) Approve Amendment to Statement of Values Policy
 - [G.](#) Contractor's Licenses
- 7. DEPARTMENT REPORTS**
 - [A.](#) Public Works Report
 - [B.](#) Code Enforcement Report
- 8. ORDINANCES AND/OR RESOLUTIONS**
 - [A.](#) Resolution 2023-10, Approving a Variance from the Minimum Lot Size Requirement to Permit a Two-Family Dwelling at 1409 Osborne Road NE
 - [B.](#) Resolution 2023-11, Approving a Conditional Use Permit to Allow a Two-Family Dwelling in the R-1 Zoning District at 1409 Osborne Road NE
- 9. REPORTS**
 - A. Attorney's Report
 - [B.](#) Engineer's Report
 - C. Administrator Report
- 10. OTHER**
 - [A.](#) Correspondence
- 11. ADJOURN**

**SEE REVERSE SIDE FOR RULES FOR PUBLIC HEARINGS AND
DISCUSSION FROM THE FLOOR**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 1301 81st Avenue NE, Spring Lake Park, MN 55432. Ph.763-784-6491 at least 48 hours in advance.

RULES FOR DISCUSSION FROM THE FLOOR AND PUBLIC HEARINGS

DISCUSSION FROM THE FLOOR

- Discussion from the floor is limited to three minutes per person. Longer presentations must be scheduled through the Administrator, Clerk/Treasurer's office.
- Individuals wishing to be heard must sign in with their name and address. Meetings are video recorded so individuals must approach the podium and speak clearly into the microphone.
- Council action or discussion should not be expected during "Discussion from the Floor." Council may direct staff to research the matter further or take the matter under advisement for action at the next regularly scheduled meeting.

PUBLIC HEARINGS

The purpose of a public hearing is to allow the City Council to receive citizen input on a proposed project. This is not a time to debate the issue.

The following format will be used to conduct the hearing:

- The presenter will have a maximum of 10 minutes to explain the project as proposed.
- Councilmembers will have the opportunity to ask questions or comment on the proposal.
- Citizens will then have an opportunity to ask questions and/or comment on the project. Those wishing the comment are asked to limit their comments to 3 minutes.

In cases where there is a spokesperson representing a group wishing to have their collective opinions voiced, the spokesperson should identify the audience group he/she is representing and may have a maximum of 10 minutes to express the views of the group.

- People wishing to comment are asked to keep their comments succinct and specific.
- Following public input, Councilmembers will have a second opportunity to ask questions of the presenter and/or citizens.
- After everyone wishing to address the subject of the hearing has done so, the Mayor will close the public hearing.
- The City Council may choose to take official action on the proposal or defer action until the next regularly scheduled Council meeting. No further public input will be received at that time.

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on February 21, 2023 at the City Hall, at 7:00 PM.

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 7:00 PM.

2. ROLL CALL

MEMBERS PRESENT

Mayor Robert Nelson

Councilmember Ken Wendling

Councilmember Barbara Goodboe-Bisschoff

Councilmember April Moran

MEMBERS ABSENT

Councilmember Lisa Dircks

STAFF PRESENT

Police Chief Josh Antoine, Recreation Director Kay Okey, Administrator Daniel Buchholtz

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz informed the Council that an updated escrow list for Resolution 2023-07 was available, since a business had paid the outstanding balance prior to the meeting.

5. DISCUSSION FROM THE FLOOR - None

6. CONSENT AGENDA

- A. Approval of Minutes – February 6, 2023 Council Meeting
- B. Approval of Claims – General Disbursement No 23-01 - \$520,421.38
- C. Resolution 2023-07 – Certifying Unpaid Escrow Accounts – Anoka County
- D. Resolution 2023-08 – Approving Sale of Property Owned by the City of Spring Lake Park
- E. Temporary On-Sale Liquor License – Tower Days
- F. Public Right-of-Way Application – CenterPoint Energy
- G. Public Right-of-Way Application – CenterPoint Energy
- H. Public Right-of-Way Application – CenterPoint Energy
- I. Contractor's Licenses
- J. Sign Permit

Motion made by Councilmember Wendling to approve Consent Agenda.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Moran, Mayor Nelson. Motion carried.

7. DEPARTMENT REPORTS

A. Police Report

Chief Antoine reported that the Police Department responded to 764 calls for service in January 2023 compared to 666 calls for service for the month of January 2022. He said that School Resource Officer Imig reported handling 10 calls for service in January, as well as handling 27 student contacts, 17 student escorts and 8 follow-up investigations. Investigator Bennek reported handling 31 cases for the month of January, 29 of which are felony in nature, 2 misdemeanor cases, while monitoring 6 forfeiture cases.

Chief Antoine reported that the Spring Lake Park Police Department 2022 Reserve Unit Report was provided to councilmembers. He noted that utilizing the Reserves saved the City \$6,692.31 in wages. Chief Antoine thanked HyVee everyone who attended Coffee with Cops, while also thanking HyVee for hosting the event.

Chief Antoine demonstrated the Mini Vantage Rapid Deployment Robot that the Police Department won at a raffle at the IACP Conference. He gave overview of what the unit is capable of and what it will be used for in the Department.

B. Recreation Report

Recreation Director Okey reported that the work continues on the reconstruction project at Able Park. She informed the Council that staff is reconnecting with community senior living apartments and facilities to promote the recreation programs. She also stated that staff is working on the summer program development, seasonal hires and catalog development.

8. ORDINANCES AND/OR RESOLUTIONS – None

9. NEW BUSINESS - None

10. REPORTS

A. Attorney's Report – No Report

B. Engineer's Report – Report in packet

C. Administrator Report

Administrator Buchholtz stated he testified at the League of Minnesota Cities on the Open Meeting Law. He said that the proposed language would still allow councilmembers to

participate in meetings from home while not being in a public setting. Administrator Buchholtz stated he gave a City update at the Valentines Day Luncheon.

11. OTHER

A. Correspondence – None

12. ADJOURN

Motion made by Councilmember Wendling to adjourn.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Moran, Mayor Nelson. Motion carried.

The meeting was adjourned at 7:26 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Work Session was held on February 21, 2023 at the City Hall, 1301 81st Ave NE, at 7:30 PM.

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 7:30 PM.

MEMBERS PRESENT

Mayor Nelson
Councilmember Ken Wendling
Councilmember Barbara Goodboe-Bisschoff
Councilmember April Moran

MEMBERS ABSENT

Councilmember Lisa Dircks (attended meeting by Zoom)

STAFF PRESENT

Administrator Buchholtz
Police Chief Antoine

2. DISCUSSION ITEMS

A. Statement of Values Policy

The City Council reviewed the Statement of Values policy. Discussion surrounded proper decorum at City Council meetings and the expectation that there be greater respect shown in interpersonal communication between Councilmembers.

Councilmember Dircks requested that the following be added to Statement #9(d): I consider the potential long-term consequences and implications of my words, actions and inactions.

CONSENSUS OF THE COUNCIL was to direct staff to draft the amendment and present the policy for approval at the March 6, 2023 Council Meeting.

B. City Hall Renovation Update

Administrator Buchholtz stated that Architect Bruce Paulson, Stantec, presented the preliminary design to the employees for their feedback on February 7, 2023. He stated that he will meet with the City's Financial Advisor, George Eilertson of Northland Securities, on February 23, 2023 to discuss the steps necessary to prepare the issuance of a General Obligation Capital Improvement Plan bond to finance the City Hall renovation/expansion project. He provided an overview of the public information strategy, stating that staff has been

drafting articles for inclusion in the City newsletter, presenting information at public meetings and preparing materials for a future open house session. He stated that staff has been working on alternatives to in-person absentee voting and alternative locations for hosting City Council and Planning Commission meetings during the City Hall construction.

Members of the City Council inquired about staff ideas on providing in-person absentee voting during the 2024 election season. Members also discussed shifting space from the Council Chambers to the multi-purpose room to make it more functional.

3. REPORT

A. Council Reports (an opportunity for Councilmembers to share reports/information from meetings they have attended)

No reports.

B. Administrator Report

No reports.

4. ADJOURN

Mayor Nelson adjourned the work session at 8:35pm.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer

RESOLUTION NO. 2023-09

A RESOLUTION ACCEPTING A DONATION TO THE CITY FROM THE SPRING LAKE PARK LIONS CLUB

WHEREAS, the City of Spring Lake Park is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts; and

WHEREAS, the Spring Lake Park Lions Club has offered to contribute \$2,950.00 to the city; and

WHEREAS, the Spring Lake Park Lions Club's donation is to be applied towards Youth Programs and Park Dedication

WHEREAS, all such donations have been contributed to the city for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donations offered.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRING LAKE PARK, MINNESOTA AS FOLLOWS:

1. The donations described above are accepted with gratitude and shall be used to establish and/or operate services either alone or in cooperation with others, as allowed by law.
2. The city clerk is hereby directed to issue receipts to the donor acknowledging the city's receipt of the donation.

The foregoing resolution was moved for adoption by

Upon roll call, the following voted aye:

And the following voted nay:

Whereupon the Mayor declared said resolution duly passed and adopted this 6th day of March, 2023.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer

State of Minnesota)
Counties of Anoka and Ramsey)ss
City of Spring Lake Park)

I, Daniel R. Buchholtz, duly appointed and qualified Administrator, Clerk/Treasurer in and for the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2023-09, A Resolution Accepting a Donation to the City from the Spring Lake Park Lions Club, adopted by the Spring Lake Park City Council at their regular meeting on the 6th day of March 2023.

Daniel R. Buchholtz
Administrator, Clerk/Treasurer

(SEAL)

Dated: _____

Kenneth A. Tolzmann, SAMA
Spring Lake Park City Assessor

February 27, 2023

City of Spring Lake Park
1301 81st Ave NE
Spring Lake Park, Mn 55432
Attn: Mr. Daniel Bucholtz, Admin.

Re: First Quarter Billing for 2024 Payable 2025 Property Tax Assessment.

Dear Mr. Bucholtz,

The annual cost for Assessment Services in accordance with our contract is as follows:

1993 Residential improved parcels @ \$10.00 per parcel -----	\$19,930.00
325 Commercial/Ind/Apt parcels @ \$55.00 per parcel -----	17,875.00
44 Unimproved land parcels @ \$ 2.50 per parcel -----	110.00
90 Exempt parcels	nc

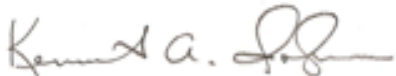
Total Cost for year 2024 assessment payable in 2025: \$37,915.00

First Quarter Amt. Due 4/1/2023: \$ 9,478.75

The above figures are in accordance with our contract for services dated June 8, 2021.

If you have any questions, please give me a call at 651 605-5125.

Sincerely,



Kenneth A. Tolzmann, SAMA#1939
Spring Lake Park City Assessor
13921 45th Ave. N
Plymouth, MN. 55446

MEMO

TO: MAYOR AND COUNCIL
FROM: KAY OKEY, PARKS & RECREATION DIRECTOR
SUBJECT: TRAVEL MARKETPLACE AND CONFERENCE
DATE: 2/28/2023

The Parks and Recreation Department received an invitation from Select Traveler for our tour manager to attend their spring conference in Branson, MO. The conference is an opportunity for delegates to network with travel industry representatives and build relationships with travel attractions and hotels for the purpose of making informed buying decisions. I would like to send Anne Scanlon, Tour Coordinator, to this conference. This conference will provide new ideas for her to better serve our residents, develop extended tours and take advantage of discounts on group rates.

In addition, Anne would be attending a familiarization tour of the city of Branson. The Recreation Department has an extended tour scheduled for Branson in November 2023. The opportunity to tour a location prior to a tour is a valuable learning opportunity and will provide Anne with additional information, experience and knowledge that will enhance our level of customer service, which we pride ourselves on. The Branson Tourism Department is offering this tour at no cost.

Conference Dates: March 27-29	Conference, lodging meals: \$295.00
Familiarization Tour of Branson: March 30-31	Tour, lodging, meals: \$0
Transportation - Gas:	Approximately: \$853.00
One-night Lodging on way to Branson and return	Approximately: \$260.00
Misc. Meals	Approximately: \$100.00
Total Cost:	Not to exceed: \$1600.00

The cost of the conference will come from the Recreation Fund reflecting no cost to the taxpayer.

Respectfully submitted by:

Kay Okey
Parks and Recreation Director

City of Spring Lake Park

Statement of Values

Preamble:

The proper operation of democratic government requires that decision-makers be independent, impartial and accountable to the people they serve. The City of Spring Lake Park has adopted this Statement of Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All elected and appointed officials are required to subscribe to this statement, understand how it applies to their specific responsibilities and practice its 9 core values in their work. Because we seek public confidence in the City's services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this statement.

The Values:

As a representative of the City of Spring Lake Park,

1. I serve the public interest.
2. I fulfill the duties and responsibilities of holding public office.
3. I am ethical.
4. I am professional.
5. I am fiscally responsible.
6. I am conscientious.
7. I communicate effectively.
8. I am collaborative.
9. I am forward thinking.

Value examples/expressions:

- 1. I serve the public interest. In practice this value means that:**
 - a. I provide courteous, equitable, and prompt service to everyone.
 - b. I am attuned to, and care about, the needs and issues of citizens, public officials, and city workers.
 - c. I am interested, engaged, and responsive in my interactions with constituents.
 - d. I recognize and support the public's right to know the public's business.

- 2. I fulfill the duties and responsibilities of holding public office. In practice this value means that:**
 - a. I observe the highest standards of integrity in my official acts and undertake my responsibilities for the benefit of the greater public good.
 - b. I faithfully discharge the duties of my office regardless of my personal considerations, recognizing that the public interest is my primary concern.
 - c. I uphold the Constitution of the United States and the Constitution of the State of Minnesota and carry out impartially the laws of the nation, state, and municipality and thus foster respect for all government.

- d. I comply with both the letter and the spirit of the laws and policies affecting operations of the City.
- e. I recognize my obligation to implement the adopted goals and objectives of the City in good faith, regardless of my personal views.
- f. I conduct myself in both my official and personal actions in a manner that is above reproach.
- g. I do not use my position to secure for myself or others special privileges or exemptions that are different from those available to the general public.
- h. I understand and abide by the respective roles and responsibilities of elected and appointed officials and city staff and will not undermine them in their work.
- i. I am independent, impartial, and fair in my judgment and actions.

3. I am ethical. In practice this value means that:

- a. I am trustworthy, acting with the utmost integrity and moral courage.
- b. I am truthful, do what I say I will do, and am reliable.
- c. I am accountable for my actions and behavior and accept responsibility for my decisions.
- d. I make impartial decisions, free of influence from unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.
- e. I am fair, distributing benefits and burdens according to consistent and equitable criteria.
- f. I oppose all forms of harassment and unlawful discrimination.
- g. I extend equal opportunities and due process to all parties in matters under consideration.
- h. I show respect for confidences and confidential information.
- i. I avoid giving the appearance of impropriety and of using my position for personal gain.

4. I am professional. In practice this value means that:

- a. I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.
- b. I approach my job and work-related relationships with a positive attitude, contributing to a supportive, respectful, and non-threatening work environment.
- c. I keep my professional knowledge and skills current and growing.
- d. I am respectful of all city staff, officials, volunteers, and others who participate in the City's government.

5. I am fiscally responsible. In practice this value means that:

- a. I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.
- b. I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds), follow established procedures, and do not use public resources for personal gain.
- c. I make decisions that seek to preserve the financial capacity of the City to provide programs and services for City residents.
- d. I provide full disclosure of any potential financial or other private conflict of interest. I abstain from participating in the discussion and vote on these matters.
- e. I prevent misuse of public funds by establishing, maintaining, and following strong fiscal and management controls.
- f. I report any misuse of public funds of which I am aware.

6. I am conscientious. In practice this value means that:

- a. I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals.
- b. I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
- c. I am respectful of established City processes and guidelines.
- d. I prioritize my duties so that the work of the City may move forward.
- e. I prepare for all meetings by reviewing any materials provided ahead of time. When I have materials to contribute, I make sure all others involved have ample time to review these materials prior to the meeting.
- f. I attentively listen to the discussions and presentations that are taking place during the City Council meetings, and will present my opinions in a respectful and constructive manner.

7. I communicate effectively. In practice this value means that:

- a. I convey the City's care for and commitment to its citizens.
- b. I communicate in various ways that I am approachable, open-minded, and willing to participate in dialog.
- c. I engage in effective two-way communication by listening carefully, asking questions, and responding appropriately which adds value to conversations.
- d. I do not interfere with the orderly conduct of meetings by interrupting others or making personal comments not germane to the business at hand.
- e. I follow up on inquiries in a timely manner.
- f. I encourage and facilitate citizen involvement in policy decision-making.
- g. I am respectful in disagreements and contribute constructively to discussions on the issue.

8. I am collaborative. In practice this value means that:

- a. I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding to accomplish common goals.
- b. I share information with others in a timely manner so that, together, we can make informed decisions.
- c. I work towards consensus building and gain value from diverse opinions.
- d. I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.

9. I am forward thinking. In practice this value means that:

- a. I promote intelligent, proactive, and thoughtful innovation in order to advance the City's policy agenda and provide City services while considering the broader regional, state-wide, national, and international implications of the City's decisions and issues.
- b. I maintain consistent standards, but am also sensitive to the need for compromise, creative problem solving, and making improvements when appropriate.
- c. I am open to new ideas and processes, adopting them as they conserve resources and provide efficient and effective service.
- d. I consider the potential long-term consequences and implications of my words, actions and inactions.

Adopted by the Spring Lake Park City Council on this 16th day of January, 2018.
Amended by the Spring Lake Park City Council on this 6th day of March, 2023

City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432

Contractor's Licenses

March 6, 2023

2022-2023 Contractor Licenses

Plumbing Licenses

Weld & Sons Plumbing Company

2023-2024 Contractor Licenses

Plumbing Licenses

Weld & Sons Plumbing Company

Tree Contractor

Jeff Hoheisel Professional Tree Care, Inc.



Memorandum

To: Mayor Nelson and Members of the City Council
From: Terry Randall, Public Works Director
Date: March 2, 2023
Subject: February 2023 Public Works Report

During the month of January, the Public Works Department was busy doing the following activities:

- Continue to do daily maintenance of the skating rinks, sweeping, shoveling and flooding them.
- Have plowed five (5) times which includes all parking lots and sidewalks. As time permits staff is blowing snow out in front of mailboxes.
- Staff continues to empty garbage and recycling in the parks on a bi-weekly basis.
- The Water Department had two water main breaks. One at Spring Lake Park Road and Highway 10. Valley Rich Company made the repairs, and City staff continues to monitor the street for settlement and fills with class 5 gravel.
- Staff removed snow from the boulevards along 81st Avenue from Hwy 65 to Pleasantview Dr., and along 81st Avenue from University Avenue to Terrace Road. All the catch basins have been opened.
- Staff is making in-house repairs to the water truck and dump trucks, saving the city money.

Appointments:

- **February 7, 2023 – Staff Meeting**
- **February 7, 2023 – City Hall Remodel Meeting**



City of Spring lake Park
Code Enforcement Division
1301 Eighty First Avenue Northeast
Spring Lake Park, Minnesota 55432
(763) 783-6491 Fax: (763) 792-7257

REPORT

TO: Spring Lake Park City Council
FROM: Jeff Baker, Code Enforcement Director
RE: Code Enforcement Monthly Report for February 2023
DATE: March 1, 2023

The Spring Lake Park Code Enforcement department is the authority having jurisdiction for all building, mechanical, plumbing, fire, rental, nuisance, and zoning codes within Spring Lake Park.

In February, a total of 6 building, 8 mechanical, 10 plumbing, 0 fire suppression, 0 Fire Alarm, 0 Certificate of Occupancy and 4 Zoning for a total of 28 permits issued compared to a total of 43 in 2022. Code Enforcement conducted 116 inspections in the month of February including 29 rental, 22 fire, 31 Building and 34 Code Enforcement inspections.

The Code Enforcement Department issued 4 Administrative Offense tickets this month. All tickets were for nuisance violations.

Inspector Morris is halfway through a college course “Building Construction for the Fire Service” once the course is complete, inspector Morris will take his ICC RB1 test. The RB1 is the international Code Council’s equivalent to the State of Minnesota’s Building Official Limited Certification.

Construction Update:

8301 University Ave – Take 5 Carwash: Water lines have been stubbed under the footings, framing for the footings will start in early March.

Multiple large remodels are taking place within the City. The open floor concept is really changing the look of these homes and adding value to the City.

In February of 2023, I also attended the following appointments:

- Staff Meeting February 1st.
- City Council meeting February 6th.
- Department Head Meeting February 7th.
- Planning Commission February 27nd.
- ICC Conference February 13-15th.

This concludes the Code Enforcement Department monthly report for February 2023. If anyone has any questions or concerns regarding my report, I would be happy to answer them at this time.

RESOLUTION NO. 2023-10

**A RESOLUTION APPROVING A VARIANCE FROM THE MINIMUM LOT SIZE
REQUIREMENT TO PERMIT A TWO-FAMILY DWELLING AT
1409 OSBORNE ROAD NE**

WHEREAS, Greg and Colleen Pettersen (“Applicant”) have made application for a variance from SLPC 16.64.050(A)(1), which requires a minimum lot size of 7,500 square feet per dwelling unit for a two-family dwelling; and

WHEREAS, the property, 1409 Osborne Road NE, is legally described as follows:

The west 100 feet of the south 15.0 feet of Lot 6, together with the west 100 feet of Lot 7, all in Block 2, LAKEVIEW, Anoka County, Minnesota.

Subject to the rights of the St. Paul Water Department in the south 40 feet of said Lot 7; and

WHEREAS, mailed and published notice of a public hearing to consider the proposed variance was given; and

WHEREAS, a public hearing to consider the proposed variance was held on February 27, 2023; and

WHEREAS, the request was made for a variance to allow a two family dwelling on the property, which is 14,262 square feet; and

WHEREAS, the Planning Commission has considered the application against the practical difficulties test as outlined in Section 16.60.040 of the Spring Lake Park Zoning Code; and

WHEREAS, the Planning Commission has recommended approval based on the following findings of fact:

1. The addition of the second dwelling unit on this property will not alter the essential character of the neighborhood as the second dwelling unit would be located in existing space above the garage.
2. Osborne Road is a major thoroughfare with wider right-of-way than typical residential streets. The 82 foot right-of-way of Osborne Road is significantly wider than a typical 60 foot residential street right-of-way. This circumstance was not created by the owner and is unique to a few properties like this on major roads. Had the Osborne Road right-of-way matched a typical residential street, the size of the lot would have met the City’s performance standard.
3. The property will remain a reasonable use as two family dwellings are envisioned in the R-1 zoning district for larger sized lots in the city.

WHEREAS, the Spring Lake Park City Council has reviewed the application and hereby accepts the findings and recommendations of the Spring Lake Park Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota that the City Council hereby approves the request of Greg and Colleen Pettersen, 1409 Osborne Road NE, for a variance from the minimum lot size standard to permit a two-family dwelling on the property, subject to the following condition:

1. Applicant must apply for and receive a rental license for the second dwelling unit in compliance with SLPC 12.16.

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 6th day of March, 2023.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator

Memorandum

To: Mayor Nelson and Members of the City Council
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: February 28, 2023
Subject: Variance and CUP Applications – 1409 Osborne Road NE

The City of Spring Lake Park has received a variance and CUP application from Greg and Colleen Pettersen, 1409 Osborne Road NE, that would permit a 2-family dwelling at this property, which allow the property owner to rent a fully separate two-bedroom apartment located above their garage.



The applicant is seeking a variance from the requirement that a parcel has 7,500 square feet for each dwelling (15,000 square feet total), as set forth in Spring Lake Park Code (“SLPC”) 16.64.050(A)(1). If the variance is granted, the applicant is seeking a conditional use permit to allow a two-family dwelling on this property.

The property is located on the 1400 block of Osborne Road. The area is guided Low Density Residential in the 2040 Comprehensive Plan. The property is zoned R-1, Single Family Residential. Allowed uses include single family homes, as well as two family dwellings by conditional use permit.

The current home was built in 1992, with an addition constructed in 2007. To the west of the property is the Carriage Oaks Townhomes (zoned R-3, Multiple Family Residential). To the north and east, the properties are zoned R-1, Single Family Residential. The properties to the south, located in Fridley, are zoned R-1, One Family Unit.

The schedule of permitted uses by district (SLPC 16.64.040, A) states as follows

Use	Details	R1
Dwellings	Single-family detached dwellings	P
Dwellings	Two-family dwellings	C

The City's current lot area requirements for the R-1 zoning district is as follows:

Dwelling, single family	10,000 square feet per unit
Dwelling, two family	7,500 square feet per unit

According to the 1992 property survey the City had on file, the lot area of the property is 14,262 square feet, or 738 square feet below the standard.

Previous applications.

- None

Variance

Section §16.60.040 of the City of Spring Lake Park's zoning code outlines the criteria for considering variances:

“The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan. “Practical difficulties” as used in connection with granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved.”

Conditional Use Permit

Conditional use permits are considered permitted uses with reasonable conditions. Section § 16.56.030, F of the zoning code outlines the findings required prior to issuance of a conditional use permit:

1. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;
2. The use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity;
3. The proposed use will comply with the regulations specified in this title for the district in which the proposed use is to be located;

4. The use is one of the conditional uses specifically listed for the district in which it is to be located;
5. The proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity;
6. The use will not lower property values or impact scenic views in the surrounding area;
7. Existing streets and highways and proposed access roads will be adequate to accommodate anticipated traffic;
8. Sufficient off-street parking and loading space will be provided to serve the proposed use;
9. The use includes adequate protection for the natural drainage system and natural topography;
10. The proposed use includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance; and
11. The proposed use will not stimulate growth incompatible with prevailing density standards.

If the City Council takes action to deny the variance, the CUP application would also need to be denied as the proposed use does not comply with the regulations specified in the chapter (Finding #4).

Analysis and Recommendation

Variance

City staff believes that the applicant has shown that the proposed use would be reasonable and would not alter the essential character of the locality as the space above the garage currently exists and the home fits in with other homes in the neighborhood. In addition, a town home development is located just to the west of the property.

The larger question the City Council needs to answer is if the plight of the landowner is due to circumstances unique to the property not created by the landowner. The property is reasonably used as a single-family dwelling. Osborne Road is a major thoroughfare in Spring Lake Park, with a wider right-of-way than typical residential streets. The ROW is 82 feet wide, compared to 60 feet for a typical local street. This is a circumstance not created by the owner and unique to the few properties like this on major roads, whereas most single family lots are on narrower local streets. If Osborne Road had a typical ROW of 60 feet, the lot would have the necessary depth of 150 feet to achieve the 15,000 square foot lot area to qualify for a two-family dwelling.

In practical terms, therefore, the request meets the tests for a variance – the use itself is reasonable, the request would not alter the essential character of the locality, granting the variance is not for economic reasons alone, and there are circumstances unique to the property not created by applicant that make it impossible to meet the ordinance lot size standard.

Conditional Use Permit

Staff believes that, if the variance is granted, the use will qualify for a conditional use permit with the following findings:

- The proposed use will contribute to the general welfare of the neighborhood or community by creating a dwelling unit.
- The use will not be detrimental to the health, safety, morals or general welfare of persons residing or working the vicinity of the use or injurious to property values/improvements within the vicinity of the use as the second dwelling unit is located above the garage and maintains the residential character of the existing neighborhood.
- The proposed use, if the variance is approved, complies with Chapter 16 of the City Code.
- Existing infrastructure is adequate to accommodate anticipate traffic generated by the proposed use.
- The use will not impact the natural drainage system and natural topography of the site.
- Adequate measures are included to prevent or control offensive odor, fumes, dust, noise or vibration so that none of these will constitute a nuisance.
- That the proposed use is compatible with prevailing density standards as the R-1 zoning district envisions two family dwellings on larger lots.

Planning Commission Action

The Planning Commission held a public hearing on the application at its February 28, 2023 meeting. The Commission unanimously recommended approval of the variance and the conditional use permit. [see draft minutes from the 2/27/23 PC meeting, which are included with this memo]

If you have any questions, please do not hesitate to contact me at 763-784-6491.



City of Spring Lake Park
 1301 81st Avenue NE
 Spring Lake Park, MN 55432
 763-784-6491 (p) 763-792-7257 (f)
info@slpmn.org

For Office Use Only

Case Number:
 Fee Paid: 450.00
 Received by: RP
 Date Filed: 1/24/23
 Date Complete: 1/24/23
 Base Fee: 150 Escrow: 300

148022

CK# 1029

DEVELOPMENT APPLICATION

TYPE OF APPLICATION (Check All That Apply)		
<input type="checkbox"/> Appeal	<input type="checkbox"/> Site Plan/Building Plan Review	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Conceptual Plan Review	<input type="checkbox"/> Lot Combination
<input type="checkbox"/> Ordinance Amendment (Text)	<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Variance	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Street or Easement Vacation	<input type="checkbox"/> Other _____
PROPERTY INFORMATION		
Street Address: 1409 Osborne Rd NE		
Property Identification Number (PIN#): 01-30-24-43-0200 Current Zoning: R1		
Legal Description (Attach if necessary): N/A		
APPLICANT INFORMATION		
Name: Greg & Colleen Petterson		Business Name: N/A
Address: 1409 Osborne Rd NE		
City: Spring Lake Park	State: MN	Zip Code: 55432
Telephone: 612-616-4817	Fax: N/A	E-mail: RDAmidwest@gmail.com
Contact: Greg Petterson	Title: owner	
OWNER INFORMATION (if different from applicant)		
Name: Greg & Colleen Petterson		Business Name:
Address: Same as above		
City:	State:	Zip Code:
Telephone:	Fax:	E-mail:
Contact:	Title:	
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: Residential dwellings		
Nature of Proposed Use: Residential - rent auxillary dwelling unit		
Reason(s) to Approve Request: Ordinance designates zone R1 for 1 or 2 family dwellings, though two family dwellings require a conditional use permit. A fully separate 2 bedroom apartment was added in 2007.		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name: N/A		Date of Application: 1-24-23
Nature of Request: Conditional use permit for compliance with ordinance		
NOTE: Applications only accepted with ALL required support documents. See City Code		

**City of Spring Lake Park
Conditional Use Permit Worksheet**

A conditional use permit cannot be approved unless the Planning and Zoning Commission and the City Council make certain findings and recommendations. Please provide a response on how/why your project meets the below stated criteria. Use additional sheets if necessary. If some items are not applicable for your project, write N/A. Contact the Zoning Administrator with any questions.

1. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community. *The 2 bedroom apartment addition above the garage (2007) provides a rare and desirable alternative to conventional apartment building residences, including a fenced backyard, heated garage stall, in unit laundry, and a quiet and peaceful setting.*
2. That the use will not be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity of the use or injurious to property values/improvements within the vicinity of the use. *The apartment is used solely for the purpose of a residence and is located within a single family home and between single family homes (R1) on the east and a townhouse development (R3) on the west.*
3. That the proposed use will comply with the regulations specified in Chapter 153 of the Zoning Code. *We still reside in the home and rent only the apartment. Should we cease to homestead, we understand there are more stringent rules in section 16 regarding defined "Rental Properties" where the property owner does not reside in the building and it is therefore*
4. That the proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity. *non-homesteaded. The use is exactly the same as all other residences in the community at large and the local neighborhood, primarily residential. The west end of our block includes 3 commercial buildings a couple duplexes.*

5. That the use will not lower property values or impact scenic views in the surrounding area. _____

The apartment is fully contained within the homesteaded residence. It has been physically in place since early 2007.

6. That existing utilities, streets, highways and proposed access roads will be adequate to accommodate anticipated traffic. _____

The property is located on Anoka County Road 108, Osboene Road. The roads and utilities are more than adequate.

7. That the use includes adequate protection for the natural drainage system and natural topography. _____

The topography is unchanged since original construction of the home in 1992.

8. That the proposed use includes adequate measures to prevent or control offensive odor, fumes, dust, noise or vibration so that none of these will constitute a nuisance. _____

The use is strictly residential.

9. That the proposed use will not stimulate growth incompatible with prevailing density standards. _____

This is simply a two bedroom apartment above the garage that is auxillary to the original house via a stairway and connecting vestibule, with dead bolt locking doors from each side.

**City of Spring Lake Park
Variance Supplemental Application**

A variance cannot be approved unless the Planning Commission and City Council find that the "practical difficulties" standard has been met. Please provide a response as to how/why your project will meet the following criteria. Use additional sheets if necessary and consult with the Zoning Administrator if you need clarification on the intent of any of the standards set below.

1. Applicant Information:

Name: Greg + Colleen Pettersen

Telephone: N/A

Address: 1409 Osborne Rd NE

Cell Phone: 612-616-4817

City/State/Zip: SLP, Mn 55432

E-mail: RDAmidwest@gmail.com

2. Property Owner Information (if different from above):

Name: Same as above

Telephone: _____

Address: _____

Cell Phone: _____

City/State/Zip: _____

E-mail: _____

3. Project Location (Address and Legal Description): 1409 Osborne Rd NE 01-30-24-43-0200

4. Present Use of Property: Residential, Single Family with Accessory Dwelling Unit.

5. Description of Project: Variance request of minimum lot size for two families.

6. Specify Section of the Ordinance from which variance is sought: _____

SLPC 16.64.050 (A)(1)

7. Explain how you wish to vary from the applicable provisions of this Ordinance: Wish to rent a Bedroom Apt. Accessory Dwelling Unit that is built above 3+ car garage. Total "lot" is 738' short of Code, but ADU uses zero additional lot space.

8. Please attach a site plan or accurate survey as may be required by Ordinance.

9. Practical Difficulties Test: Please answer the following questions as they relate to your specific variance request.

a. In your opinion, is the variance in harmony with the purposes and intent of the Ordinance?

Yes No Why or why not?

The variance does not result in using more space than the original single family dwelling.

b. In your opinion, is the variance consistent with the Comprehensive Plan?

Yes No Why or why not?

It expands the range of housing types within the city and provides a case study or example Accessory Dwelling Unit consistent with the Comprehensive Plan goal regarding ADUs in residential neighborhoods.

c. In your opinion, does the proposal put property to use in a reasonable manner?

Yes No Why or why not?

It provides a Accessory Dwelling Unit without increasing the footprint of non-pervious structure, preserving all previous green space.

d. In your opinion, are there circumstances unique to the property? (physical characteristics of the property – i.e. sloping topography or other natural features like wetlands or trees)?

Yes No Why or why not?

When originally platted, Osborne Road had wide, shallow ditches and the lot was only accessible by means of a driveway right of way along the North Border. The South border was along the north side of the shallow ditch. Osborne Road has been redesigned with gutters, curbs & storm drains - no ditches. There is now about 15' of space between the boundary & pedestrian path.

e. In your opinion, will the variance maintain the essential character of the locality?

Yes No Why or why not?

The Variance has no negative impact on the neighborhood. The addition of the ADU has enhanced the curb appeal of the dwelling, the appearance of the neighborhood, and increased the property value (and tax generation).

(1500 sq. ft more)

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant Signature:

Greg & Colleen Petterson

Date:

7 Feb 2023

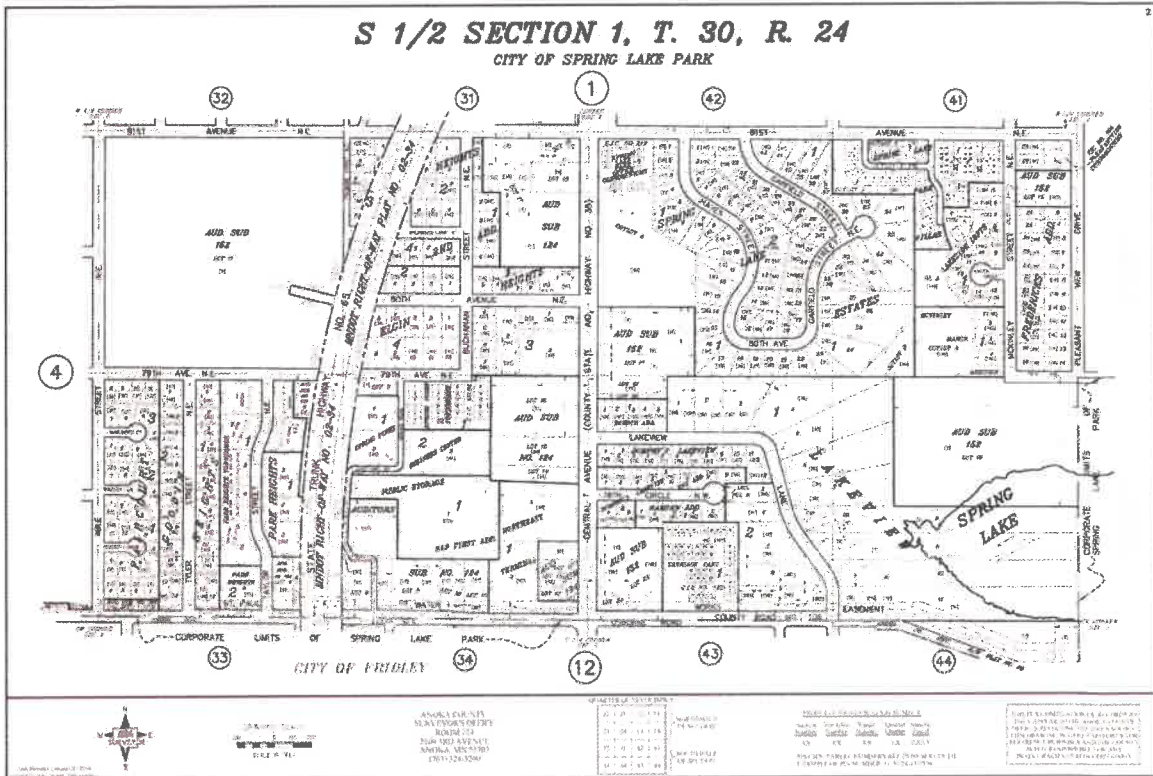
Fee Owner's (Property Owner) Signature:

Colleen Petterson

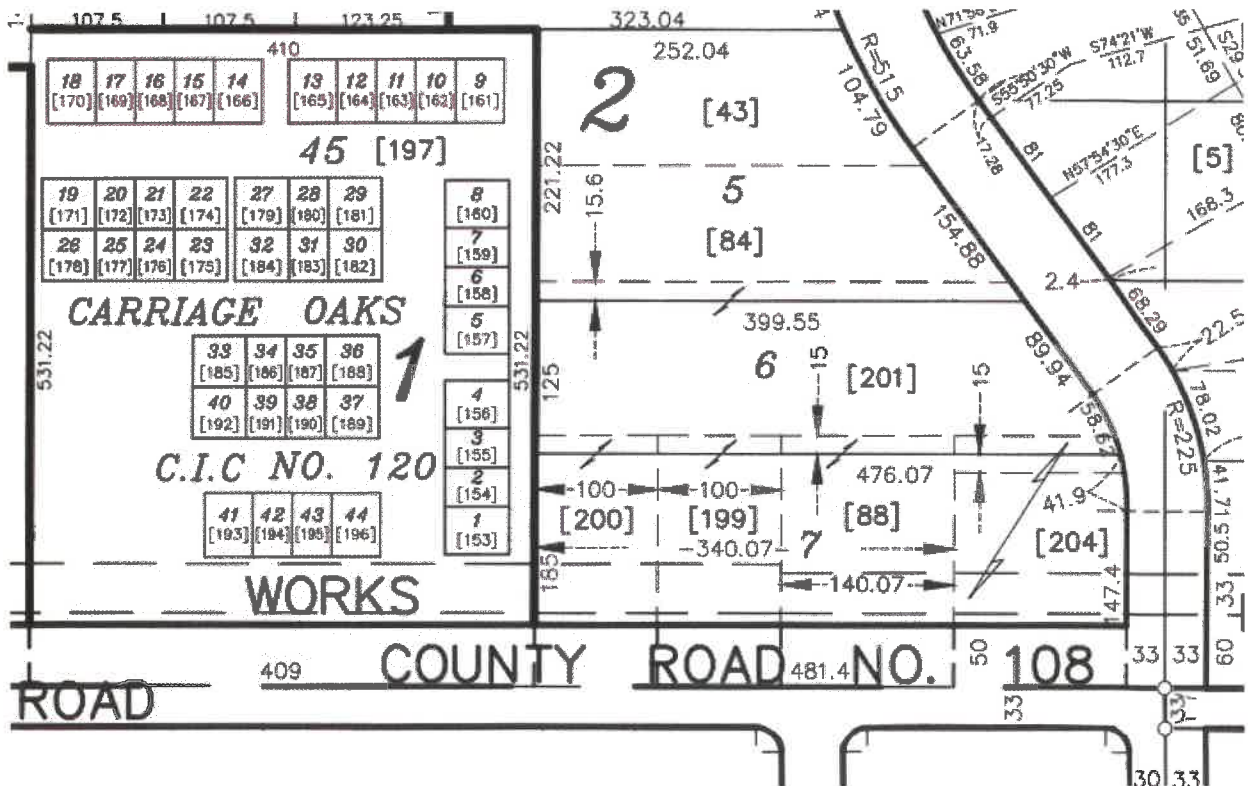
Date:

7 Feb 2023

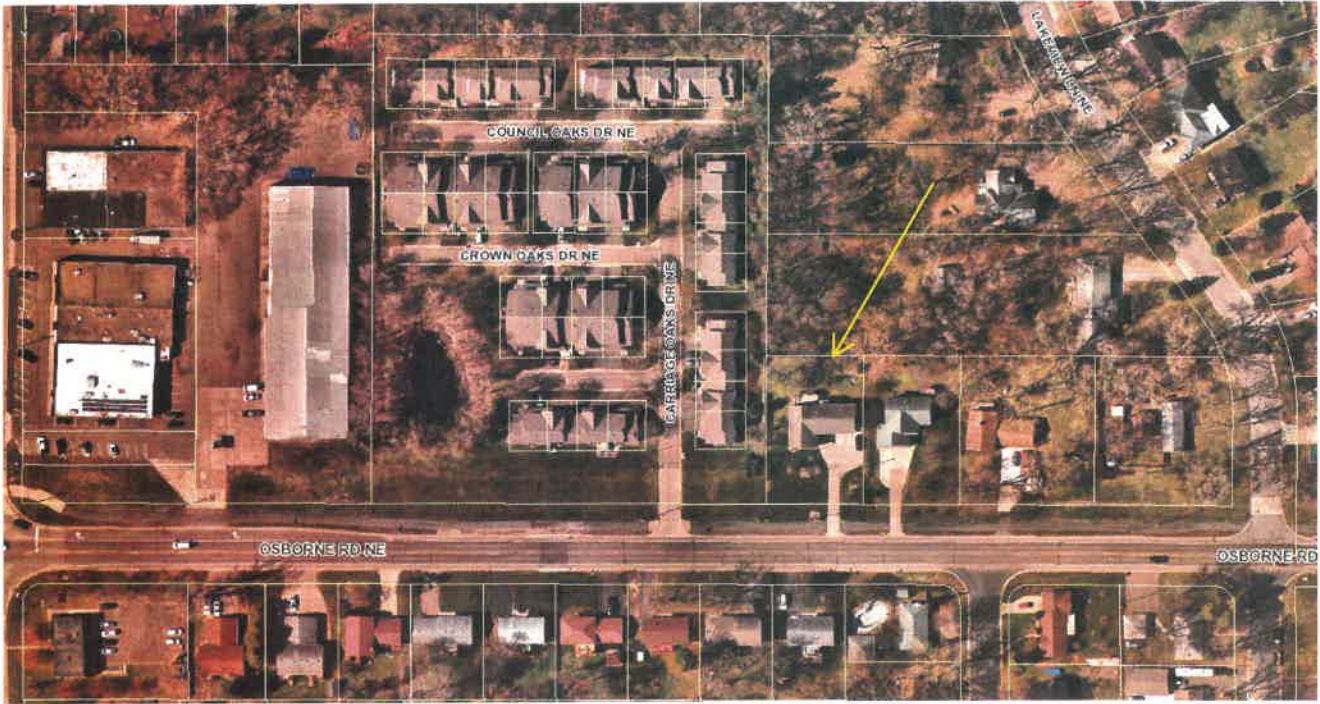
Supplementary Information for Variance Application
 1409 Osborne Road NE
 Greg & Colleen Pettersen



Spring Lake Park



Zoomed Half Section Plat of Spring Lake Park



Anoka County GIS Plat

Measurement

Acres

Measurement Result

0.35 Acres

Clear

Press CTRL to enable snapping

Parcel Layer: 1409 OSBORNE RD NE

Tax Link
 Property ID: 01-30-24-43-0200
 Address: 1409 OSBORNE RD NE
 City: SPRING LAKE PARK
 State: MN
 Zip Code: 55432
 Plat Name: LAKEVIEW
 Estimated Acres: 0.35
 Commissioner: JULIE JEPPSON
 Watershed District: RICE CREEK WSD
 School District: 16
 Elementary Attendance Area: PARK TERRACE ELEMENTARY
 Middle School Attendance Area: WESTWOOD MIDDLE SCHOOL
 High School Attendance Area: SPRING LAKE PARK HIGH SCHOOL
 Owner: PETERSEN COLLEEN R
 Owner Address: 1409 OSBORNE RD NE
 Owner City: SPRING LAKE PARK
 Zoom to

GIS Measuring tool and County records indicate .35 Acre Lot Size.
 1 acre = 43,560 square feet. 43,560 X .35 = 15,246 sq ft.



County Data including size.



South lot boundary line is 17' from pedestrian path, 30' from curb. This distance was platted at the time Osborne Road had shallow ditches & no curbs. The greater distance was required to facilitate ditches that were capable of holding sufficient runoff while avoiding dangerous ditch depths. The ditches no longer exist subsequent to redesign and reconstruction of the county road with storm drains, curbs & gutters.

Other lots in Spring Lake Park have setbacks
Much closer to sidewalks and the curb line:

Measurement
Foot (US)
Measurement Result
8.33 Feet (US)
Clear

Parcel Layer: 1101 81ST AVE NE
Tax Link
Property ID: 01-30-24-23-0056
Address: 1101 81ST AVE NE
City: SPRING LAKE PARK
State: MN
Zip Code: 55432
Plat Name: FAIRVIEW COURT
Estimated Acres: 0.45
Commissioner: JULIE JEPSON
Watershed Dist: COON CREEK WSD
School District: 16
Elementary Attendance Area: PARK TERRACE ELEMENTARY
Middle School Attendance Area: WESTWOOD MIDDLE SCHOOL
High School Attendance Area: SPRING LAKE PARK HIGH SCHOOL
Owner: KELLY LESLIE D
Owner Address: 1101 81ST AVE NE
Owner City: SPRING LAKE PARK
Zoom In

Measurement
Foot (US)
Measurement Result
14.1 Feet (US)
Clear

Parcel Layer: 1240 80TH AVE NE
Tax Link
Property ID: 01-30-24-31-0022
Address: 1240 80TH AVE NE
City: SPRING LAKE PARK
State: MN
Zip Code: 55432
Plat Name: BLOOM HIGHTS
Estimated Acres: 0.40
Commissioner: JULIE JEPSON
Watershed Dist: RICE CREEK WSD
School District: 16
Elementary Attendance Area: PARK TERRACE ELEMENTARY
Middle School Attendance Area: WESTWOOD MIDDLE SCHOOL
High School Attendance Area: SPRING LAKE PARK HIGH SCHOOL
Owner: DOONNELL ANN
Owner Address: 1240 80TH AVE NE
Owner City: SPRING LAKE PARK
Zoom In

Measurement
Foot (US)
Measurement Result
12.5 Feet (US)
Clear

Parcel Layer: 8080 HAYES ST NE
Tax Link
Property ID: 01-30-24-42-0046
Address: 8080 HAYES ST NE
City: SPRING LAKE PARK
State: MN
Zip Code: 55432
Plat Name: SPRING LAKE STATES
Estimated Acres: 0.22
Commissioner: JULIE JEPSON
Watershed Dist: RICE CREEK WSD
School District: 16
Elementary Attendance Area: PARK TERRACE ELEMENTARY
Middle School Attendance Area: WESTWOOD MIDDLE SCHOOL
High School Attendance Area: SPRING LAKE PARK HIGH SCHOOL
Owner: STIMPEL RICHARD
Owner Address: 8080 HAYES ST NE
Owner City: SPRING LAKE PARK
Zoom In

Measurement
Foot (US)
Measurement Result
15.1 Feet (US)
Clear

Parcel Layer: 8155 HIGHWAY 65 NE
Tax Link
Property ID: 01-30-24-24-0048
Address: 8155 HIGHWAY 65 NE
City: SPRING LAKE PARK
State: MN
Zip Code: 55432
Plat Name: SPRING LAKE PARK HWY VEE
Estimated Acres: 0.41
Commissioner: JULIE JEPSON
Watershed Dist: RICE CREEK WSD
School District: 16
Elementary Attendance Area: PARK TERRACE ELEMENTARY
Middle School Attendance Area: WESTWOOD MIDDLE SCHOOL
High School Attendance Area: SPRING LAKE PARK HIGH SCHOOL
Owner: ESSENTIAL RE LEASE PORTFOLIO DIST
Owner Address: 8820 WESTOWN PKWY
Owner City: SPRING LAKE PARK
Zoom In

CERTIFICATE OF SURVEY

FOR: PREFERRED BUILDERS

PROPOSED ELEVATIONS:

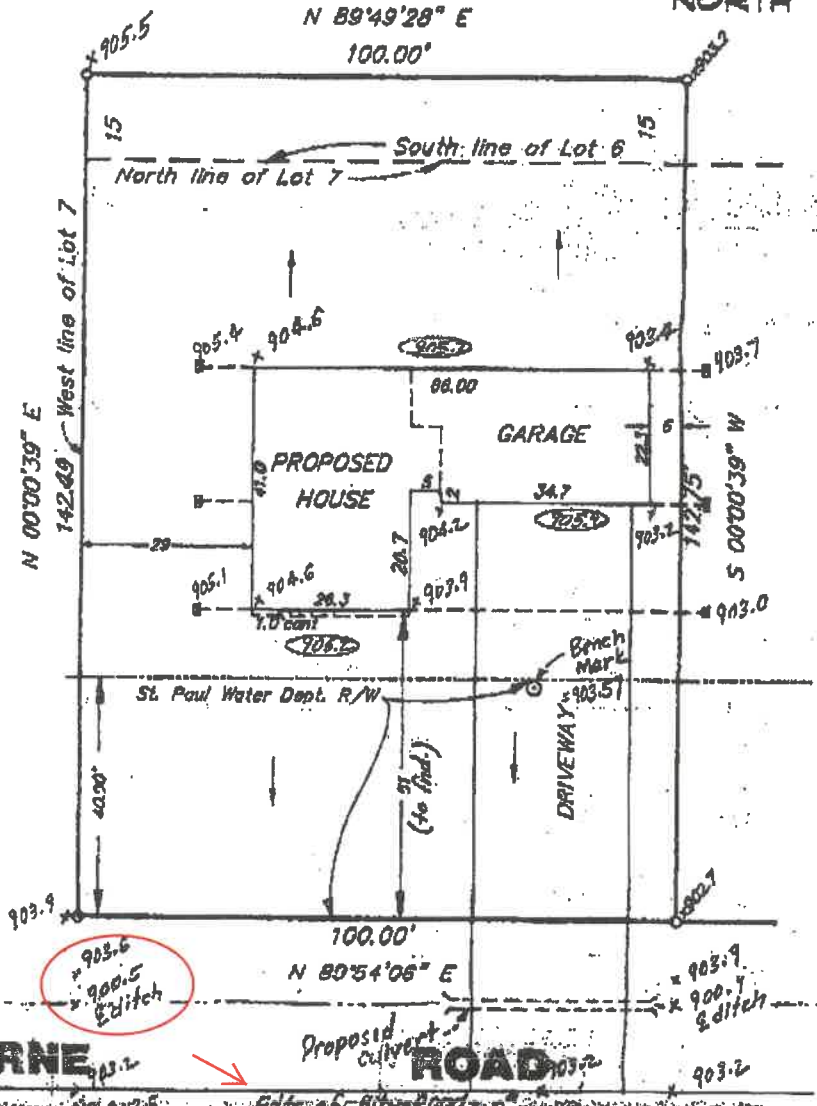
- GARAGE FLOOR = 905.5
- TOP OF BLOCK = 905.9
- LOWEST FLOOR = 902.7 (5cs)

- ⊕ DENOTES WOOD HUB AT 11 FOOT OFFSET.
- 023 DENOTES PROPOSED ELEVATION.
- DENOTES DIRECTION OF DRAINAGE.
- BEARINGS ARE ASSUMED
- 023 DENOTES EXISTING ELEVATION.

Bench Mark: Top of Sanitary Sewer Manhole 25'± west of east property line & 98'± north of Centerline of Osborne Road.
Rim Elev. = 903.57

1409 Osborne Rd
Spring Lake Park

City
File Copy



The west 100 feet of the south 15.0 feet of Lot 6, together with the west 100 feet of Lot 7, all in Block 2, LAKEVIEW, Anoka County, Minnesota.
Subject to the rights of the Saint Paul Water Department in the south 40 feet of said Lot 7.

Diag.: 82x41 = 37.08 ✓

Scale 1" = 30'	⊙ Denotes Iron	Bearings shown are on an assumed datum.	Job No. 2222	Book	Pa.
I hereby certify that this is a true and correct representation of survey of the boundaries of, the above described land and of the location of all buildings, if any, thereon, and all visible encroachments, any, from or on said land.			E. G. RUD & SONS, INC		
E. G. RUD & SONS, INC.			LAND SURVEYORS		
By: [Signature]			3120 LEXINGTON AVE. NO.		
dated this 3 rd day of Sept. 1992			CIRCLE PINES, MINNESOTA		
Minnesota Reg. No. 9218			55014-3625 TEL 766-5556		

CERTIFICATE OF SURVEY

FOR: PREFERRED BUILDERS

PROPOSED ELEVATIONS:

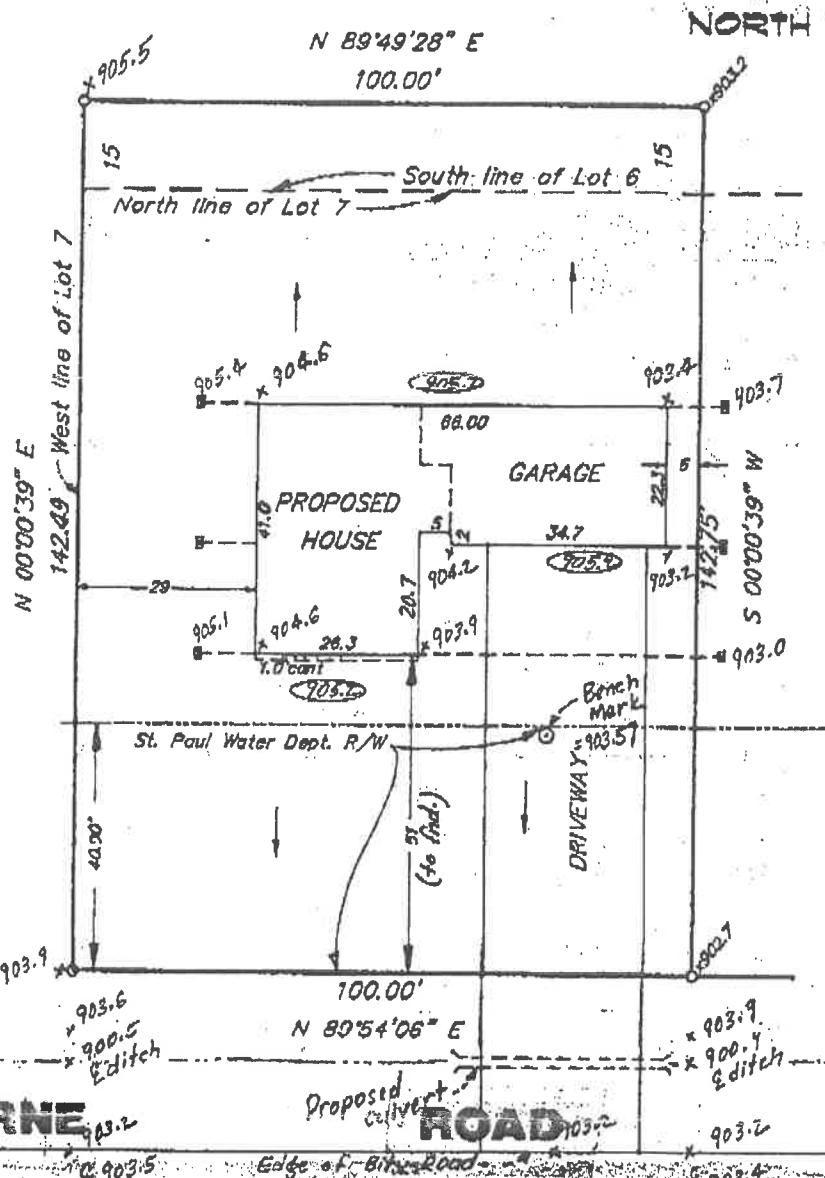
- GARAGE FLOOR = 905.5
- TOP OF BLOCK = 905.9
- LOWEST FLOOR = 902.7 (5cs)

- DENOTES WOOD HUB AT 11 FOOT OFFSET.
- 23 DENOTES PROPOSED ELEVATION.
- ↗ DENOTES DIRECTION OF DRAINAGE.
- BEARINGS ARE ASSUMED
- 23 DENOTES EXISTING ELEVATION.

Bench Mark: Top of Sanitary Sewer Manhole 25'± west of east property line & 98'± north of Centerline of Osborne Road.
Rim Elev. = 903.57

1409 Osborne Rd
Spring Lake Park

City
File Copy



OSBORNE ROAD

The west 100 feet of the south 15.0 feet of Lot 6, together with the west 100 feet of Lot 7, all in Block 2, LAKEVIEW, Anoka County, Minnesota.

Subject to the rights of the Saint Paul Water Department in the south 40 feet of said Lot 7.

Diag.: 88x41 = 97.08 ✓

Scale 1" = 30' ○ Denotes Iron Bearings shown are on an assumed datum. Job No. 99200 Book Pg.

I hereby certify that this is a true and correct representation of survey of the boundaries of the above described land and of the location of all buildings, if any, thereon, and all visible encroachments, any, from or on said land.

E. G. RUD & SONS, INC.

By: *E. G. Rud*
Minnesota Reg. No. 9920

E. G. RUD & SONS, INC.
LAND SURVEYORS
9120 LEXINGTON AVE. NO.
CIRCLE PINES, MINNESOTA
55014-3625 TEL. 786-5556

dated this 3rd day of Sept. 1992

Greg & Colleen Pettersen
1409 Osborne Road NE
Variance Request & Conditional Use Permit
Auxiliary Dwelling Unit



OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on February 27, 2023, at the City Hall, at 7:00 PM

1. CALL TO ORDER

Chair Hansen called the meeting to order at 7:00 PM.

2. ROLL CALL

MEMBERS PRESENT

Chair Hans Hansen
Commissioner Rick Cobbs
Commissioner Eric Julien
Commissioner Brad Delfs
Commissioner Sharon Weighous

MEMBERS ABSENT

Commissioner Kelsey Hollihan

STAFF PRESENT

Building Official Jeff Baker, Administrator Daniel Buchholtz

OTHERS PRESENT

Greg & Colleen Pettersen, 1409 Osborne Road NE
Shari Wilson, 1436 Osborne Road NE, Fridley

3. PLEDGE OF ALLEGIANCE

4. ELECT OFFICERS

A. Chair

Motion made by Commissioner Cobbs, seconded by Commissioner Julien, to elect Commissioner Hansen as Chair for 2023.

Voting Yea: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien. Abstain: Chairperson Hansen. Motion carried.

B. Vice Chair

Motion made by Commissioner Julien, seconded by Commissioner Cobbs, to elect Commissioner Delfs as Vice Chair for 2023.

Voting Yea: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

5. APPROVAL OF MINUTES

A. Approval of Minutes – November 28, 2022 Meeting

Motion made by Commissioner Cobbs, seconded by Commissioner Julien, to approve the minutes from the November 28, 2022 Planning Commission meeting.

Voting Yea: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

6. PUBLIC HEARING

A. Variance and Conditional Use Permit Applications for 1409 Osborne Road NE

Administrator Buchholtz stated that the City received an application from Greg and Colleen Pettersen, 1409 Osborne Road NE, for a variance and conditional use permit that would permit a 2-family dwelling at the property. The application would allow the property owner to rent a fully separate two-bedroom apartment located above their garage.

Administrator Buchholtz said that the applicant is seeking a variance from the requirement that a parcel has 7,500 square feet for each dwelling (15,000 square feet total), as set forth in Spring Lake Park Code 16.64.050 (A)(1). He noted that if the variance is granted, Mr. & Mrs. Pettersen are seeking a conditional use permit to allow a two-family dwelling on the property.

Administrator Buchholtz stated that the area is guided Low Density Residential in the 2040 Comprehensive Plan. He said the property is zoned R-1, Single Family Residential, which allows single family homes, as well as two family dwellings by conditional use permit.

Administrator Buchholtz gave an overview of the City of Spring Lake Park's zoning code Section 16.60.040 for considering variances:

“The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan. “Practical difficulties” as used in connection with granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of

the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved.”

Administrator Buchholtz noted that Section § 16.56.030, F of the zoning code outlines the findings required prior to issuance of a conditional use permit:

1. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;
2. The use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity;
3. The proposed use will comply with the regulations specified in this title for the district in which the proposed use is to be located;
4. The use is one of the conditional uses specifically listed for the district in which it is to be located;
5. The proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity;
6. The use will not lower property values or impact scenic views in the surrounding area;
7. Existing streets and highways and proposed access roads will be adequate to accommodate anticipated traffic;
8. Sufficient off-street parking and loading space will be provided to serve the proposed use;
9. The use includes adequate protection for the natural drainage system and natural topography;
10. The proposed use includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance; and
11. The proposed use will not stimulate growth incompatible with prevailing density standards.

Administrator Buchholtz noted that staff believes the applicant has shown that the proposed use would be reasonable and would not alter the essential character of the location. He stated that the applicants request meets the tests for a variance – the use itself is reasonable, the request would not alter the essential character of the locality, granting the variance is not for economic reasons alone, and there are circumstances unique to the property not created by applicant that make it impossible to meet the ordinance lot size standard.

Administrator Buchholtz stated that If the Commission grants the variance, staff believes the use will qualify for a conditional use permit with the following findings:

- The proposed use will contribute to the general welfare of the neighborhood or community by creating a dwelling unit.

- The use will not be detrimental to the health, safety, morals or general welfare of persons residing or working the vicinity of the use or injurious to property values/improvements within the vicinity of the use as the second dwelling unit is located above the garage and maintains the residential character of the existing neighborhood.
- If the variance is approved, the proposed use complies with Chapter 16 of the City Code.
- Existing infrastructure is adequate to accommodate anticipate traffic generated by the proposed use.
- The use will not impact the natural drainage system and natural topography of the site.
- Adequate measures are included to prevent or control offensive odor, fumes, dust, noise or vibration so that none of these will constitute a nuisance.
- That the proposed use is compatible with prevailing density standards as the R-1 zoning district

Administrator Buchholtz reported that staff recommends approval of the variance and the conditional use permit application.

Greg Pettersen, the applicant gave an overview of what the issue is for his properties lot size. He mentioned the original depth of the ditches and were the boundaries were placed back in the 40's. He gave an overview of the current apartment unit and its amenities.

Commissioner Delfs inquired of the applicant if he had been renting the unit prior to getting a license. Mr. Pettersen answered in the affirmative. He stated that he called the City to see if one was need and was informed that as long as it was homestead he did not need a rental license. Commissioner Delfs asked if the variance and the CUP are tied to the rental permit.

Building Official Baker noted that the variance and the CUP would be sent to Anoka County as a two-family dwelling. Once the County gets the paperwork the property would be classified as a duplex.

Commissioner Weighous inquired if the renters had separate utilities. Mr. Pettersen said that the rent included the utilities.

Commissioner Hansen asked if the variance and the CUP were separate. Administrator Buchholtz stated that both applications were tied to the land. He informed the Commission that if the Conditional Use Permit is not used for a year it expires.

Chair Hansen opened the public hearing at 7:37 PM.

Shari Wilson, 1436 Osborne Road NE, stated that she was in support of the application and that the Pettersens, were good neighbors and all the renters have been polite.

Chair Hansen closed the public hearing at 7:39 PM.

Motion made by Commissioner Cobbs, seconded by Commissioner Julien to recommend the variance for 1409 Osborne Road NE.

Voting Yea: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

Motion made by Commissioner Julien, seconded by Commissioner Weighous to recommend the Conditional Use Permit for 1409 Osborne Road NE.

Voting Yea: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

7. OTHER

Administrator Buchholtz gave an overview of the City Hall Renovation and Expansion Project.

8. ADJOURN

Motion made by Commissioner Julien, seconded by Commissioner Weighous to adjourn.

Voting Yea: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

Meeting adjourned at 7:44 PM.

RESOLUTION NO. 2023-11

RESOLUTION GRANTING APPROVAL OF CONDITIONAL USE PERMIT TO PERMIT A TWO-FAMILY DWELLING IN THE R-1 ZONING DISTRICT AT 1409 OSBORNE ROAD NE

WHEREAS, Greg and Colleen Pettersen (the “Applicant”) submitted an application for approval of a conditional use permit to permit a two family dwelling at 1409 Osborne Road NE; and

WHEREAS, the legal description for the conditional use permit is as follows:

The west 100 feet of the south 15.0 feet of Lot 6, together with the west 100 feet of Lot 7, all in Block 2, LAKEVIEW, Anoka County, Minnesota.

Subject to the rights of the St. Paul Water Department in the south 40 feet of said Lot 7; and

WHEREAS, the Planning Commission considered the Applicant’s request at a duly noticed Public Hearing which took place on February 27, 2023; and

WHEREAS, the Planning Commission recommended approval of the application to the City Council; and

WHEREAS, the City Council considered the application at its March 6, 2023 meeting and has made the following findings in support of approval of the conditional use permit application:

1. The City has standards for review of conditional uses to review and regulate potential impacts to surrounding properties and public roadways.
2. The two family dwelling will provide a unique and desirable dwelling unit within the city.
3. The two family dwelling unit will not create any nuisances such as odor, fumes, dust, noise, or vibration.
4. The two family dwelling unit will not be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity as the second unit above the garage provides a way to maintain the main house as a owner-occupied unit.
5. The use as conditioned with this approval meets the criteria for approving a Conditional Use Permit in SLPC 16.56.030(E)(1).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park that the City Council does hereby approve the application made by Greg and Colleen Pettersen for a conditional use permit to permit a two family dwelling at 1409 Osborne Road NE, subject to the following conditions:

1. Applicant must apply for and receive a rental license for the second dwelling unit in compliance with SLPC 12.16.

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 6th day of March, 2023.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator



City of Spring Lake Park
Engineer's Project Status Report

To: Council Members and Staff
From: Phil Gravel

Re: **Status Report for 03.06.23 Meeting**
File No.: R-18GEN

Note: Updated information is shown in *italics*.

2023 MS4 Permit and SWPPP Update (193805251). Annual Report is due by June 30th. The Annual Public Meeting can be held in June. Pond, structural BMP, and outfall inspections due by July 31st. Program analysis and annual training is due in December. *MPCA is completing a review of the city's 2022 information.*

2021 Sewer Lining Project (193805204). This project included lining in the general area between Terrace and Monroe and south of 81st Avenue. Terry Randall is watching this project. Lining work has been completed. Contractor is Visu-Sewer. *Grout work has been completed. Contractor payment will be processed at March 20th meeting.*

2023 Sewer Lining Project (193805871). Terry Randall has received preliminary televising reports of the remaining sanitary sewers in the city that need to be lined (approximately 36,000-feet). Plans and specs were ordered on 9-6-22. *Bidding will occur this spring.*

City Hall Building (193805580 and 193806049). The Design Phase for a possible city hall remodel project started in January 2023. The schedule calls for obtaining construction bids in late 2023. A kick-off meeting was held on January 26, 2023. Meeting with staff held on February 7th.

2022-2023 City of Mounds View Street Project (trail in Spring Lake Park along Co. Rd 10): SAP 183-020-009 (193805303). Spring Lake Park's portion of this project is a segment of bituminous trail along the south side of Co. Rd. 10 east of Sprig Lake Road to the east city limits (without lighting). *Highway 10 trail construction will occur in 2023. Spring Lake Park needs to consider pavement markings on Spring Lake Rd., Hillview Rd., and Pleasant View Dr.*

2024 Sanburnol Drive and Elm Drive NE (19380_____). Sanburnol Drive was last reconstructed in 1998. The roadway surface is deteriorating and is in need of rehabilitation. Sanburnol Drive is a shared road between the cities of Spring Lake Park and Blaine. This project will be lead by Spring Lake Park but it will be a cooperative project between Blaine and Spring Lake Park. *Currently working with Blaine to arrange geotechnical borings.*

Take 5 Express Car Wash (8301 Univ. Ave. NE): Revised plans dated 8-24-22 have been submitted that include a sidewalk on 83rd Ave and the tree removal as recommended in the traffic study. *A site inspection will be completed this spring.*

Suite Living Spring Lake Park (Hampton Cos. project at 525 Osborne). *A site work and landscaping inspection needs to be completed in 2023. The remaining financial surety will be held until a final inspection (including landscaping) and CCWD sign off in 2023.*

Please contact Phil Carlson, Peter Allen, Bruce Paulson, or me if you have questions or require additional information.

CORRESPONDENCE

Local Market Update – January 2023

A RESEARCH TOOL PROVIDED BY THE SAINT PAUL AREA ASSOCIATION OF REALTORS®



- 40.0%

Change in
New Listings

- 75.0%

Change in
Closed Sales

- 6.6%

Change in
Median Sales Price

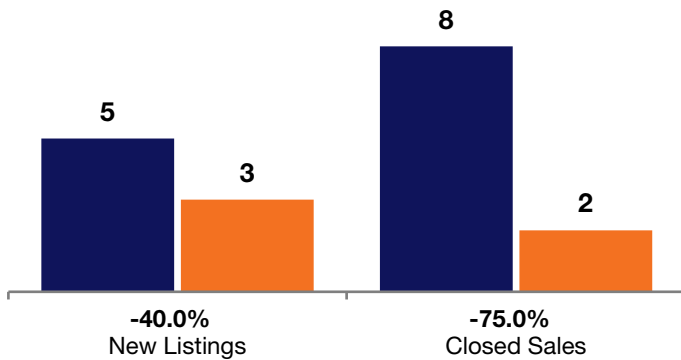
Spring Lake Park

	January			Year to Date		
	2022	2023	+ / -	2022	2023	+ / -
New Listings	5	3	-40.0%	5	3	-40.0%
Closed Sales	8	2	-75.0%	8	2	-75.0%
Median Sales Price*	\$301,000	\$281,000	-6.6%	\$301,000	\$281,000	-6.6%
Average Sales Price*	\$296,801	\$281,000	-5.3%	\$296,801	\$281,000	-5.3%
Price Per Square Foot*	\$188	\$191	+ 1.9%	\$188	\$191	+ 1.9%
Percent of Original List Price Received*	102.3%	99.0%	-3.2%	102.3%	99.0%	-3.2%
Days on Market Until Sale	54	19	-64.8%	54	19	-64.8%
Inventory of Homes for Sale	4	4	0.0%	--	--	--
Months Supply of Inventory	0.4	0.5	+ 25.0%	--	--	--

* Does not account for seller concessions. | Activity for one month can sometimes look extreme due to small sample size.

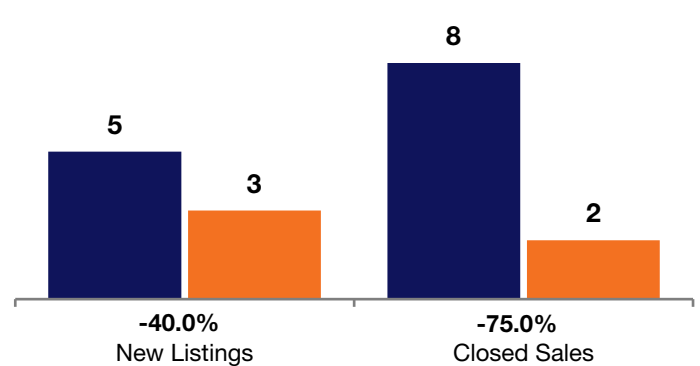
January

■ 2022 ■ 2023



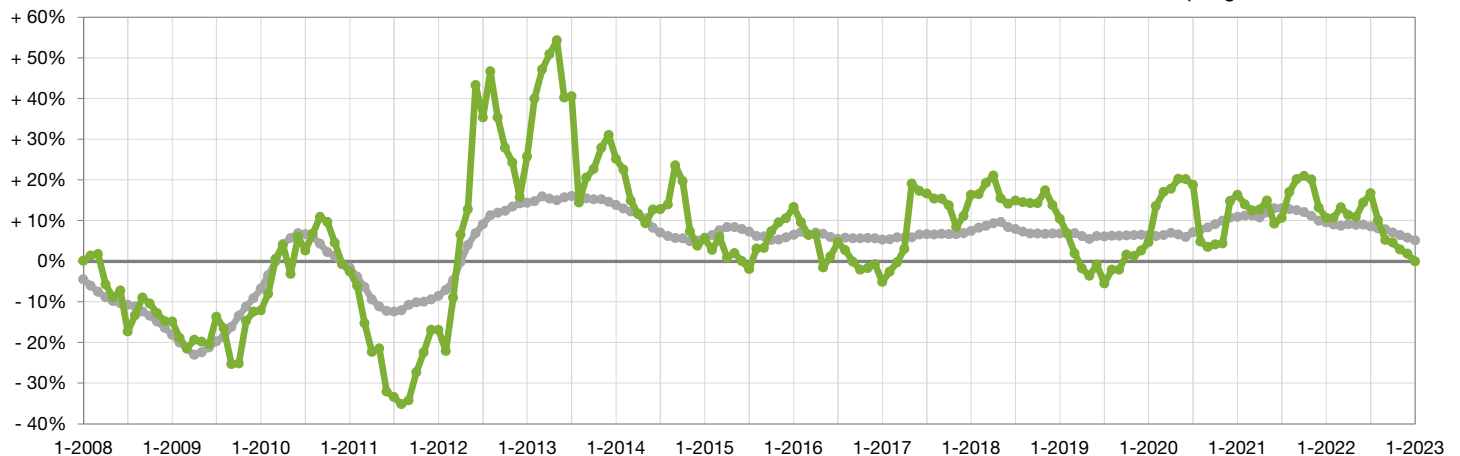
Year to Date

■ 2022 ■ 2023



Change in Median Sales Price from Prior Year (6-Month Average)**

16-County Twin Cities Region —
Spring Lake Park —



** Each dot represents the change in median sales price from the prior year using a 6-month weighted average. This means that each of the 6 months used in a dot are proportioned according to their share of sales during that period.

PWSID: 1020029 Program Code: HC Type: B
System Name: Spring Lake Park
City: Spring Lake Park

Date Received: 10/05/22 11:35 Collector Name: Terry Randall
Rep. Temp. (°C): 15.5 Collector ID: None

MDH Sample Number: 22J0135-01

Location ID: E01 Collect Date: 10/05/22 Field Residual Chlorine Result: .70
Sampling Point: Terrace Park Treatment Plant Collect Time: 08:30 Field Fluoride Result: None
Matrix: Drinking Water Field pH Result: None
Field PO₄ Result: None

Results were produced by the Minnesota Department of Health, except where noted.

Radiochemical Parameters

Analyte	Result	Reporting Limit	Counting Uncertainty	Units	Batch	Prepared	Analyzed	Init.	Method	Qualifiers
Gross Alpha	7.8	3.0	3.1208	pCi/L	B2J1127	10/28/22 15:42	12/06/22 00:00	JJF	EPA 900.0	
Radium-226	1.7	1.0	0.6129	pCi/L	B2K0576	11/07/22 11:54	12/05/22 18:27	SAP	EPA 903.0 Rev 1/ 904.0	
Radium-228	2.4	1.0	0.7806	pCi/L	B2K0576	11/07/22 11:54	12/01/22 18:05	SAP	EPA 903.0 Rev 1/ 904.0	

MDH Sample Number: 22J0135-02

Location ID: E05 Collect Date: 10/05/22 Field Residual Chlorine Result: .70
Sampling Point: Arthur Street Treatment Plant Collect Time: 08:45 Field Fluoride Result: None
Matrix: Drinking Water Field pH Result: None
Field PO₄ Result: None

Results were produced by the Minnesota Department of Health, except where noted.

Radiochemical Parameters

Analyte	Result	Reporting Limit	Counting Uncertainty	Units	Batch	Prepared	Analyzed	Init.	Method	Qualifiers
Gross Alpha	7.8	3.0	3.0861	pCi/L	B2J1127	10/28/22 15:42	12/06/22 00:00	JJF	EPA 900.0	
Radium-226	1.9	1.0	0.6581	pCi/L	B2K0594	11/08/22 08:48	12/01/22 14:24	KAC	EPA 903.0 Rev 1/ 904.0	
Radium-228	2.0	1.0	0.8163	pCi/L	B2K0594	11/08/22 08:48	11/30/22 16:05	KAC	EPA 903.0 Rev 1/ 904.0	

Authorized by:

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Stefan Saravia, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

PWSID: 1020029

Results were produced by Minnesota Department of Health, except where noted.

Batch B2J1127 - Radiochemistry Alpha/Beta Prep

Blank (B2J1127-BLK1) Prepared: 10/28/22 15:42 Analyzed: 12/06/22 00:00

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Gross Alpha	<	3.0	pCi/L							JJF	

LCS (B2J1127-BS1) Prepared: 10/28/22 15:42 Analyzed: 12/06/22 00:00

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Gross Alpha	12.4	3.0	pCi/L	13.92		89	70-130			JJF	

Duplicate (B2J1127-DUP1) Prepared: 10/28/22 15:42 Analyzed: 12/06/22 00:00
Source: 22I2120-18

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Gross Alpha	5.4	3.0	pCi/L		3.8			34	20	JJF	WB

Matrix Spike (B2J1127-MS1) Prepared: 10/28/22 15:42 Analyzed: 12/06/22 00:00
Source: 22I2120-17

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Gross Alpha	21.4	3.0	pCi/L	13.92	6.4	108	70-130			JJF	

Batch B2K0576 - Radiochemistry Ra-226 Ra-228 Prep

Blank (B2K0576-BLK1) Prepared: 11/07/22 11:54 Analyzed: 12/05/22 18:27

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	<	1.0	pCi/L							SAP	
Radium-228	<	1.0	pCi/L							SAP	

LCS (B2K0576-BS1) Prepared: 11/07/22 11:54 Analyzed: 12/01/22 18:05

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	<	1.0	pCi/L				90-110			SAP	
Radium-228	3.9	1.0	pCi/L	3.95		98	80-120			SAP	

FINAL REPORT

Report ID: 12192022145448

Generated: 12/19/2022 2:54:38PM

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Stefan Saravia, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

PWSID: 1020029

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Batch B2K0576 - Radiochemistry Ra-226 Ra-228 Prep

LCS (B2K0576-BS2)

Prepared: 11/07/22 11:54 Analyzed: 12/05/22 18:27

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	4.5	1.0	pCi/L	4.66		97	90-110			SAP	
Radium-228	<	1.0	pCi/L				80-120			SAP	

Duplicate (B2K0576-DUP1)

Source: 22I2275-01

Prepared: 11/07/22 11:54 Analyzed: 12/05/22 18:27

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	1.4	1.0	pCi/L		1.2			12	20	SAP	
Radium-228	1.9	1.0	pCi/L		1.6			22	20	SAP	QT

Matrix Spike (B2K0576-MS1)

Source: 22I2120-24

Prepared: 11/07/22 11:54 Analyzed: 12/01/22 18:05

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	<	1.0	pCi/L		1.9		80-120			SAP	
Radium-228	6.4	1.0	pCi/L	7.90	<	75	70-130			SAP	

Matrix Spike (B2K0576-MS2)

Source: 22I2120-25

Prepared: 11/07/22 11:54 Analyzed: 12/05/22 18:27

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	11.2	1.0	pCi/L	9.32	3.4	84	80-120			SAP	
Radium-228	<	1.0	pCi/L		1.8		70-130			SAP	

Batch B2K0594 - Radiochemistry Ra-226 Ra-228 Prep

Blank (B2K0594-BLK1)

Prepared: 11/08/22 08:48 Analyzed: 12/01/22 14:24

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	<	1.0	pCi/L							KAC	
Radium-228	<	1.0	pCi/L							KAC	

Authorized by:

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Stefan Saravia, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

PWSID: 1020029

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Batch B2K0594 - Radiochemistry Ra-226 Ra-228 Prep

LCS (B2K0594-BS1)

Prepared: 11/08/22 08:48 Analyzed: 11/30/22 16:05

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-228	3.2	1.0	pCi/L	3.95		80	80-120			KAC	

LCS (B2K0594-BS2)

Prepared: 11/08/22 08:48 Analyzed: 12/01/22 14:24

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	4.9	1.0	pCi/L	4.66		105	90-110			KAC	

Duplicate (B2K0594-DUP1)

Source: 22J0233-01

Prepared: 11/08/22 08:48 Analyzed: 12/01/22 14:24

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	1.8	1.0	pCi/L		1.7			5	20	KAC	
Radium-228	1.2	1.0	pCi/L		1.1			9	20	KAC	

Matrix Spike (B2K0594-MS1)

Source: 22J0233-02

Prepared: 11/08/22 08:48 Analyzed: 11/30/22 16:05

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-228	6.9	1.0	pCi/L	7.90	1.2	72	70-130			KAC	

Matrix Spike (B2K0594-MS2)

Source: 22J0320-01

Prepared: 11/08/22 08:48 Analyzed: 12/01/22 14:24

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Radium-226	11.6	1.0	pCi/L	9.32	4.3	78	80-120			KAC	M2

Data Qualifiers and Definitions

- M2 Matrix spike and/or matrix spike duplicate recovery was low; the associated laboratory control sample and/or laboratory control sample duplicate recovery was acceptable.
- QT RPD between sample duplicates not within acceptance limits. Analyte concentration within range for RER comparison and RER within acceptance limits.
- WB Relative percent difference exceeded the laboratory acceptance limit. Result less than 5 times the RL.

FINAL REPORT

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Generated: 12/19/2022 2:54:38PM

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Stefan Saravia, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

PWSID: 1020029

Work Order Comments

Samples were received in proper condition.

Authorized by:

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Stefan Saravia, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

February 22, 2023

Municipal Market Comments

Stay Cautious, but Stay Engaged and Nimble

It seems like *the sentiment pendulum is swinging back to an assertive monetary policy tightening bias with a recalibration of interest rate expectations*, and dare we say, a higher for longer narrative. When the FOMC meets in late March, policymakers are sure to raise the benchmark funds rate, but the die-hard hawks are circling overhead hoping for something stronger than a 25-basis point hike. ***Our view remains in support of 25 basis points against a backdrop of recent data signaling economic resiliency and an underwhelming disinflationary trajectory.***

Starting with the out-sized employment report for January, fresh CPI, retail sales, PPI, and manufacturing prints combined to push Treasury yields higher and alter the investment calculus surrounding inflation, interest rates, liquidity, and future growth performance. ***The question to ask is, will the February bond market sell-off have staying power? This will prove to be a difficult question to answer given all of the moving pieces involved and the fact that no one knows for sure what the proper dose of restrictive policy needs to be in order to accelerate the disinflation process.***

As we were formulating our thought process last Friday, UST securities were catching a bid along most of the curve. We suspect that the quick ascent to higher bond yields, bringing about a return to more tempting entry points, was behind the renewed interest. ***As we have been telegraphing for some time now, greater divergence among the chorus of Fed officials was likely to emerge in 2023, and we are now seeing this dynamic play out.*** Following acknowledgement from two non-voting, yet influential, FOMC participants (Cleveland Fed President Loretta Mester/St. Louis Fed President James Bullard) of their bias toward a 50-basis point hike, another non-voting participant (Richmond Fed President Thomas Barkin), voiced his desire to stay on the 25-basis point track.

At this point, talk of a 50-basis point splurge is largely theatre and there is no need to secure front-row seating. ***While the economy is exhibiting signs of broad-based strength, largely driven by consumer participation, we must be mindful that there are pockets of weakness and bulge bracket corporations***

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 Managing Director, Head of Municipal Research
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continue to announce scheduled layoffs. We are certainly on board with a modest rate increase for next month, and we are not opposed to similar hikes for May and June if circumstances warrant further tightening.

As we returned from the extended holiday weekend, Treasury yields were reverting higher with the 2s/10s inversion modestly wider relative to the beginning of the month and the 10-year benchmark moving to take back 4% while the futures contracts were pointing to a higher terminal rate at the conclusion of the July meeting. ***The simple reality of the present situation is that pinpointing the number of remaining rate hikes and the peak funds target during the current tightening cycle will remain elusive for both the Fed and for the financial markets. For now, it is purely a matter of interpreting the data points along with a host of Fed-speak.*** What we can say with certainty is that we are witnessing an aggressive tightening sequence of historic proportion designed to bring down the highest inflation in forty years that originated from very unique events and circumstances.

The bond market is poised to react to a number of scheduled releases this week, led by the minutes of the last FOMC meeting (1/31-2/1) with follow-up prints on Q4 GDP, and January consumer activity, PCE and new home sales. The PCE deflator brings about particular anxiety as the Fed's preferred inflation barometer is expected to show headline and core inflation accelerating on both a M/M and Y/Y basis. ***The consumer represents the heaviest gauge of economic standing as this most consequential component of GDP can be expected to exhibit more selective and discerning participation, yet we do posit that a resilient consumer will keep a deep and extended recession at bay.***

Given the upsized February data points for January, the FOMC minutes offered a rear-view mirror look into the policy thought process, yet we are interested in the prospects for more insight into the support for higher rate increases and fresh targets for the funds rate. ***The convergence of expectations between the Fed and the bond market is evolving with greater pronouncement and we point out that aside from some elevated Fed-speak to the hawkish side, policymakers are essentially telegraphing the same message while the 10 and 30-year benchmark yields have advanced by 43 and 33 basis points respectively since the beginning of February.***

Contracts are anticipating a terminal rate of 5.34% with the July meeting, versus 4.9% at the beginning of the month. This estimate is subject to adjustments up or down depending upon the data, and such data may give rise to justification for a higher anticipated terminal range of 5.25%-5.5%, visibly higher than the 5.1% median forecast in the Fed's December Summary of Economic Projections. ***The presence of stronger economic prints and protracted inflationary pressure would, in our view, give the Fed cover to extend its tightening cycle and solidify a disinflationary trajectory with a pause not likely prior to the September meeting.***

At the March FOMC meeting, fresh employment, CPI, PPI, and retail sales data for February will be entered into the policy calculus. ***Should there be a repeat of upside surprises, underscored by tighter labor conditions, market expectations may call for a 50-basis point hike in the funds rate, yet we would remain supportive of a smaller move.*** Let's recall that ***over a relatively short 11-month period, the Fed has lifted the benchmark short-term rate from near-zero to its current target range of 4.5%-4.75% (admittedly much of the front-end moves were normalizing policy as opposed to hitting restrictive levels), and that disinflation has yet to be fully exposed to lagging economic characteristics.***

Against this backdrop, ***we acknowledge an eroding political climate in the U.S., particularly given intensifying brinksmanship over the debt ceiling and a fast-approaching Presidential campaign cycle, as well as advancing geopolitical concerns which could have implications for our economy, inflation, and market performance.***

We also have to be mindful that while current economic conditions are yielding limited deference to the Fed's tightening efforts, the appropriate restrictive policy, as elusive as it seems, may occur with a swift and decisive impact. Although disinflationary forces can be characterized as being in their infancy, the data points could shift with little or no warning just as we are presently seeing how sticky inflationary pressure can be.

Furthermore, while we recognize price stability as one of two Fed mandates and believe it to be sacrosanct, we are growing uneasy, realistically, with the 2% target and we have to wonder if in their private policy sessions (outside of FOMC minutes) there is any discussion of having a degree of comfort with a somewhat higher rate, while still credibly preserving the 2% inflation goal. ***From a pure economic health perspective, we believe, and do not mean to pontificate, that an accelerated trajectory down to 2% would likely be accompanied by adverse consequences and so the Fed would be well-advised to pursue a measured pathway while unofficially and non-publicly accepting something higher along the way.***

Given the performance in the Treasury market, municipal bond yields finally moved higher in sympathy and begrudgingly joined the bond market sell-off, catalyzed by an unexpected (somewhat) return to higher interest rate anxiety as the Fed professes to more assertively bring down the inflationary growth rate. ***We are seeing new highs being set year-to-date across Treasury bond yields, led by short tenors, and we are beginning to question our assertion that the 10-year is not likely to breach new highs during the current tightening sequence. We may still be correct, but we have to be nimble and realistic enough to shift expectations as we are presented with fresh data and new realities.***

As mentioned, the UST curve inversion is now modestly wider versus the beginning of February, yet we have been at wider levels throughout the month and we can certainly expect even wider levels over the near-term. The front-end of the muni curve remains inverted, a rare phenomenon for the asset class that seems to have staying power thanks to the Fed's tightening gift that keeps on giving. ***Since the beginning of February, AAA benchmark 10 and 30-year yields have increased by 36 basis points, while the 1 through 5-year tenors saw upward adjustments of between 78 and 54 basis points, taking the brunt of the sell-off to under-perform much of the curve.***

Although munis behaved as expected by out-performing a UST sell-off for much of the MTD, had it not been for constructive technicals and positive flows into muni mutual funds (conditions that brought relative value ratios to very expensive levels), the out-performance gap would have likely been thinner. Given the events of the past week, munis are now reacting more rationally, under-performing in response to the movements made along the Treasury yield curve. ***What the performance Gods giveth in January to Munis, has been taketh away so far in February, and while our call for modest single-digit returns at year-end has not necessarily been derailed, the early-in-the-year deficit (February) was not expected.***

Although Munis are posting a 2.17% loss MTD and earning 64 basis points YTD, they are out-performing UST MTD and YTD losses of 2.58% and 14 basis points respectively. The back-up in rates

has pushed relative value ratios modestly higher with the 10 and 30-year benchmarks standing at 65% and 90% respectively per Refinitiv, versus 60% and 87% about one week ago. **Richer valuations have been evident for shorter tenors, and despite the yield back-up with short ratios moving disproportionately higher, they remain the most expensive. As we alluded to, unique muni technicals could, at times, have distortive effects upon performance and relative value, with muni responsiveness to certain market conditions being less than intuitive.**

We contend that a normalized supply-build could move ratios to more attractive levels, with the 10-year ratio moving closer to fair value and with the 30-year approaching full value. While ratios may be off their lows, they remain expensive relative to historical averages. Ratios can, in part, be viewed as state specific, depending upon unique issuance and overall supply characteristics across the states. We believe that there will be those issuers who are likely to remain tentative, for now, given the Fed/interest rate anxiety, and issuance can be expected to be light during the days leading up to the March FOMC meeting.

As of this writing, limited primary supply is setting the stage for a stronger bid, with the larger deals receiving the most aggressive interest with good pre-sale. Adjustments made in the 1-10-year range have sparked renewed institutional support as munis are now over 60% of Treasuries. Against this backdrop, supply should still build, with sufficient interest, particularly if ratios hold steady or move higher.

Retail interest seems to respond to available flexibility with being able to have greater choice. Lighter reinvestment needs in February coupled with earlier bumps along the curve, likely kept retail on the sidelines awaiting cheaper opportunities. **More recent cuts along the curve and improved relative value have created a more attractive backdrop, yet there is evidence suggesting that even cheaper entry points are desired.**

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February 14, 2023

Spring Lake Park City Council
 c/o Mr. Dan Buchholtz, Administrator
 Spring Lake Park City Hall
 1301 81st Avenue NE
 Spring Lake Park, Minnesota 55432

Dear Council Members:

SUBJECT: Quarterly Results for Radiochemical Monitoring, Spring Lake Park, Anoka County, PWSID 1020029

Enclosed are the results of the most recent radiochemical samples collected from your public water supply in accordance with Minnesota Rules, Chapter 4720 and the Safe Drinking Water Act.

Quarterly monitoring for radiochemicals was being conducted on your water supply to determine if your supply meets the maximum contaminant level (MCL) for gross alpha and/or combined radium 226+228. Your sampling frequency is being reduced at each entry point. Samples will be collected annually by your system. The following is a summary of the results:

Sampling Site: Terrace Park Treatment Plant

Contaminant: **Combined Radium (-226 & -228)**
 MCL: 5.4 pCi/L

<u>Date Collected</u>	<u>ResultsUnits</u>	<u>Sample#</u>	<u>Annual Average</u>	
10/05/2022	4.10	pCi/L	22J0135-01	2.5
07/12/2022	2.50	pCi/L	22G0493-01	2.4
04/27/2022	1.90	pCi/L	22D1547-01	2.6
01/10/2022	1.50	pCi/L	22A0191-01	2.9

Contaminant: **Gross Alpha in Water**
 MCL: 15.4 pCi/L

<u>Date Collected</u>	<u>ResultsUnits</u>	<u>Sample#</u>	<u>Annual Average</u>	
10/05/2022	7.80	pCi/L	22J0135-01	4.5
07/12/2022	3.50	pCi/L	22G0493-01	3.6
04/27/2022	3.40	pCi/L	22D1547-01	4.4
01/10/2022	3.10	pCi/L	22A0191-01	4.3

Sampling Site: Arthur Street Treatment Plant

Contaminant: **Combined Radium (-226 & -228)**

MCL: 5.4 pCi/L

<u>Date Collected</u>	<u>ResultsUnits</u>	<u>Sample#</u>	<u>Annual Average</u>	
10/05/2022	3.90	pCi/L	22J0135-02	3.7
07/12/2022	4.30	pCi/L	22G0493-02	3.6
04/27/2022	2.90	pCi/L	22D1547-02	3.9
01/10/2022	3.80	pCi/L	22A0191-02	4.5

Contaminant: **Gross Alpha in Water**

MCL: 15.4 pCi/L

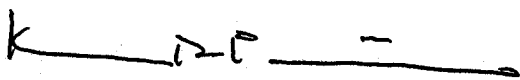
<u>Date Collected</u>	<u>ResultsUnits</u>	<u>Sample#</u>	<u>Annual Average</u>	
10/05/2022	7.80	pCi/L	22J0135-02	2.0
07/12/2022	Not Detected	pCi/L	22G0493-02	1.4
04/27/2022	Not Detected	pCi/L	22D1547-02	3.5
01/10/2022	Not Detected	pCi/L	22A0191-02	5.0

All required radiochemical samples will be collected by your public water supply and submitted to the Minnesota Department of Health (MDH) laboratory for analysis. Sample bottle(s) will be mailed to you with a labform and date that you are scheduled to collect your next sample(s). The results will be reported to you as soon as they become available. We will notify you if any action by your system is required.

Gross alpha and radium 226+228 are naturally occurring contaminants that are found in groundwater throughout central and southern Minnesota. Long-term elevated levels of exposure to these contaminants may result in an increased risk of cancer.

This report should be placed in your records and a copy maintained on or near the water supply premises and available for public inspection for not less than ten (10) years. If you have any questions, please contact Andrew Karp at 651/201-4668, or email at andrew.karp@state.mn.us.

Sincerely,



Karla R. Peterson, P.E., Supervisor
Community Public Water Supply Unit
Environmental Health Division
P.O. Box 64975
St. Paul, Minnesota 55164-0975

KRP:AK

Enclosure

cc: Water Superintendent

Brian A. Noma, MDH St. Paul District Office

Rethinking Council Chambers Design

How the right setup can increase (or decrease) productivity in local government council meetings [PM Magazine, March 2019]

Mar 11, 2019 | PM MAGAZINE - ARTICLE



Adobe Stock

By Scott Lazenby

When I was in graduate school, I served as editor of the school's journal. Donald Stone, a pillar of the public administration scholarly world, contributed an article titled "On the Arrangement of Chairs."

It was only partly tongue-in-cheek; he drew on his 20 years of experience helping organize the executive branch of the national government in showing how the placement of chairs can influence the effectiveness of different kinds of meetings.

Over the past 40 years, I've had several opportunities to be involved in the design or redesign of council chambers. Each time, we faced similar challenges: How can we arrange the room so that the elected officials, staff, and audience can all see each other and also see presentation materials?

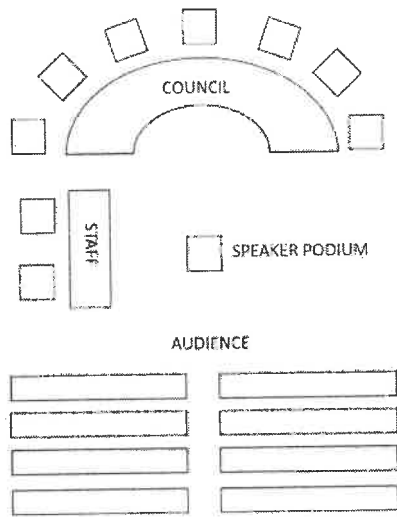
Can we raise the council dais enough so that members of the audience can see the councilmembers, but not so much that the council does not (symbolically) set themselves above their constituents?

A Flawed Concept

I've come to the conclusion that the basic premise of the council chambers design is flawed. The previous paragraph used the word "audience" twice, and you, as reader, probably thought nothing of it.

Webster's defines audience as "a group of listeners or spectators," as in live theater. And in fact, that's typically the way council chambers are designed (see Figure 1, below).

Figure 1. The Basic Layout of Council Chambers

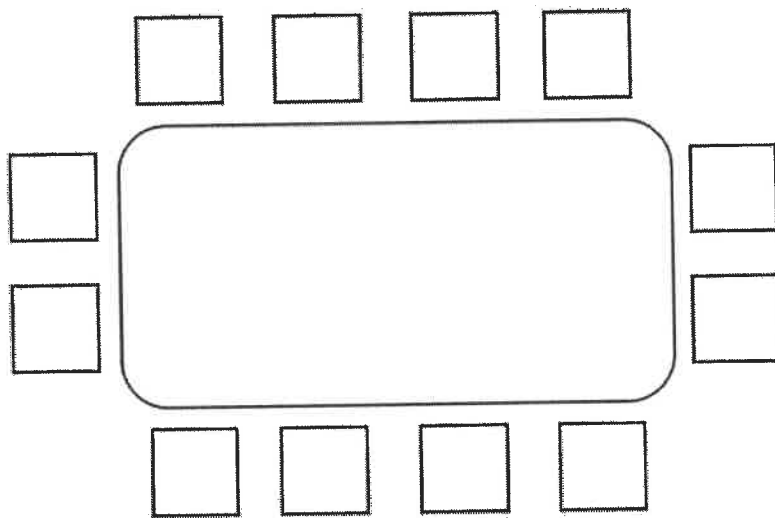


But what is the council's role—to serve as entertainment for an audience or to be a governing board? If it's the latter, why do almost no other governing boards arrange their meeting space the way councils do?

At the national level, members of the legislature face the leadership; the public can observe from a gallery. State governing bodies are typically arranged the same way. In the British parliament, members of opposing parties face each other, with the distance between the opposing benches being two swords' length.

Governing boards of corporations and nonprofits typically organize themselves as shown in Figure 2. In this scheme, key staff (e.g., chief executive officer, chief financial officer) sit at the table with the board members. Support staff and members of the public—if the meeting is open to the public—typically sit in chairs against the walls of the boardroom.

Figure 2. Chair Arrangement of a Private Sector Boardroom



With the exception of city councils and county boards, a majority of the governing boards of the 90,000 local governments in the United States meet this way, too.⁽¹⁾ They are made up primarily of special districts, including rural fire districts or mosquito control boards, and it is rare for them to have much of an audience.

If this is an efficient way for private sector governing boards to conduct their business, why do local government councils use a live theater arrangement? The strongest argument might be that the community is the government closest to the people, and many residents are interested in the work of their elected representatives.

They are more likely to attend a meeting, especially if there is a public hearing on a hot topic and they have an opportunity to actively participate in the meeting.

The traditional arrangement also predates sound systems and video coverage, and we may be stuck with it more out of tradition than logic, in the same way that our modern online council packets can look pretty much the same as they did 80 years ago when everything was produced with a typewriter.

There are, however, arguments against this traditional arrangement:

6. The arrangement would work well for advisory boards, including hearing bodies, as well as for small staff meetings (i.e., comfortable chairs, good technology).

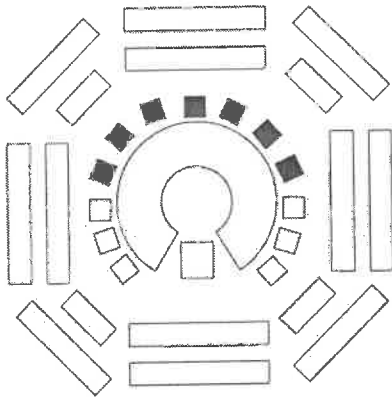
In Lake Oswego, we've experimented with this arrangement, and the councilmembers and staff like it so much we'll make it permanent in our new city hall.

For the community that really dares to be different, there may be an even better arrangement. Oregon State University recently built a new, large classroom building. As much as it wanted to avoid it, the university had to include a 600-seat lecture hall.

Instead of theater seating, where the students in the nosebleed section are far from the professor, they designed it with a raised stage in the middle, surrounded by seats. This meant the farthest student was only eight rows from the speaker, and by having students facing each other across the stage, it made them feel more engaged. Large screens on the walls helped with presentations.

What about a council chambers arranged like what is shown in Figure 4? When I proposed it to Lake Oswego's council, they didn't like the idea of people sitting behind them, possibly out of concern for personal safety, or maybe because they didn't want anyone noticing if they checked their cellphone. I do, however, think it would be worth trying.

Figure 4. Optimal Arrangement B



Either of these two proposed arrangements would be conducive to all business meetings and informal work sessions of the council, including those that include formal public hearings. They are not conducive to town hall meetings or public forums where the chief objective is public involvement.

This, however, might actually be an advantage in that it provides a clear delineation of the objective of the two kinds of meetings. The “three minutes at the mic” that occurs during council business meetings may be required by law, but it is one of the worst possible ways to achieve effective resident engagement.

There are far better environments and processes for engagement; for example, meeting in a more open, less-formal space like a community center or school, and having councilmembers serve as hosts, moderators, and listeners in small-group roundtable discussions—is a topic for future consideration.



Scott Lazenby is city manager, Lake Oswego, Oregon (slazenby@lakeoswego.city). He is the source of the council chambers layouts shown in this article.

Endnote

¹2012 *Census of Governments*, <https://www.census.gov/content/dam/Census/library/publications/2013/econ/g12-cg-org.pdf>

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With live streaming video, there is less of a need to be in the room to observe the proceedings. Some communities even take public input from the virtual audience, in real time, as the meeting progresses.

The typical arrangement, in which the council plays to the audience, encourages grandstanding by councilmembers and heckling from the crowd.

Setting staff off to the side works against the fact that the council and staff are (or should be) on the same team.

Councilmembers don't face each other, which makes it more difficult to have a group conversation.

As to the last point, I have never seen staff members use the council dais for a meeting, even when all conference rooms are full. It is, in fact, a terrible arrangement for a productive meeting.

Keep in mind that, except for public hearings or the obligatory "resident comments" section of the agenda, the audience is there to observe rather than to participate. Allowing residents to observe their elected representatives at work is important. It's a key part of openness in government.

The typical room arrangement goes beyond this, because it encourages continuous council and audience interaction, in the same way that a live theater troupe interacts with its audience.

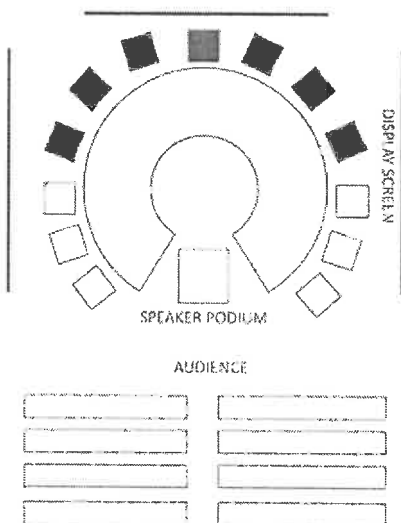
Councils have enough challenges in serving as effective governing boards. They don't get to pick their fellow board members, who may not necessarily have strong skills in teamwork, strategic thinking, or for that matter, interpersonal communication.

They have a finite amount of time to get their work done, and can get easily bogged down in administrative details, ceremonial and feel-good activities, and trivia. Using a room arrangement that emphasizes their role as entertainers rather than board members doesn't help.

Considering Different Setups

What if council chambers were arranged as shown in Figure 3? In this drawing, the shaded seats represent the governing body and the unshaded seats represent staff members. As a local government manager, I would put the city attorney and clerk on one side, as key advisers on meeting procedures and processes.

Figure 3. Optimal Arrangement A



I would join presenting staff on the other side as part of the team providing program analysis and recommendations. This strategy could be determined by individual preferences.

Here are the advantages to the Figure 3 arrangement:

1. A (mostly) round table is more conducive to council discussion.
2. Having staff physically at the table reinforces the idea that the staff and the councilmembers are on the same team. The dais can, however, be designed to make a visual distinction between elected officials, staff, and presenters, which is appropriate since it is the governing board that votes and makes the ultimate decisions.
3. When residents are invited to address the council, they move into the circle with the council, which is less intimidating and more welcoming. It symbolizes that the council is inviting the speaker into their circle.
4. Members of the public, when not participating, can observe the proceedings, but the council's focus is on being a governing board, not playing to an audience.
5. Large display screens provide easy viewing from any seat.