



CITY COUNCIL REGULAR AGENDA
MONDAY, AUGUST 07, 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 - July 10, 2023 City Council Work Session
 - [B.](#) Approval of Minutes - July 17, 2023 City Council Meeting
 - [C.](#) Mayor's Proclamation - Wishes & More Appreciation Week - November 4-11, 2023
 - [D.](#) Mayor's Proclamation - Domestic Violence Awareness Month - October 2023
 - [E.](#) Mayor's Proclamation - Constitution Week - September 17-23, 2023
 - [F.](#) Contractor's Payment - DPG - Able Park Shelter Retention Payment - \$30,608.52
 - [G.](#) Contractor's Licenses
 - [H.](#) Sign Permtis
 - [I.](#) Kennel License
- 7. PUBLIC HEARINGS**
 - [A.](#) Rental License Revocation for Certain Property Located at 501 84th Avenue NE
- 8. DEPARTMENT REPORTS**
 - [A.](#) Public Works Report
 - [B.](#) Recreation Report
- 9. ORDINANCES AND/OR RESOLUTIONS**
 - [A.](#) Ordinance 488, Amending the City Code Relating to Cannabis and Edible Cannabinoid Products
 - [B.](#) Resolution 2023-30, Authorizing Summary Publication of Ordinance 488, Amending the Spring Lake Park City Code Relating to Cannabis and Edible Cannabinoid Products
- 10. NEW BUSINESS**
 - [A.](#) Schedule August Work Session
- 11. REPORTS**
 - A. Attorney's Report
 - [B.](#) Engineer's Report
 - C. Administrator's Report
- 12. OTHER**
- 13. 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 Work Session was held on July 10, 2023 at the Spring Lake Park City Hall, 1301 81st Ave. NE, at 5:47 PM.

1. CALL TO ORDER

MEMBERS PRESENT

Mayor Nelson
Councilmember Ken Wendling
Councilmember Barbara Goodboe-Bisschoff
Councilmember Lisa Dircks
Councilmember April Moran (arrived at 5:40 PM)

STAFF PRESENT

Police Chief Josh Antoine, Building Official Jeff Baker, Code Enforcement Inspector Walter Morris,
Administrator Daniel Buchholtz

2. DISCUSSION ITEMS

A. Minnesota GreenStep Cities Discussion (Goodboe-Bisschoff/Moran)

Administrator Buchholtz introduced the item. He explained that the Minnesota GreenStep Cities program is a voluntary challenge, assistance and recognition program that provides a framework to help cities achieve their economic, environmental and quality of life goals. He said the program is based on 29 best practices tailored to all Minnesota cities with a focus on cost savings, energy use reduction and civic innovation.

Councilmember Goodboe-Bisschoff stated that she learned about the program at the League of Minnesota Cities Annual Conference. She stated that when she reviewed the action steps under the list of best practices and determined that the City is already doing a number of them. She expressed her opinion that the City should be recognized for the good work it is doing. Councilmember Moran agreed, stating that she felt this was a beneficial program that could challenge the City to be more sustainable.

CONSENSUS of the City Council was to direct the Administrator to draft a resolution participating in the GreenStep Cities program.

B. Hybrid Code Enforcement Approach Discussion (Morris)

Code Enforcement Inspector Morris stated that he is requesting the City transition to a more proactive code enforcement model. He stated that Blaine, Fridley, Coon Rapids and Mounds View provide proactive code enforcement at the discretion of their respective code enforcement officers. He stated that the model used by Blaine, Fridley and Coon Rapids is not a good fit for the City. He suggested the hybrid approach used by the City of Mounds View which allows for proactive enforcement for the most obvious violations (unnecessary clutter/junk,

parking on lawns, poorly maintained homes, etc) while utilizing complaint based code enforcement for less-frequently received complaints. He stated that this hybrid approach better suits the residents expectations for Code Enforcement while alleviating the sense that the City is picking on a particular resident whose property was the subject of a complaint when there are other similar violations on the same block.

Councilmember Goodboe-Bisschoff inquired as to what violations would be subject to proactive code enforcement. Mr. Morris stated that he would look for violations related to noxious weeds, trash and debris, motor vehicle parking/registration, abandoned vehicles and property, discarding of debris onto public right-of-ways, property maintenance code violations, and various life safety and emergency response related codes.

Mayor Nelson expressed his vehement opposition to proactive code enforcement, stating that there could be room for abuse. He said previous code enforcement officials performed code enforcement arbitrarily and unfairly. He stated his belief that the complaint based code enforcement was the best approach.

Councilmember Goodboe Bisschoff expressed concern about proactive enforcement on recreational fire pits, noting that some had been in place prior to the Fire Code being adopted in the City.

Councilmember Dircks expressed her opinion that proactive code enforcement is important to maintaining a basic aesthetic standard in the City. She stated that she was supportive of transitioning to proactive code enforcement. Councilmember Wendling agreed. Councilmember Dircks suggested a policy be drafted to specify exactly how the hybrid code enforcement strategy would work.

CONSENSUS of the City Council was to ask Code Enforcement Inspector Morris to draft a proactive code enforcement policy for potential adoption by the City Council.

Mayor Nelson left the meeting at 6:15pm.

C. Cannabis Ordinance Update Discussion (Buchholtz)

Administrator Buchholtz stated that the City Attorney recommended amending the City Code relating to the recently adopted recreational cannabis law approved by the State Legislature. He stated that the proposed ordinance would repeal the City's edible cannabinoid product ordinance, as that ordinance will be pre-empted by the new State Law in October. He said the proposed ordinance would replace the City's licensing ordinance with more basic zoning restrictions as to where such businesses may operate, in compliance with the new law. He stated that the proposed ordinance exercises the City's authority to prohibit public use of cannabis and edible cannabinoids and prohibits the possession of drug paraphernalia within the City.

Councilmembers discussed the upcoming legalization of cannabis. CONSENSUS of the City Council was to bring the proposed ordinance forward for possible adoption on August 7, 2023.

D. Concept Plan Discussion - SE Corner of CSAH 10 & Spring Lake Park Road (Buchholtz)

Administrator Buchholtz stated that the City has received an inquiry from a developer for a 100-unit, 55+ age restricted market rate apartment building to be located on a 2.66 acre parcel currently occupied by three homes at the southeast corner of CSAH 10 and Spring Lake Park Road.

City Council reviewed the proposed concept plan and expressed support for the initial concept. Administrator Buchholtz stated that he would inform the developer of the Council's discussion.

3. REPORT

- A. Council Reports – No report
- B. Administrator Report – No report.

4. ADJOURN

Acting Mayor Goodboe-Bisschoff adjourned the meeting at 7:05pm.

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 Regular was held on July 17, 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 Lisa Dircks
Councilmember April Moran

STAFF PRESENT

Public Works Director Terry Randall, Police Chief Josh Antoine, Building Official Jeff Baker, Recreation Director Kay Okey, Attorney John Thames, Engineer Phil Gravel, Administrator Daniel Buchholtz

VISITORS

Jason Miller, Smith-Schafer & Associates

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS OR CORRECTIONS TO AGENDA

Administrator Buchholtz requested that Item 6. L, Public Right-of-Way Application for CenterPoint Energy be added to the Consent Agenda.

5. DISCUSSION FROM THE FLOOR

None

6. CONSENT AGENDA

- A. Approval of Minutes – June 20, 2023 Council Meeting
- B. Approval of Minutes – June 20 2023 Council Work Session
- C. Approval of Minutes – July 10, 2023 Special City Council Meeting
- D. Approval of Claims – General Disbursement No 23-11 - \$332,171.63
- E. Statement of Fund Balance – June 2023
- F. Mayor’s Proclamation – Parks and Recreation Month – July 2020
- G. Contractor’s Request for Payment #1 – 2023 Street Seal Coat and Crack Repair Project - \$17,749.42

- H. Contractor's Request for Payment #2 – 2023 Street Seal Coat and Crack Repair Project - \$61,909.32
- I. Special Event Permit – Spring Lake Park Schools (fee waived)
- J. Contractor's Licenses
- K. Sign Permit
- L. Public Right-of-Way Application – CenterPoint Energy

Motion made by Councilmember Wendling to approve Consent Agenda.

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

7. DEPARTMENT REPORTS

A. Public Works Report

Public Works Director Randall stated that the department was busy at the first week of June setting up and tearing down for the Tower Days Parade and the activities at Lakeside Lions Park. He reported that the seal coat streets were swept and will be swept one more time before staff paints the crosswalks.

Public Works Director Randall stated he presented the budget for his department to Administrator Buchholz and Accountant Barker.

Councilmember Dircks inquired about the amount of "0" reads on the water meters. Public Works Director Randall explained how the "0" meter's may have happened.

B. Code Enforcement Report

Building Official Baker reported that Code Enforcement received 49 long grass complaints for June 2023 compared to 200 long grass complaints for the month of June 2022. He stated that he and Administrator Buchholtz attended the court hearing on the Garfield property. Building Official Baker thanked Attorney Thames for his work representing the City and addressing the safety concerns.

Building Official Baker stated that two permits were issued for remodeling projects in the six-figures range. He reported that he presented his proposed 2024 budget to Administrator Buchholtz and Accountant Barker.

C. Police Report

Chief Antoine reported that the Police Department responded to 940 calls for service in June 2023 compared to 806 calls for service for the month of June 2022. He said that School Resource Officer Imig submitted his annual report for the 2022-2023 school year.

Chief Antoine said Investigator Bennek handled 37 cases for the month of June, 28 of which were felony in nature and 9 misdemeanor cases. He said Investigator is monitoring 5 active forfeiture cases.

Chief Antoine stated that he participated in the Law Enforcement Torch Run for Special Olympics, along with Records Technicians Lisa Murphy and Kim Kiley, Officer Kelsey Smith and Code Enforcement Officer Walter Morris.

Chief Antoine reminded the City council and the public that August 1, 2023 is Night to Unite. He said residents can visit the Police Department website to register for the event.

D. Recreation Report

Recreation Director Okey thanked reported that the Able Park Building was open and now in use. She stated that the Tower Days Committee met June 20 to wrap up the season. She noted that the first planning meeting for 2024 will be held in October 2023.

8. ORDINANCES AND/OR RESOLUTIONS

A. Resolution 2023-27, Authorizing the City of Spring Lake Park to Participate in the Minnesota GreenStep Cities Program

Administrator Buchholtz gave an overview of the Minnesota GreenStep Cities Program. He stated that the program is a voluntary challenge, assistance and recognition program. He said the program provides a framework to help cities achieve economic, environmental and quality of life goals.

Administrator Buchholtz stated that the program is based on 29 best practices. He said that each practice can be complemented by completing one or more actions at a 1, 2 or 3-star level, from a list of four to eight actions. Administrator Buchholtz said the actions are tailored to all Minnesota cities, focus on cost savings and energy use reduction, and encourage civic innovation.

Administrator Buchholtz said that the passage of this resolution will allow the City to be recognized as a Step 1 GreenStep City.

Councilmember Goodboe-Bisschoff stated her opinion that the City has already accomplished a number of steps and should be recognized for its work.

Motion made by Councilmember Goodboe-Bisschoff to approve Resolution 2023-27, Authorizing the City of Spring Lake Park to Participate in the Minnesota GreenStep Cities Program.

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

B. Resolution 2023-28, Authorizing Application for Community Development Block Grant

Administrator Buchholtz reported that Anoka County Community Development notified the City that the entire city qualifies as a low/moderate income area for the purposes of the Community Development Block Grant (CDBG). He stated that the City does not have to income qualify households in order to use CDBG funding.

Administrator Buchholtz stated that the staff is seeking authority to seek CDBG funds to pay for the Able Park playground equipment. He stated that the grant request will be in the \$85,000-\$100,000 range.

Motion made by Mayor Nelson to approve Resolution 2023-28, Authorizing Application for Community Development Block Grant.

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

C. Resolution 2023-29, Ordering Preparation of Feasibility Report for 2024 83rd Avenue NE Pavement Project

Engineer Gravel stated that the 83rd Avenue was last reconstructed in 1994. He stated that the Public Works Director reviewed the roadway surface and determined that a pavement preservation project is necessary. Administrator Buchholtz stated a portion of the project costs will be assessed to the adjacent property owners.

Engineer Gravel requested the City Council order preparation of a Feasibility Report for 2024 83rd Avenue NE Pavement Project. He stated that the Feasibility Report for 83rd Avenue can be included with the report for Sanburnol and Elm.

Mayor Nelson asked if the project would be a mill and overlay. Councilmember Wendling inquired if the overlay would be thicker because of the traffic volume. Engineer Gravel stated that the overlay would be 2" thick. He stated that 83rd Avenue is a state aid street and would qualify for state aid funds.

Administrator Buchholtz informed the Council that the segment of the sidewalk between Nelson's Cheese and the apartments would be connected as part of the project.

Motion made by Councilmember Wendling to approve Resolution 2023-29, Ordering Preparation of Feasibility Report for 2024 83rd Avenue NE Pavement Project.

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

9. NEW BUSINESS**A. Accept 2022 Audited Financial Statements**

Jason Miller, Smith Schafer and Associates, gave an overview of the City's 2022 financial statements. He stated that the City received an unmodified opinion, that the financial statements are free of material misstatements. He stated that there were no exceptions noted under the Minnesota Legal Compliance testing.

Mr. Miller stated the City's General Fund Balance at the end of 2022 was \$2,669,955, which represents 59% of the 2022 expenditures. He noted that the City's debt burden as of December 31, 2020 was \$1,634,468, with the majority of the debt service retired by 2025.

Motion made by Mayor Nelson to accept the 2022 Audited Financial Statements.

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

B. Award Quote for the Abatement of Nuisance at 8064 Garfield Street

Building Official Baker stated that five companies were contacted for quotes to demolish the home at 8064 Garfield Street, and two quotes were received. He is seeking Council's approval to award the project to Rick's Demolition and Concrete Removal for a total of \$29,819.05. Building Official Baker said the project would be paid for initially by the city and assessed to the property upon completion.

Councilmember Goodboe-Bisschoff inquired if any of the trees would need to be removed. Mr. Baker did confirm that in order to get the equipment onto the property some of trees would need to be removed. Councilmember Goodboe-Bisschoff asked if the property would be checked for vermin. Mr. Baker said that the property would be cleared out before any demolition took place.

Motion made by Councilmember Goodboe-Bisschoff to Award Quote for the Abatement of Nuisance at 8064 Garfield Street to Rick's Demolition & Concrete Removal.

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

C. Authorization to Purchase Two Public Works Trucks

Public Works Director Randall stated he is seeking authorization to purchase two trucks: a 2024 GMC 2500 4x4 pickup for \$44,865, and a 2024 Chevrolet 3500 4x4 for \$45,609.

He stated that the purchase would be funded through the Equipment Fund and the Public Utilities Renewal and Replacement Fund. Director Randall stated that the delivery time is 90-180 days.

Motion made by Mayor Nelson to approve Authorization to Purchase Two Trucks.

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

D. 2024 North Metro Telecommunications Commission Budget

Administrator Buchholtz gave an overview of the 2024 North Metro Telecommunications Commission Budget. He stated that the proposed budget is \$1,420,610, which represents a \$27,692 increase over the 2023 operating budget. He stated that the increase includes a 3% COLA increase for staff, step increases, benefits increase, building maintenance cost, an accounting service, and insurance costs.

Administrator Buchholtz stated the capital cost for 2024 are \$570,8845, which represents a \$57,451 decrease from the 2023 budget. The capital expenditures include video equipment for North Metro TV, a security system update, \$230,266 for the final HD Bond payment and \$150,000 returned to cities.

Motion made by Councilmember Goodboe-Bisschoff to Approve 2024 North Metro Telecommunications Commission Budget.

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

10. REPORTS

A. Attorney's Report

Attorney Thames thanked the Council for proceeding with the 8064 Garfield process forward. He stated that the judge complimented the work of Building Official Baker and his staff for their work.

B. Engineer's Report

Report accepted as presented.

C. Administrator Report

Administrator Buchholtz updated the Council on Triangle Park. He stated that the plantings were completed, and fencing was placed Public Works staff. The fencing will be in place during the growing season.

Administrator Buchholtz gave an update on the Highway 65 Pell Study. He stated that the utility rate study has begun and a workshop will be held in October. He updated the Council on the status of the City's GIS software and the need to upgrade to ARCGIS.

11. OTHER

A. Correspondence

None

12. ADJOURN

Motion made by Councilmember Wendling to adjourn.

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

The meeting was adjourned at 8:22 PM.

Robert Nelson, Mayor

Attest:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer



**MAYOR'S PROCLAMATION
HONORING WISHES & MORE
NOVEMBER 4-11, 2023**

WHEREAS, the City of Spring Lake Park is committed to fostering a compassionate and caring community that supports its residents in times of need; and

WHEREAS, Wishes & More is an exceptional organization dedicated to brightening the lives of children facing terminal or life-threatening conditions, providing them with extraordinary experiences that bring joy and hope to their hearts; and

WHEREAS, Wishes & More, founded on the principles of compassion, empathy and selflessness, has consistently demonstrated its commitment to serving the community, supporting families, and making a positive impact in the lives of those it touches; and

WHEREAS, Wishes & More has tirelessly worked to fulfill the dreams and wishes of countless children, bringing smiles to their faces and offering a ray of sunshine during challenging times; and

WHEREAS, the unwavering dedication of the volunteers and staff at Wishes & More has transformed the lives of many young individuals, leaving a lasting impression on both the recipients and the community at large; and

WHEREAS, the City of Spring Lake Park is honored to recognize and celebrate the outstanding efforts of Wishes & More in providing invaluable support and care to children and families facing extraordinary challenges.

NOW, THEREFORE, I, Robert Nelson, Mayor, of the City of Spring Lake Park, do hereby proclaim the week of November 4 – 11, 2023 as

WISHES & MORE APPRECIATION WEEK

in the City of Spring Lake Park and do hereby commend and pay tribute to the noble mission of Wishes & More in enhancing the lives of children battling terminal or life-threatening conditions.

Dated this seventh day of August, two thousand twenty-three.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator



MAYOR'S PROCLAMATION

DESIGNATION OF OCTOBER 2023 AS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, domestic violence is a serious and widespread issue affecting individuals and families across our nation, regardless of age, race, gender, or socioeconomic status; and

WHEREAS, the City of Spring Lake Park is dedicated to fostering a safe and supportive community where everyone can live without fear of violence or abuse; and

WHEREAS, Domestic Violence Awareness Month is an opportunity for our community to come together, raise awareness, and support survivors of domestic violence, while also striving to prevent further instances of this devastating crime; and

WHEREAS, domestic violence not only causes physical harm but also inflicts deep emotional and psychological scars on survivors, impacting their overall wellbeing and the wellbeing of their loved ones; and

WHEREAS, it is crucial to recognize that domestic violence is not confined to the home; it extends to the workplace, schools, and other public spaces, making it a matter of collective responsibility for all citizens of Spring Lake Park; and

WHEREAS, by promoting education, outreach, and early intervention, we can empower individuals to break the cycle of violence and create healthier, safer relationships for future generations; and

WHEREAS, we commend the efforts of Alexandra House, law enforcement agencies, advocates, and volunteers who tirelessly work to support survivors, raise awareness, and hold perpetrators accountable.

NOW, THEREFORE, I, Robert Nelson, Mayor of the City of Spring Lake Park, do hereby proclaim October 2023 as

DOMESTIC VIOLENCE AWARENESS MONTH

in the City of Spring Lake Park and do hereby encourage residents of Spring Lake Park to all residents to actively participate in events and initiatives aimed at promoting awareness, providing support to survivors, and advocating for policies that combat domestic violence.

Dated this seventh day of August, two thousand twenty-three.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator/Clerk



**MAYOR'S PROCLAMATION
CONSTITUTION WEEK
SEPTEMBER 17 – 23, 2023**

WHEREAS, the Constitution of the United States of America is a foundation of our nation, and a remarkable expression of the principles of freedom, democracy, and equality; and

WHEREAS, the week of September 17th to September 23rd is recognized as Constitution Week, commemorating the signing of the Constitution in 1787; and

WHEREAS, Constitution Week provides an opportunity to celebrate and honor the contributions of our founding fathers in shaping a government that serves "of the people, by the people, and for the people"; and

WHEREAS, this week serves as a reminder for citizens to study and understand their rights and responsibilities under the Constitution, fostering an informed and engaged citizenry; and

WHEREAS, by recognizing Constitution Week, we reaffirm our commitment to safeguarding the fundamental principles that form the bedrock of our democracy.

NOW, THEREFORE, BE IT RESOLVED that I, Robert Nelson, Mayor of the City of Spring Lake Park, officially proclaim the week of September 17 through September 23, 2023 as

CONSTITUTION WEEK

in the City of Spring Lake Park and call upon all residents to embrace the responsibility of preserving and upholding the principles that form the bedrock of our democracy, ensuring that future generations inherit a strong and enduring legacy of freedom and justice.

Dated this 7th day of August, two thousand twenty three.

Robert Nelson, Mayor

ATTEST:

(SEAL)

Daniel Buchholtz, City Administrator



22401 Industrial Blvd
 Rogers, MN 55374
 Phone: 612-213-2210
 Fax: 612-392-7944

Invoice

| Date | Invoice # |
|--------------|-----------|
| Apr 24, 2023 | 2102 |

| Bill To |
|--|
| City of Spring Lake Park 1301 81st Ave NE Spring Lake Park, MN 55432 |

| Ship To |
|--|
| 8200 Able Park Spring Lake Park, MN 55432 |

| P.O. No. | Terms | Due Date | Job |
|----------|-------|--------------|-------------------------|
| | | May 31, 2023 | 22036-Able Park Shelter |

| Description | Qty | Unit Price | Amount |
|-------------|-----|--------------|--------------------|
| | | Retainage | (30,608.52) |
| | | Tax | 0.00 |
| | | Total | \$30,608.52 |

| | |
|---------|------------|
| Tax No. | 80-0696128 |
|---------|------------|

APPLICATION AND CERTIFICATE FOR PAYMENT

To: City of Spring Lake Park
1301 81st Ave NE
Spring Lake Park, MN 55432

Project: Able Park Shelter
8200 Able Park
Spring Lake Park, MN
55432

Application No: 7.0
App. Date: Apr 1, 2023
Period to: Apr 30, 2023
Project No: 22036
Contract Date: Oct 21, 2022

Distribution to:
 Owner
 Architect
 Contractor
 Field
 Other

From: Dering Pierson Group

Contract For:

Via Architect:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

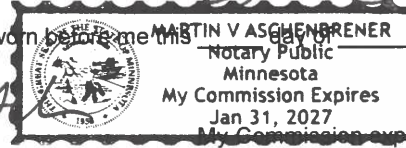
| | |
|---|------------|
| 1. ORIGINAL CONTRACT SUM | 610,600.00 |
| 2. NET CHANGE BY CHANGE ORDERS | 1,570.25 |
| 3. CONTRACT SUM TO DATE | 612,170.25 |
| 4. TOTAL COMPLETED AND STORED TO DATE | 612,170.25 |
| 5. RETAINAGE: | |
| a. 5.00% of Completed work | 0 |
| b. 0.00% of Stored Material | 0 |
| TOTAL RETAINAGE | 30,608.51 |
| 6. TOTAL EARNED LESS RETAINAGE | 581,561.74 |
| 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT | 581,561.74 |
| 8. CURRENT PAYMENT DUE | 30,608.51 |
| 9. BALANCE TO FINISH, INCLUDING RETAINAGE | 0 |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Dering Pierson Group

By:  Date: 4/25/2023

Subscribed and sworn before me this 25th day of April 2023



Notary Public:

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED

\$ 30,608.52

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By:  Date: 7.25.2023

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

| CHANGE ORDER SUMMARY | ADDITIONS | DEDUCTIONS |
|--|------------|------------|
| Total changed approved in previous months by owner | 1,570.25 | 0 |
| Total approval this month | 0 | 0 |
| TOTALS | \$1,570.25 | \$0 |
| NET CHANGES by Change Order | \$1,570.25 | |

Dering Pierson Group
 22401 Industrial Blvd
 Rogers, MN 55374
 612-213-2210
 612-392-7944

City of Spring Lake Park
 APPLICATION AND CERTIFICATE FOR PAYMENT

Job No.: 22036
 Job: Able Park Shelter
 Application No: 7.0
 Application Date: Apr 1, 2023
 Period To: Apr 30, 2023

CONTRACT

| A Item # | B Description of Work | C Scheduled Value | D Work Completed | | F Materials Presently Stored | G Total Completed and Stored To Date | | H Balance to Finish | I Retainage (If Variable Rate) |
|-------------|---------------------------------|----------------------|------------------------------|-------------|---------------------------------|---|-----|------------------------|-----------------------------------|
| | | | From Previous Application(s) | This Period | | % | | | |
| | | | | | | | | | |
| 01 | General Conditions | 64,124.01 | 60,917.81 | 3,206.20 | 0 | 64,124.01 | 100 | 0 | 3,206.20 |
| 02 | Winter Conditions | 840.00 | 840.00 | 0 | 0 | 840.00 | 100 | 0 | 42.00 |
| 03 | Demolition | 9,500.00 | 9,500.00 | 0 | 0 | 9,500.00 | 100 | 0 | 475.00 |
| 04 | Site Work | 17,415.00 | 17,415.00 | 0 | 0 | 17,415.00 | 100 | 0 | 870.75 |
| 05 | Concrete | 27,475.00 | 27,475.00 | 0 | 0 | 27,475.00 | 100 | 0 | 1,373.75 |
| 06 | Carpentry | 71,213.56 | 71,213.56 | 0 | 0 | 71,213.56 | 100 | 0 | 3,560.68 |
| 07 | Thermal and Moisture Protection | 67,130.00 | 67,130.00 | 0 | 0 | 67,130.00 | 100 | 0 | 3,356.50 |
| 08 | Doors & Frames | 8,410.91 | 8,410.91 | 0 | 0 | 8,410.91 | 100 | 0 | 420.55 |
| 09 | Joint Sealants | 750.00 | 375.00 | 375.00 | 0 | 750.00 | 100 | 0 | 37.50 |
| 10 | Glass and Glazing | 49,613.85 | 49,613.86 | (0.01) | 0 | 49,613.85 | 100 | 0 | 2,480.69 |
| 11 | Gyp Board Walls | 7,410.00 | 7,410.00 | 0 | 0 | 7,410.00 | 100 | 0 | 370.50 |
| 12 | Flooring | 26,694.25 | 14,681.84 | 12,012.41 | 0 | 26,694.25 | 100 | 0 | 1,334.71 |
| 13 | Painting | 10,140.00 | 5,070.00 | 5,070.00 | 0 | 10,140.00 | 100 | 0 | 507.00 |
| 14 | Specialties | 3,999.00 | 3,999.00 | 0 | 0 | 3,999.00 | 100 | 0 | 199.95 |
| 15 | Equipment | 325.00 | 325.00 | 0 | 0 | 325.00 | 100 | 0 | 16.25 |
| 16 | Sprinkler System | 17,629.00 | 17,629.00 | 0 | 0 | 17,629.00 | 100 | 0 | 881.45 |
| 17 | Plumbing | 39,800.00 | 37,810.00 | 1,990.00 | 0 | 39,800.00 | 100 | 0 | 1,990.00 |
| 18 | HVAC | 65,490.00 | 62,215.50 | 3,274.50 | 0 | 65,490.00 | 100 | 0 | 3,274.50 |
| 19 | Electrical | 57,782.00 | 54,892.90 | 2,889.10 | 0 | 57,782.00 | 100 | 0 | 2,889.10 |
| 20 | OH&P | 53,770.42 | 51,081.90 | 2,688.52 | 0 | 53,770.42 | 100 | 0 | 2,688.52 |
| 21 | ALT 1 - Metal Roofing | 11,088.00 | 11,088.00 | 0 | 0 | 11,088.00 | 100 | 0 | 554.40 |
| | | 610,600.00 | 579,094.28 | 31,505.72 | 0 | 610,600.00 | 100 | 0 | 30,530.00 |

ADDITIONS TO CONTRACT

| | | | | | | | | | |
|---------------------|-----------------------|-------------------|-------------------|------------------|----------|-------------------|------------|----------|------------------|
| CO-001 | Bathroom Floor Drains | 1,570.25 | 1,570.25 | 0 | 0 | 1,570.25 | 100 | 0 | 78.51 |
| | | 1,570.25 | 1,570.25 | 0 | 0 | 1,570.25 | 100 | 0 | 78.51 |
| Grand TOTAL: | | 612,170.25 | 580,664.53 | 31,505.72 | 0 | 612,170.25 | 100 | 0 | 30,608.51 |

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

Contractor's Licenses

August 7, 2023

Blacktopping Contractor

Asphalt Guys, Inc.

Mechanical Contractor

Anderson's Residential Heating and AC

Legacy Companies, Inc.

St. Marie Sheet Metal

TPC Northern, Inc. dba Northern Plumbing & Softening

Plumbing Contractor

AT Plumbing, Heating and AC, LLC.

Metro Heating, Cooling, Plumbing & Electrical

TPC Northern, Inc. dba Northern Plumbing & Softening

Roofing Contractor

Walker Roofing

Sign Contractor

Digital Billboard, Inc.

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

Sign Permits

August 7, 2023

Ethos Expanse

7766 Hwy 65

Trusted Wrench

8443 University Ave



CITY OF SPRING LAKE PARK

1301 81st Avenue N E

Spring Lake Park, MN 55432

763-784-6491

Sign Permit Application

DATE: 7/17/23
 NAME OF APPLICANT: ETHOS | EXPANSE (PAULA BRANT)
 ADDRESS OF APPLICANT: 7760 HY 65
 TELEPHONE NUMBER OF APPLICANT: 612-670-7769
 NAME OF BUSINESS AND LOCATION of building structure, or lot to which or upon which the sign is to be attached or erected ETHOS | EXPANSE

New Construction: _____ Remodel: _____ Word Change Only: X

Attach a drawing or sketch showing the position of the sign in relation to the nearest building, structures, public streets, right-of-way and property lines. Said drawing to be prepared to scale.

Attach two (2) blueprints or ink drawings of the plans and specifications and method of construction or attachment to the building or in the ground, including all dimensions. Show location of all light sources, wattage, type and color of lights and details of light shields or shades.

Attach a copy of stress sheets and calculations showing the structure is designed for dead load and wind velocity in the amount required by this and all other Ordinances of the City, if requested by the Building Inspection Department.

Name of person, firm or corporation erecting the structure: DEMARS SICKS

Address: SCOTT MAGNET
410 930 AVE NW LEON RAPIDS 55433

Is an Electrical Permit required? NO

I, the undersigned applicant, do further make the following agreement with the City of Spring Lake Park Mn:

- 1) To authorize and direct the City of Spring Lake Park to remove and dispose of any signs and sign structures on which a Permit has been issued but which was not renewed, if the owner does not remove the same within thirty (30) days following the expiration of the Permit.
- 2) To authorize and direct the City of Spring Lake Park to remove said sign and sign structure, at the expense of the applicant, where maintenance is not furnished, but only after a hearing and after notice of sixty (60) days, specifying the maintenance required by the City.
- 3) To provide any other additional information which may be required by the Building Inspection Department.

763-786-5545
612-867-6159 Cell



 SIGNATURE OF APPLICANT

FOR OFFICE USE ONLY: *****
 FEE: \$405 RECEIPT NUMBER: _____

DATE OF APPROVAL: _____ DATE OF ISSUE: _____

REASON FOR DENIAL: _____

ADDITIONAL REQUIREMENTS FOR SIGN PERMIT:

SQUARE FOOTAGE OF FRONT OF BUILDING: 22' x 60' 1320 sq ft

SQUARE FOOTAGE OF ALL EXISTING SIGNS: 125

SQUARE FOOTAGE OF PROPOSED SIGN OR SIGNS: 125 64x2 = 128 sq ft + 58x2 = 116
Total 244 sq ft

INCLUDE A DRAWING SHOWING LOCATION AND MESSAGE ON SIGN.

IF YOU ARE NOT THE OWNER OF THE PROPERTY, INCLUDE A SIGNED LETTER FROM THE OWNER GIVING PERMISSION TO ERECT THE SIGN.

NOTE: ALL APPLICATIONS ARE DUE BY NOON ON THE TUESDAY PRECEEDING THE COUNCIL MEETING.

DRAWING:

Proposed

$$64 \text{ sq ft} \times 2 = \$75 + 24 \begin{matrix} 30 \\ (1.25) \end{matrix} = \$105 \times 2 \quad \$210$$

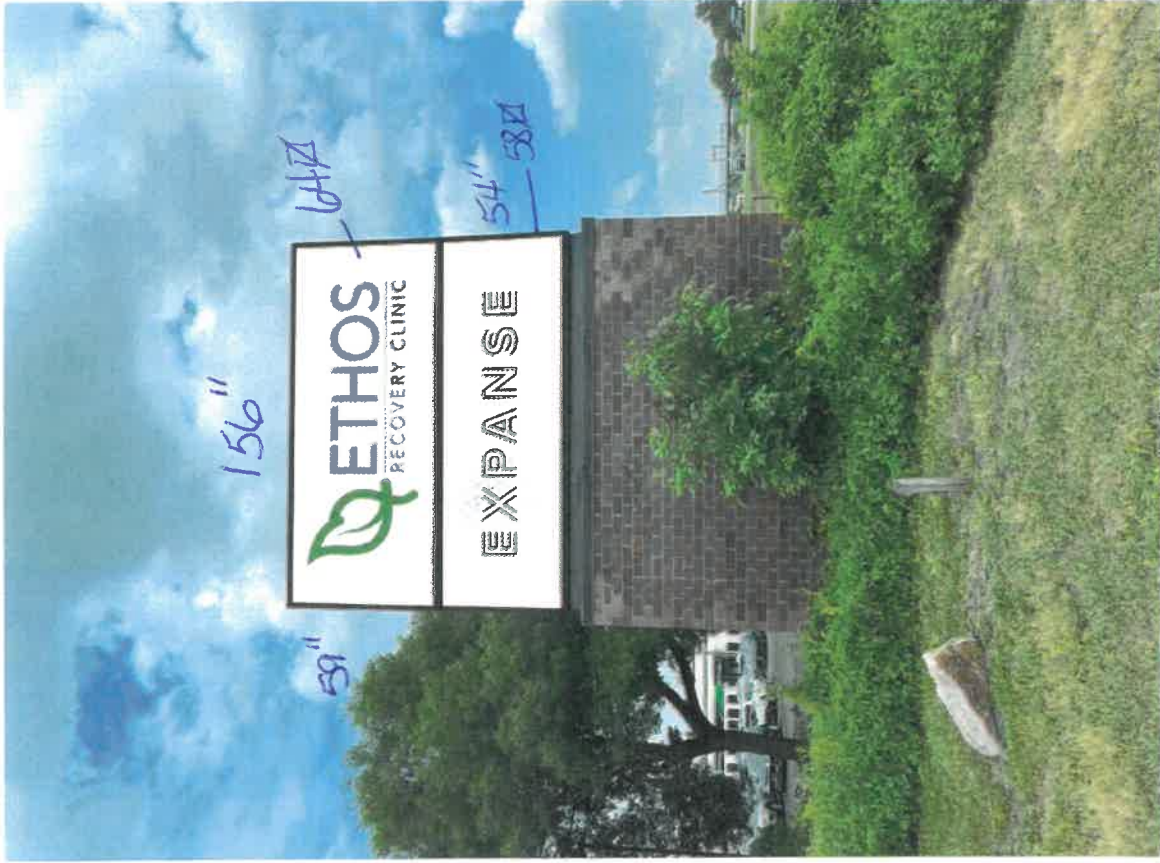
$$58 \text{ sq ft} \times 2 = \$75 + 18 \begin{matrix} 20.50 \\ (1.25) \end{matrix} = \$97.5 \times 2 \quad \$195$$

\$405

$$396 - 30\% = 277.2$$

$$244 \text{ sq ft} - \text{Proposed}$$

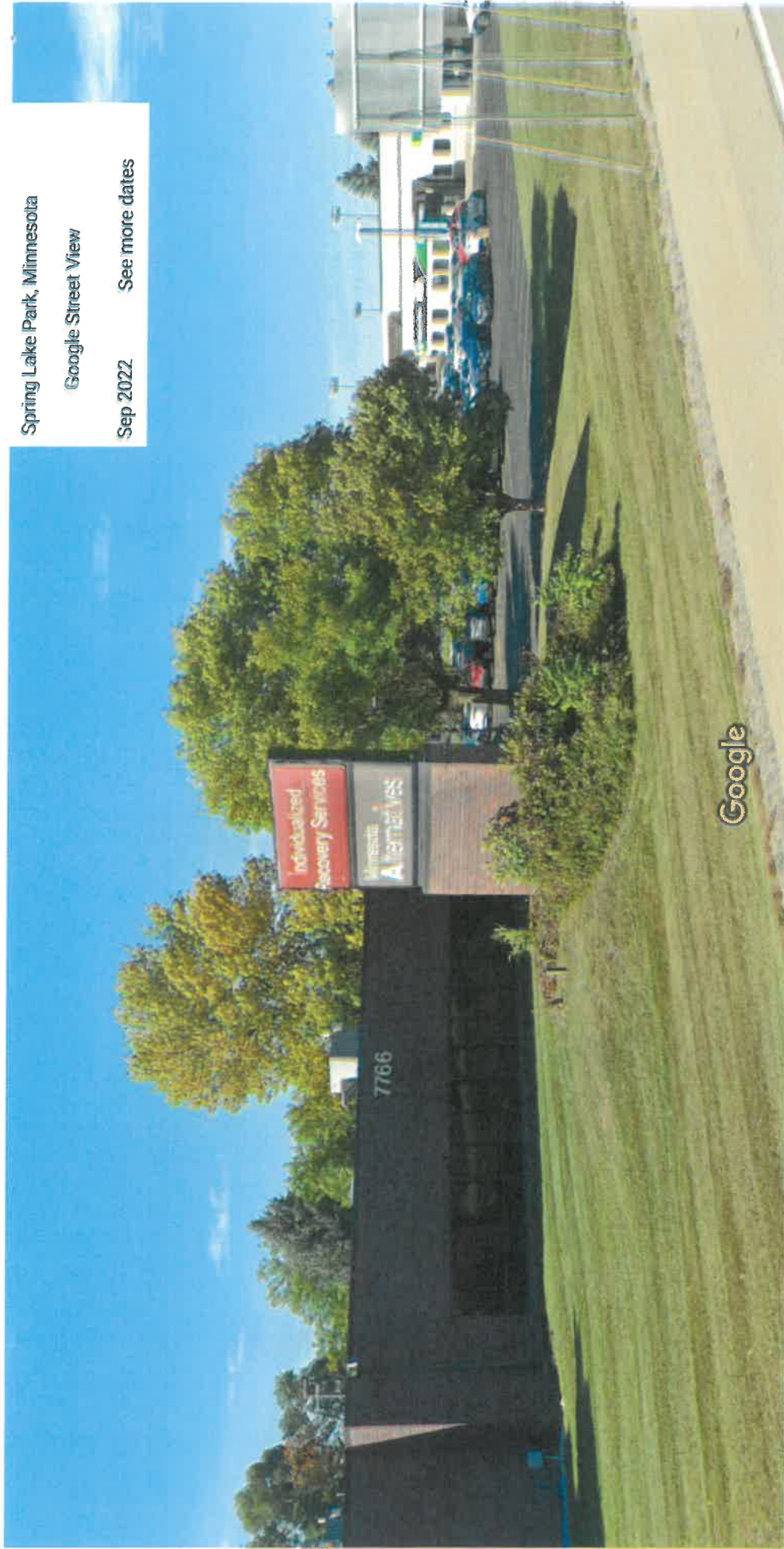
152 sq ft Remaining



Day Render



Night Render



Spring Lake Park, Minnesota

Google Street View

Sep 2022

See more dates

Image capture: Sep 2022 © 2023 Google

EXISTING



Re



Tires for Less

Ave NE



CITY OF SPRING LAKE PARK
1301 81st Avenue N E
Spring Lake Park, MN 55432
763-784-6491

Sign Permit Application

DATE: 7/28
NAME OF APPLICANT: Albrecht Sign
ADDRESS OF APPLICANT: 7775 Main St NE Fridley MN
TELEPHONE NUMBER OF APPLICANT: 763-754-2899
NAME OF BUSINESS AND LOCATION of building structure, or lot to which or upon which the sign is to be attached or erected Trusted Wrench
8443 University Ave NE
New Construction: _____ Remodel: o Word Change Only: ✓

Attach a drawing or sketch showing the position of the sign in relation to the nearest building, structures, public streets, right-of-way and property lines. Said drawing to be prepared to scale.

Attach two (2) blueprints or ink drawings of the plans and specifications and method of construction or attachment to the building or in the ground, including all dimensions. Show location of all light sources, wattage, type and color of lights and details of light shields or shades.

Attach a copy of stress sheets and calculations showing the structure is designed for dead load and wind velocity in the amount required by this and all other Ordinances of the City, if requested by the Building Inspection Department.

Name of person, firm or corporation erecting the structure: Albrecht Sign
Address: 7775 Main St NE Fridley 55432
Is an Electrical Permit required? yes

- I, the undersigned applicant, do further make the following agreement with the City of Spring Lake Park Mn:
- 1) To authorize and direct the City of Spring Lake Park to remove and dispose of any signs and sign structures on which a Permit has been issued but which was not renewed, if the owner does not remove the same within thirty (30) days following the expiration of the Permit.
 - 2) To authorize and direct the City of Spring Lake Park to remove said sign and sign structure, at the expense of the applicant, where maintenance is not furnished, but only after a hearing and after notice of sixty (60) days, specifying the maintenance required by the City.
 - 3) To provide any other additional information which may be required by the Building Inspection Department.


SIGNATURE OF APPLICANT

FOR OFFICE USE ONLY: *****
FEE: \$ 305.00 RECEIPT NUMBER: _____

DATE OF APPROVAL: _____ DATE OF ISSUE: _____

REASON FOR DENIAL: _____

ADDITIONAL REQUIREMENTS FOR SIGN PERMIT:

SQUARE FOOTAGE OF FRONT OF BUILDING: 5180

SQUARE FOOTAGE OF ALL EXISTING SIGNS: 0

SQUARE FOOTAGE OF PROPOSED SIGN OR SIGNS: Alton 72 sq x 2 = 144 sq Building 11 sq

INCLUDE A DRAWING SHOWING LOCATION AND MESSAGE ON SIGN.

Total 155 sq

IF YOU ARE NOT THE OWNER OF THE PROPERTY, INCLUDE A SIGNED LETTER FROM THE OWNER GIVING PERMISSION TO ERECT THE SIGN.

NOTE: ALL APPLICATIONS ARE DUE BY NOON ON THE TUESDAY PRECEEDING THE COUNCIL MEETING.

DRAWING:

1554 sq - 30%
0 - existing
155 sq - proposed

1399 sq - Remain

Proposed

72 sq x 2 - 75 + 32⁴⁰(1.25) = \$115 x 2 = \$230

11 sq - \$75.00

Total \$305

TRUSTED WRENCH
AUTOMOTIVE
AUTOMOTIVE REPAIR YOU CAN TRUST

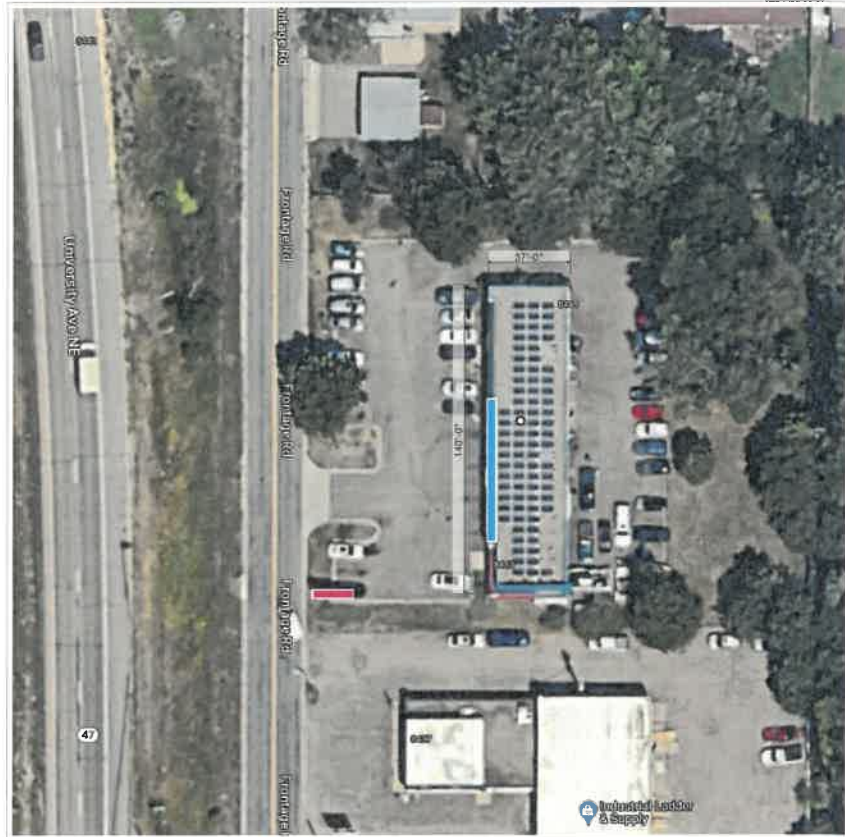


ALBRECHT SIGN COMPANY
ENHANCE YOUR IMAGE

Signage Design Rev(2)
July 12th, 2023

Message Schedule

| Sign ID | Quantity | Sign Type |
|---------|----------|---------------------------|
| ST-100 | 1 | Cabinet w/ CLs |
| ST-200 | 1 | Pylon Cabinet Replacement |



DESIGN | FABRICATION | INSTALLATION | SERVICE

778 Main St. N.E.
 Fridley, MN 55432
 P: 763.784.2886 | F: 763.767.7319
 www.albrechtsigns.com

Client:
 Truusted Wrench

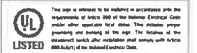
Client Address:
 8448 University Ave NE,
 Spring Lake Park, MN 55432

Start Date: 6/29/2023
 Last Revision Date: 7/12/2023
 Job Number: N/A
 Drawing Revision: 2
 Sales Representative: CJ
 Designer: RD

| Revision | Update |
|----------|--------|
| 01 | |
| 02 | |
| 03 | |
| 04 | |
| 05 | |
| 06 | |
| 07 | |
| 08 | |

Customer Signature of Approval
 X

| LED Module | | Power Supply | |
|------------|-------|--------------|-------|
| Type | Type | Type | Type |
| Units | Units | Units | Units |



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Existing Conditions
Scale: 3/32" = 1"



Front Elevation: Option 1
Scale: 3/16" = 1"



DESIGN | FABRICATION | INSTALLATION | SERVICE

1715 Main St. N.E.
Fridley, MN 55432
P: 763 764 2888 | F: 763 782 1916
www.albrechtsgn.company.com

Client:
Trusted Wrench

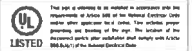
Client Address:
6443 University Ave NE,
Spring Lake Park, MN 55432

Start Date: 6/23/2023
Last Revision Date: 7/12/2023
Job Number: N/A
Drawing Revision: 2
Sales Representative: CJ
Designer: RD

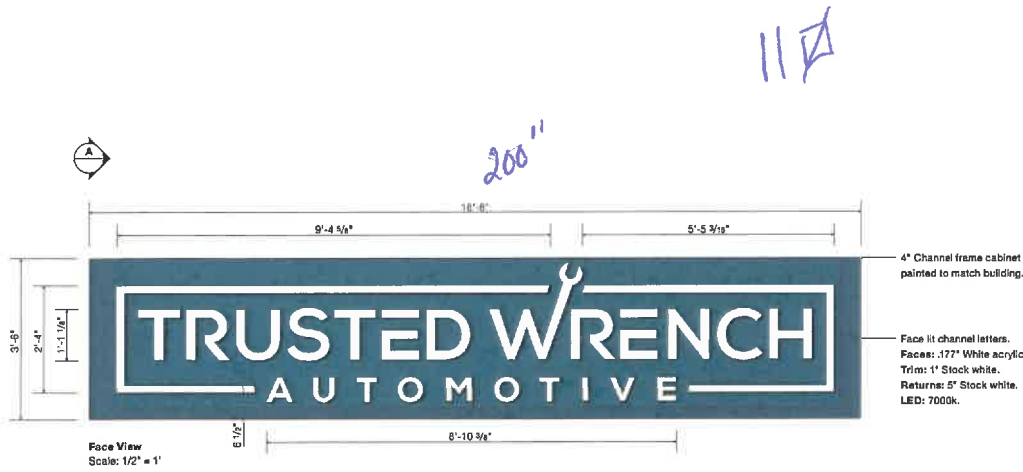
| Rev# on | Update |
|---------|--------|
| 01 | |
| 02 | |
| 03 | |
| 04 | |
| 05 | |
| 06 | |
| 07 | |
| 08 | |
| 09 | |
| 10 | |

Customer Signature of Approval
X

| LED Module | Power Supply |
|------------|--------------|
| Type | Type |
| Units | Units |



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SURVEY REQUIRED
VERIFY PANTONE PAINT MATCH



DESIGN | FABRICATION | INSTALLATION | SERVICE

7775 Main St. N.E.
Fridley, MN 55425
P. 763.784.2888 | F. 763.782.7916
www.albrecht-signs.com

Client:
Trusted Wrench

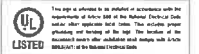
Client Address:
8443 University Ave NE,
Spring Lake Park, MN 55432

Start Date: 6/29/2023
Last Revision Date: 7/12/2023
Job Number: N/A
Drawing Revision: 2
Sales Representative: CJ
Designer: RD

| Revision | Description |
|----------|-------------|
| 01 | |
| 02 | |
| 03 | |
| 04 | |
| 05 | |
| 06 | |
| 07 | |
| 08 | |

Customer Signature of Approval

| LED Module | Power Supply |
|------------|--------------|
| Type | Type |
| Units | Units |



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| Color: | Match Building | N/A | N/A | N/A | N/A | N/A | N/A | #1-100 |
|----------------|----------------|-----|-----|-----|-----|-----|-----|---|
| Paint Finish: | Match Building | N/A | N/A | N/A | N/A | N/A | N/A | Cabinet w/ Face Lit Channel Letters |
| Vinyl: | N/A | N/A | N/A | N/A | N/A | N/A | N/A | Quantity: 1 Square Ft: 56.3 |
| Digital Print: | N/A | N/A | N/A | N/A | N/A | N/A | N/A | Single Face: <input checked="" type="checkbox"/> Illuminated: <input checked="" type="checkbox"/> |
| Other: | N/A | N/A | N/A | N/A | N/A | N/A | N/A | Double Face: <input type="checkbox"/> Non-Illuminated: <input type="checkbox"/> |



Existing Pylon
Scale: 3/16" = 1'



Updated Rendering
Scale: 3/16" = 1'



SURVEY REQUIRED
VERIFY PLATE DIMENSIONS
VERIFY PANTONE MATCH
CONFIRM DIMENSIONS OF EXISTING FOOTING AND POLE
3" x 8" FOOTING W/ 10" 8CH 40 PIPE REQUIRED



DESIGN | FABRICATION | INSTALLATION | SERVICE

7775 Ave. B1 N.E.
 Fridley, MN 55432
 P: 763.784.2886 | F: 763.787.7318
 www.albrechtsigns.com

Client:
 Trusted Wrench

Client Address:
 6443 University Ave NE,
 Spring Lake Park, MN 55432

Start Date: 8/23/2023
 Last Revision Date: 7/12/2023
 Job Number: N/A
 Drawing Revision: 2
 Sales Representative: CJ
 Designer: RD

| Rev # | Description | Update |
|-------|-------------|--------|
| 01 | | |
| 02 | | |
| 03 | | |
| 04 | | |
| 05 | | |
| 06 | | |
| 07 | | |
| 08 | | |
| 09 | | |

Customer Signature of Approval
 X

| LEC Module | Power Supply |
|------------|--------------|
| Type | Type |
| Units | Units |



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72" x 2 = 144"

SURVEY REQUIRED
VERIFY PLATE DIMENSIONS
VERIFY PANTONE MATCH
CONFIRM DIMENSIONS OF EXISTING FOOTING AND POLE
8' x 8' FOOTING W/ 10" SCH 40 PIPE REQUIRED



DESIGN | FABRICATION | INSTALLATION | SERVICE

7775 Main St. N.E.
 Fridley, MN 55432
 P: 763 764 2698 | F: 763 767 7318
 www.albrechtsigns.com

Client:
 Trusted Wrench

Client Address:
 8443 University Ave NE,
 Spring Lake Park, MN 55432

Start Date: 6/25/2023
 Last Revision Date: 7/12/2023
 Job Number: N/A
 Drawing Revision: 2
 Sales Representative: CJ
 Designer: RD

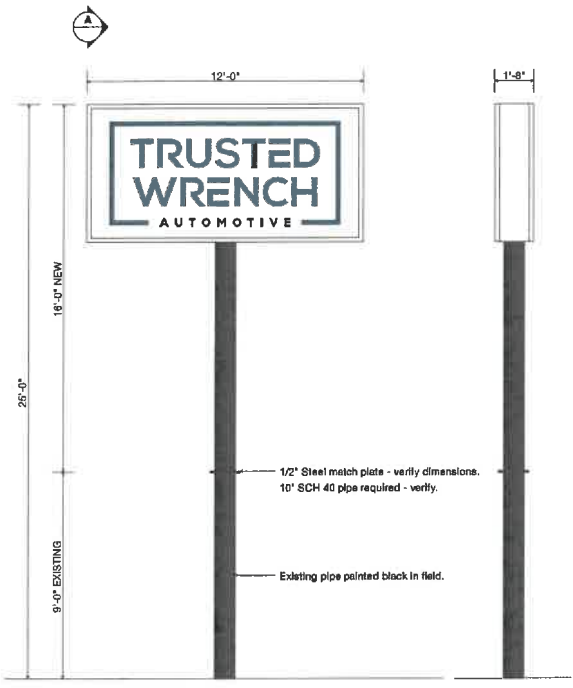
| Rev. on | Update |
|---------|--------|
| 01 | |
| 02 | |
| 03 | |
| 04 | |
| 05 | |
| 06 | |
| 07 | |
| 08 | |
| 09 | |

Customer Signature of Approval
 X

| LED Module | | Power Supply | |
|------------|-------|--------------|-------|
| Type | Units | Type | Units |
| | | | |

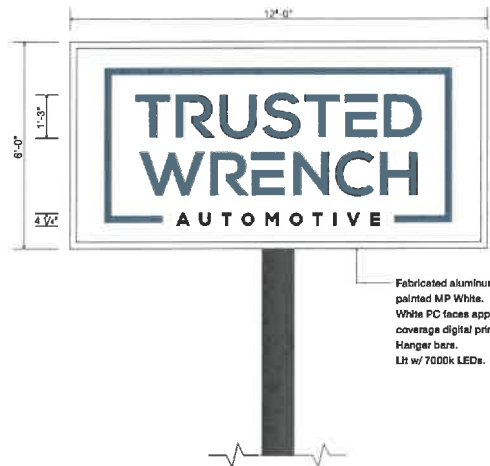


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Face View
 Scale: 1/4" = 1'

End View
 Scale: 1/4" = 1'



Cabinet Detail
 Scale: 3/8" = 1'

Fabricated aluminum cabinet painted MP White. White PC faces applied w/ full coverage digital print. Hanger bars. Lt w/ 7000k LEDs.

| Color: | White | CMYK | Black | N/A | N/A | N/A | N/A | ST-200 |
|----------------|----------|----------------|----------|-----|-----|-----|-----|--|
| Paint Finish: | MP White | N/A | MP Black | N/A | N/A | N/A | N/A | Cabinet Replacement |
| Vinyl: | N/A | N/A | N/A | N/A | N/A | N/A | N/A | Quantity: 1 Square Ft: 72 |
| Digital Print: | N/A | Clear - Luster | N/A | N/A | N/A | N/A | N/A | Single Face: <input type="checkbox"/> Illuminated: <input checked="" type="checkbox"/> |
| Other: | N/A | N/A | N/A | N/A | N/A | N/A | N/A | Double Face: <input checked="" type="checkbox"/> Non-Illuminated: <input type="checkbox"/> |

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

**Kennel License
August 7, 2023**

**Ria Morgan
342 81st Avenue NE
Spring Lake Park MN 55432**

City of Spring Lake Park

RESOLUTION NO. 23-

RESOLUTION APPROVING RENTAL LICENSE REVOCATION FOR CERTAIN PROPERTY LOCATED AT 501 84th Ave NE, PURSUANT TO SECTION 12.16.140 OF THE CITY OF SPRING LAKE PARK CODE

WHEREAS, HPA II Borrower 2021-LLC (Hereinafter “License Holder”) is the legal owner of the real property at 501 84TH Ave NE Spring Lake Park MN, 55432; and

WHEREAS, pursuant to City Code, 12.16.140 of the City of Spring Lake Park written notice setting forth the causes and reasons for the proposed council action contained herein and notice of a public hearing to be held on at 7:00 pm on August 7, 2023 was given to the license holder on July 21, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park that, in accordance with the foregoing, and all ordinances and regulations of the City of Spring Lake Park, the City Council adopts the following.

Findings of Fact

1. That on or about June 14, 2023 Code Enforcement staff completed an initial rental housing inspection at the property of 501 84th Ave NE in the City of Spring Lake Park MN. The property failed its rental inspection.
2. That on or about July 20, 2023 Code Enforcement staff completed a follow up inspection at the property of 501 84th Ave NE in the City of Spring Lake Park MN. The property failed reinspection.
3. That on or about July 21, 2023 the property owner HPA Borrower 2021-LLC and all tenants were notified of a public hearing
4. That based upon said records of the Code Enforcement, the following conditions and violations of the City Property Maintenance Code were found to exist, to-wit:
 - a. Failure of rental housing inspection on June 14, 2023.
 - b. Failure of rental housing inspection on July 20, 2023.
5. That all parties, including the license holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code, Chapter 12 Article 16.140 of the City of Spring Lake Park.

Order of Council

1. The rental license belonging to the license holder described herein and identified as HPA II Borrower 2021-LLC is hereby revoked;
2. The City will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by license Holder;
3. All tenants shall remove themselves from the premises within 45 days from the first day of posting of this Order revoking the license as held by license Holder.

The foregoing resolution as moved for adoption by Councilmember.

Upon roll call, the following voted aye:

And the following voted nay:

Where the Mayor declared said resolution duly passed and adopted this the 7th day of
August, 2023

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator



Memorandum

To: Mayor Nelson and Members of the City Council
From: Terry Randall, Public Works Director
Date: July 27, 2023
Subject: July 2023 Public Works Report

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

- Weeding, Mowing, garbage and recycling pickup daily.
- Installation of Woodchips in the playground area.
- Installation of a new ramp at Westwood Park and replaced the curbing around the playground.
- Fine tuning the sprinkler heads on the sprinkler system.
- Installed two fences around Triangle Park, where the new grass has been planted.
- Painted the crosswalks, arrows and stop bars.
- Cleaned sanitary sewers in all areas except the area to be lined.

Appointments:

- July 6 – Meeting on City Hall Remodel
- July 6 – Attended the ARC GIS Presentation
- July 12 – Attended the meeting on the water and sewer rate study

Parks and Recreation Department

July 2023 Report

Recreation Programs offered during July

Adult Pickleball Ladder Leagues - Summer (Ages 18+)
ABLE PARK PROGRAMS - Free Program (Ages 6 - 12)
ABLE PARK PROGRAMS - Munchkins (Ages 4 & 5)
ABLE PARK PROGRAMS - Panthers (Ages 6-12)
Adult Softball Leagues - Fall Season (Ages 18+)
Dungeons & Dragons: Learn to Play (Ages 10 & up)
Little Slugger Coed T-Ball (Ages 4 - 5)
MN Wind Chill Ultimate Frisbee Camp (Ages 8-13)
North Metro Volleyball League - Summer Season (Ages 18+)
Pickleball for Beginners (Ages 18+)
QC Dance - One Day Dance Camp Offerings
QC Dance 4- & 5-week classes - (Ages 0-18)
RevSports Ninja Warrior Fitness-Summer Session II (Ages 3-9)
RevSports Soccer - Summer Session II (Ages 3-9)
WEDNESDAY OUTINGS & EVENTS (Ages 6-12)
Yoga - July Session (Ages 18+)
Youth Co-Rec Softball - 7U LEAGUE
Youth Co-Rec Softball - 10U LEAGUE
Youth Co-Rec Softball - 13U LEAGUE
Zumba - Session I (Ages 18+)
Music in the Park – Jim Tones and Everett Smithson Band
Adult Softball Tournament – July 14-15
Youth Softball Tournament – July 27-29

Parks

- Able Park Building – rental on July 8
- Emmanuel Christian Center Serve Day – July 17 – painted footbridge at Lakeside, picked up trash along Sanburnol, University and Old Center, removed weeds from playgrounds
- Rental Reservations Form for rentals located at <https://slprec.org/parksrec/page/facility-use-permit-application>
- Adopt-a-flower Garden- Lakeside Park – Sierra Steiner, Able Park – Sandy Tykeson, Sanburnol Park – Nancy Lee Litt and Garden Club
- Adopt-a-drain Program-register at www.slprec.org

Tower Days - 2024

- Next planning meeting will be held in October 2023.

Parks & Recreation Commission

- The Commission next meeting will be in September, Commission voted to not meet on July 4 and August 1 (Nite to Unite) but reserves the right to meet if needed.

Department Activity

- Director Okey attended the following meetings and events during the month:
 - City Council session
 - Department Head meeting
 - Construction meetings on City Hall
 - Tower Days Planning Meeting
 - Music in the Park
 - Staff is working on fall catalog and program planning

Upcoming Activities

Youth Softball Tournaments July 27-30
Adult Softball Summer Tournament July 14-16
Lake Minnetonka Luncheon Boat Cruise
Adult Softball Leagues - Fall Season (Ages 18+)
Yoga - August Session (Ages 18+)
North Metro Bean Bag Toss League - Summer Season (Ages 18+)
Intro to Pickleball Clinic (Ages 18+)
Carfit - for Safety
Thinking about Buying a Home?
Zumba - Session IV (Ages 18+)
Thinking about Buying a Home?
RevSports Ninja Warrior Fitness-Summer Session III (3-9)
RevSports Soccer - Summer Session III (Ages 3-9)
Dungeons & Dragons: Adventure Session (Ages 10 & up)
Mature Drivers - 4 Hour - Aug 23 - In person
Packing and staging and marketing-oh my!
Extended Tour to Branson, November 2023

Historical Statistics of Adult and Youth Softball

| League | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|--------------------------|------|------|------|------|------|------|------|------|--------------|------|------|------|------|------|------|-------|-------|------|------|
| T-Ball | 178 | 212 | 220 | 157 | 183 | 107 | 119 | 116 | 90 | 96 | 87 | 87 | 38 | 46 | 41 | 0 | 51 | 49 | 43 |
| Mites/7U | 69 | 80 | 74 | 73 | 63 | 76 | 75 | 53 | 54 | 54 | 47 | 48 | 76 | 86 | 84 | 0 | 50 | 50 | 40 |
| Pee Wee/10U | 77 | 78 | 75 | 71 | 77 | 65 | 52 | 64 | 70 | 48 | 40 | 46 | 58 | 67 | 65 | 0 | 76*** | 57 | 46 |
| Midget/13U | 71 | 63 | 59 | 58 | 55 | 104 | 92 | 73 | 61 | 73 | 67 | 61 | 69 | 50 | 46 | 0 | - | 55 | 58 |
| Junior/17U | 136 | 118 | 103 | 87 | 78 | 66 | 68 | 68 | 66 | 55 | 49 | 40 | 56 | 71 | 72 | 0 | 53 | 34 | 20 |
| Senior (ages 16, 17, 18) | 75 | 92 | 96 | 118 | 90 | 86 | 70 | 43 | 47 | 44 | 48 | 47 | | | | | - | | |
| Young Adult / Adults | 124 | 158 | 83 | 108 | 125 | 0 | 0 | 0 | 96 Adults | 202 | 222 | 384 | 456 | 612 | 602 | 256** | 524 | 426 | 356 |
| Total | 606 | 643 | 627 | 564 | 546 | 504 | 476 | 417 | 484 | 572 | 560 | 713 | 753 | 932 | 910 | 256 | 754 | 671 | 553 |
| Total Mites-Senior only | 428 | 431 | 407 | 407 | 363 | *397 | 357 | 301 | 298 | 274 | 251 | 242 | 259 | 274 | 267 | 0 | 236 | 245 | 197 |

*Increased age range of participants (ages 6-18) in 2010.

Adults = Summer and Fall leagues.

* 2012 Ages were 6&7, (8&9), (10,11,12) (13,14,15), (16,17, 18)

2017 Dropped Seniors and dropped starting age down to 5. 18 moved to adults.

Ages were 5-7, 8-10, 11-13, 14-17

2021 Moved 13-year old's up to 17 and under. Created 12 U league this year due to lack of teams in 13 U.

**All 2020 cancelled due to COVID 19, except for adult fall ball

2021 ages for T Ball adjusted to 4- & 5-year old's (not just 4-year old's anymore)



Memorandum

To: Mayor Nelson and Members of the City Council
From: John Thames, City Attorney
Date: July 5, 2023
Subject: Cannabis, Edible Cannabinoids and Drug Paraphernalia Ordinance

As the Council is aware, the Minnesota Legislature passed a new law in 2022 which made it legal to sell certain edible cannabinoid products (a.k.a. “lower potency hemp edibles”). In response to this new law, the City of Spring Lake Park passed Ordinance 11.48 “Edible Cannabinoid Products” which created a local licensing framework for vendors who made such sales.

In 2023, the Minnesota Legislature approved Session Law Ch. 63, which expanded both the legalization of the types of THC products and the also the types of THC and Cannabis businesses permitted in the state. The same also established certain registration/licensing frameworks for edible cannabinoid vendors. The Legislature concurrently repealed MN Statute 152.092 (“Possession of Drug Paraphernalia Prohibited”) and made certain revisions to MN statute 152.025 (“Controlled Substance Crime in the Fifth Degree”), which excepts from that crime the possession of residual amounts of controlled substances which are found in drug paraphernalia. This exception was expanded to except possession of controlled substances *beyond* marijuana. (See the relevant portion of the revised law below.)

152.025 Controlled Substance Crime in the Fifth Degree

Subd. 2. Possession and other crimes.

A person is guilty of controlled substance crime in the fifth degree and upon conviction may be sentenced as provided in subdivision 4 if:

(1) the person unlawfully possesses one or more mixtures containing a controlled substance classified in Schedule I, II, III, or IV, except a small amount of marijuana or a residual amount of one or more mixtures of controlled substances contained in drug paraphernalia;

Subject to certain limitations, the 2023 laws permit cities to prohibit the public use of cannabis and cannabinoid products and also to prohibit the possession of drug paraphernalia. The City passed a moratorium at its last meeting to temporarily prohibit the operation of cannabis businesses to allow the time for the matter to be studied and for proper regulations to be established. The moratorium does not apply to edible cannabinoid products, which are currently sold pursuant to the City’s licensing process.

The state intends to begin registering vendors of edible cannabinoid products this fall. All such vendors must register with the state by October 1, 2023. It is believed that when the state begins to issue registration/licenses to such businesses, that local regulation thereof will be preempted. This will mean that the City of Spring Lake Park's Edible Cannabinoid Licensing framework must cease in favor of the state registration/licensing process. This proposed ordinance will repeal that licensing process and replace it with more basic zoning restrictions as to where such businesses may operate, in compliance with the new law. The Council will need to determine in what zoning districts these sales should be permitted and whether any restriction on the number of registrations will be imposed.

This proposed ordinance also exercises the City's authority to prohibit public use of cannabis and edible cannabinoids and prohibits the possession of drug paraphernalia within the City. The latter prohibition does not prohibit marijuana paraphernalia, but does prohibit possession of paraphernalia containing residual amounts of controlled substances *other than marijuana*. The passage of this ordinance will allow the maintenance of the status quo for law enforcement to conduct searches based on probable cause as to the possession of illegal controlled substances (e.g. methamphetamines, etc.).¹

If you have any questions, please don't hesitate to contact me at 763-561-2800. Thank you.

¹ Illustratively, in the event of detection of a controlled substance other than marijuana in a vehicle, an otherwise valid search of that vehicle can remain valid even if the search does not yield the discovery of a controlled substance beyond residue within drug paraphernalia.

**SPRING LAKE PARK
ORDINANCE 488**

**AN ORDINANCE AMENDING THE SPRING LAKE PARK CITY CODE
RELATING TO CANNABIS AND EDIBLE CANNABINOID PRODUCTS**

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **REPEAL** “11.48 EDIBLE CANNABINOID PRODUCTS” of the Spring Lake Park Municipal Code is hereby *repealed* as follows:

REPEAL

11.48.010 Purpose And Intent

The Minnesota Legislature adopted M.S. § 151.72, making it legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), the cannabis ingredient extracted from hemp. The City Council deems it necessary to provide for the regulation of edible cannabinoid products in order to protect the public health safety and welfare and to ensure that edible cannabinoid products are sold in accordance with State Law.

11.48.020 Adoption Of State Law By Reference

The provisions of M.S. § 151.72, as it may be amended from time to time, are hereby adopted by reference and are made a part of this section as if set out in full.

11.48.030 Definitions

In addition to the definitions contained in M.S. § 151.72, as it may be amended from time to time, the following terms are defined for purposes of this section.

CITY. The City of Spring Lake Park.

COMPLIANCE CHECKS. The system used by the city, or other applicable governmental unit, to investigate and ensure that those authorized to sell edible cannabinoid products are following and complying with the requirements of this chapter. **COMPLIANCE CHECKS** may involve the use of persons under the age of 21 authorized by this chapter.

COMPLIANCE CHECKS may also be conducted by other units of government for the purpose of enforcing appropriate state and local laws and regulations relating to edible cannabinoid product.

SELF-SERVICE MERCHANDISING. Open displays of edible cannabinoid products in any manner where any person has access to the edible cannabinoid product without the assistance or intervention of the licensee or the licensee's employee. Assistance or intervention means the actual physical exchange of the licensed product between the customer and the licensee or employee.

TOBACCO STORE. A retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is incidental.

VENDING MACHINE. Any mechanical, electric, or electronic, or other type of device which dispenses tobacco-related products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the tobacco-related product.

11.48.040 License

- A. *License required.* No person shall sell or offer to sell any edible cannabinoid product without first having obtained a license to do so from the city.
- B. *License eligibility.* No license shall be issued except to a person operating a tobacco store licensed under SLPC 11.12, as it may be amended from time to time.
- C. *Application.* An application for a license to sell edible cannabinoid products shall be made on a form provided by the city. Upon receipt of a completed application, the Administrator, Clerk/Treasurer shall forward the application to the Police Department for the purpose of conducting a background check on the applicant. The Police Department shall have ten (10) days from receipt of a complete application to complete the background check. Upon completion of the background check, the Police Department shall forward the application and investigation results to the City Council for action at its next regularly scheduled meeting. If the Administrator, Clerk/Treasurer determines that an application is incomplete, he/she shall return the application to the applicant with notice of the information necessary to make the application complete.
- D. *Action.* The City Council may either approve or deny the license, or it may delay action for a reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the City Council approves the license, the Administrator, Clerk/Treasurer shall issued the license to the applicant. If the City Council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the decision.
- E. *License fee.* No license shall be issued under this chapter until the appropriate license fee is paid in full. The annual fee for a license under this chapter shall be established in the city's ordinance establishing fees and charges, as may be amended from time to time. Initial license applications covering a period of less than one year shall be charged a fee calculated on a monthly pro rata basis.
- F. *Restriction on issuance.*
 - 1. No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the city are delinquent and unpaid. In the event an action has been commenced pursuant to the provisions of M.S. Ch. 278, as it may be amended

from time to time, questioning the amount or validity of taxes, the Council may, on application by the licensee, waive strict compliance with this paragraph. No waiver may be granted, however, for taxes or any portion thereof which remain unpaid for a period exceeding one year after becoming due.

2. No license shall be issued for a premises within 500 feet of any school or church. The distance is to be measured from the closest side of the school or church to the closest side of the structure on the premises within which edible cannabinoid products are to be sold.
3. No license shall be granted if the applicant, responsible party, owner, manager or any other person involved with the licensee:
 - a. Is under the age of 21;
 - b. Who is not of good moral character and repute; and
 - c. Who has been convicted, within five years prior to the application for such license, of any violation of any law of the United States, this state or any other state or territory or of any local ordinance regarding the manufacture, sale or distribution of edible cannabinoid products.

G. *Term.* All licenses issued under this chapter shall expire on December 31 of each year.

H. *Revocation or suspension.* Any license issued under this chapter may be revoked or suspended as provided in this chapter.

I. *Transfers.* All licenses issued under this chapter shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the City Council.

J. *Display.* All licenses shall be posted and displayed in plain view of the general public on the licensed premises.

K. *Renewals.* The renewal of a licenses issued under this chapter shall be handled in the same manner as the original application. The request for a renewal shall be made at least 30 days but not more than 60 days before the expiration of the current license.

L. *Issuance as privilege and not a right.* The issuance of a license issued under this chapter shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

11.48.050 Unlawful Acts

A. *Unlawful sales.* It shall be a violation of this chapter for any person to sell any edible cannabinoid product:

1. To any person under the age of 21 years;
2. By means of any type of vending machine;
3. By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premises in order to receive the edible cannabinoid product and whereby there is not a physical and in person exchange of the edible cannabinoid product between the licensee or the licensee's employee, and the customer; or
4. That is in violation of M.S. § 151.72, as it may be amended from time to time.

- B. *Use of false identification.* It shall be a violation of this chapter for any person to attempt to disguise his/her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.
- C. *Unlawful purchases.* It shall be unlawful for any person who is under the age of 21 years to purchase any edible cannabinoid product. Persons acting under the direct supervision of the city, law enforcement, or other governmental unit and which are actively engaged in a compliance check of the licensed premises are exempted from this provision while engaged in the compliance check.
- D. *Distribution of edible cannabinoid product samples.* It shall be unlawful for any licensee or any person, business or retailer to distribute or give away edible cannabinoid products free of charge to any person on any right-of-way, park, playground, school or other property owned by the city.

11.48.060 Licensee Responsibility

All licensees under this chapter shall be responsible for the actions of their employees in regard to the sale of edible cannabinoid products on the licensed premises, and the sale of such an item by an employee shall also be considered a sale by the license holder. The license holder shall at all times be responsible for how edible cannabinoid products are offered for sale on the licensed premises and for ensuring that such edible cannabinoid products are compliant with this chapter and state and federal law. Violations of this code, state law, or other applicable law or regulation may be enforced against the license holder and any other responsible individual. Nothing in this section shall be construed as prohibiting such separate enforcement actions related to a single behavioral incident nor shall the imposition of any penalty act as a bar to the prosecution, licensing action, or other enforcement action against another.

11.48.070 Compliance Checks; Inspections

All licensed premises shall be open to inspection by the City Police Department or other authorized city official during regular business hours. The City shall conduct compliance checks from time to time but at least twice per year. The City will conduct at least one compliance check that involves the participation of a person between the ages of 18 and 20 to enter the licensed premises to attempt to purchase edible cannabinoid products. Persons under the age of 21 used for compliance checks shall not be guilty of an unlawful purchase or attempted purchase, nor the unlawful possession of edible cannabinoid products when those items are obtained or attempted to be obtained as part of the compliance check. No person under the age of 21 used in compliance checks shall attempt to use a false identification misrepresenting the persons age and all persons under the age of 21 lawfully engaged in a compliance check shall answer all questions about their age asked by the licensee or his/her employee and shall produce any identification, if any exists, for which he/she is asked.

11.48.080 Violations And Penalty

- A. *Violations a misdemeanor.* A violation of this chapter shall be a misdemeanor. Nothing

in this chapter shall prohibit the city from seeking prosecution as a misdemeanor for any alleged violation of this chapter.

B. *Violations.*

1. *Notice.* Upon discovery of a suspected violation, and in addition to any criminal sanction, the alleged violator may be issued, either personally or by mail, an administrative offense citation pursuant to SLPC 3.20, setting forth the alleged violation and the alleged violator's right to be heard on the accusation.
2. *Hearing.* The person accused of violating this chapter may request a hearing in writing within 14 days of receipt of the notice of violation and a hearing shall be scheduled, the time and place of which shall be provided to the accused violator.
3. *Hearing officer.* The City Council, or its designee, shall appoint a person to serve as the hearing officer.
4. *Decision.* If the hearing officer determines that a violation of this chapter did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under this section, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, those findings shall be recorded and a copy provided to the acquitted accused violator.
5. *Appeal.* Appeals of any decision made by the hearing officer shall be made to the City Council in writing within seven days of receipt of the hearing officer's decision. The decision of the City Council shall be final.
6. *Continued violation.* Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

C. *Administrative penalties, individuals.* If a person who is not a licensee is found to have violated this chapter, the person shall be charged an administrative penalty of \$50 for a first violation of this chapter, \$100 for a second violation within a 12-month period and \$150 for a third or subsequent violation within a 12-month period.

D. *Administrative penalties, licensee.* Any licensee found to have violated this chapter, or whose employee shall have violated this chapter, shall be charged an administrative penalty of \$500 for a first violation of this chapter, \$1,000 for a second violation at the same licensed premises within a 36-month period and \$2,000 for a third or subsequent violation at the same location within a 36-month period. After the third violation, the license is automatically suspended for seven days commencing the day following the date of exhaustion of any right of appeal, contemplated herein, of the third offense. In addition to the seven day suspension, the City Council shall conduct a hearing at the next regular Council meeting following the third violation to determine whether the license should be suspended longer than seven days. Any additional suspension may be for the remainder of the license period or 90 days, whichever is greater. Upon a fourth violation at the same location within a 36-month period, the license will be revoked.

~~11.48 EDIBLE CANNABINOID PRODUCTS~~ (*Repealed*)

~~11.48.010 Purpose And Intent (Repealed)~~

~~11.48.020 Adoption Of State Law By Reference (Repealed)~~

~~11.48.030 Definitions (Repealed)~~

~~11.48.040 License (Repealed)~~

~~11.48.050 Unlawful Acts (Repealed)~~

~~11.48.060 Licensee Responsibility (Repealed)~~

~~11.48.070 Compliance Checks; Inspections (Repealed)~~

~~11.48.080 Violations And Penalty (Repealed)~~

SECTION 2: ADOPTION “11.50 CANNABIS AND EDIBLE CANNABINOID PRODUCTS; DRUG PARAPHERNALIA” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

11.50 CANNABIS AND EDIBLE CANNABINOID PRODUCTS; DRUG PARAPHERNALIA(*Added*)

SECTION 3: ADOPTION “11.50.010 Purpose And Intent” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

11.50.010 Purpose And Intent(*Added*)

In 2022, the Minnesota Legislature adopted M.S. § 151.72, making it legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), the cannabis ingredient extracted from hemp. In 2023, the Minnesota Legislature approved 2023 Session Law Ch. 63, expanding both the legalization of types of THC and cannabis products and also the types of THC and Cannabis businesses permitted, and further making certain amendments to existing law related to the possession of drug paraphernalia. The City Council deems it necessary to provide for the regulation of these products in order to protect the public, health, safety and welfare and to ensure that the products are sold in accordance with State Law.

SECTION 4: **ADOPTION** “11.50.020 Adoption Of State Law By Reference;” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

11.50.020 Adoption Of State Law By Reference;(Added)

The provisions of M.S. § 151.72 and M.S. Ch. 342, as each may be amended from time to time, are hereby adopted by reference and are made a part of this section as if set out in full.

SECTION 5: **ADOPTION** “11.50.030 Public Use Of Cannabis And Edible Cannabinoids Prohibited” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

11.50.030 Public Use Of Cannabis And Edible Cannabinoids Prohibited(Added)

It is unlawful for any person to use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products as each is defined by state law, in a public place within the City of Spring Lake Park. For the purposes of this Section, “public place” shall not include:

- a. A private residence, including the curtilage or yard of the same;
- b. Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property;
- c. The premises of an establishment or event licensed to permit on-site consumption, provided the use complies with the on-site consumption permit.

Any violation of this Section shall be a petty misdemeanor.

SECTION 6: **ADOPTION** “11.50.040 Limitations On The Sale Of Edible Cannabinoid Products” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

11.50.040 Limitations On The Sale Of Edible Cannabinoid Products(Added)

Edible Cannabinoid Products, as defined by M.S. § 151.72, which contain no more than 0.3% Tetrahydrocannabinol (commonly known as “THC”), may only be sold by businesses which are registered with the City and the State of Minnesota and licensed, when required by state law. To be eligible to register to sell edible cannabinoid products within the City, an applicant must comply with all of the following:

- a. Pay the applicable registration fee to the City;
- b. Comply with all state and local registration and state licensing requirements;
- c. Locate the principal place of business which will conduct the sales within the C-1 and C-2 zoning district and, at the time of the application, no more than one other business which does not comply as a "Cannabis Business" pursuant to M.S. Ch. 342 is currently registered or licensed to sell edible cannabinoid products within that district; and
- d. The sale of edible cannabinoid products outside of the zoning districts or in excess of the applicable registration limitations set forth in (c) is prohibited.

The City specifically intends that the requirements of this Section be considered local zoning requirements or regulations for the purposes of compliance with M.S. Ch. 342.

SECTION 7: ADOPTION “11.50.050 Possession Of Drug Paraphernalia Prohibited” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

11.50.050 Possession Of Drug Paraphernalia Prohibited(*Added*)

It is unlawful for any person knowingly or intentionally to use or possess drug paraphernalia.

For the purposes of this Section, **DRUG PARAPHERNALIA** is defined as all equipment, products, and materials of any kind, except those used in conjunction with permitted uses of controlled substances pursuant to state law, which are knowingly or intentionally used primarily in (1) manufacturing a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, or (3) enhancing the effect of a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products. **DRUG PARAPHERNALIA** does not include the possession, manufacture, delivery, or sale of: (1) hypodermic syringes or needles or any instrument or implement which can be adapted for subcutaneous injections; or (2) products that detect the presence of fentanyl or a fentanyl analog in a controlled substance.

Any violation of this Section shall be a petty misdemeanor.

SECTION 8: **AMENDMENT** “11.52.020 Criminal History License Background Investigations” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

11.52.020 Criminal History License Background Investigations

- A. The Police Department is hereby required, as the exclusive entity within the city, to do a criminal history background investigation on the applicants for the following licenses within the city:
1. Peddlers, solicitors and transient merchants;
 2. Tobacco ~~or edible cannabinoid products~~;
 3. Intoxicating liquor;
 4. Wine and 3.2% malt;
 5. Liquor pawnbrokers;
 6. Second hand goods;
 7. Dealer vehicles for hire;
 8. Sauna;
 9. Massage services;
 10. Sexually oriented business;
 11. Lawful gambling premises;
 12. Permit bingo hall;
 13. Kennel license; and
 14. Used car dealership.
- B. *Conducting the criminal history background investigation.* In order to screen license applicants, the Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be maintained at the Police Department under the care and custody of the chief law enforcement official or his or her designee. A summary of the results of the Computerized Criminal History data may be released by the Police Department to the licensing authority, including the City Council, the City Administrator or other city staff involved in the license approval process.
- C. Before the investigation is undertaken, the applicant must authorize the Police Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of M.S. Ch. 13, as it may be amended from time to time, regarding the collection, maintenance and use of the information. Except for the positions set forth in M.S. § 364.09, as it may be amended from time to time, the city will not reject an applicant for a license on the basis of the applicant’s prior conviction unless the crime is directly related to the license sought and the conviction is for a felony, gross misdemeanor, or misdemeanor with a jail sentence. If the city rejects the applicant’s request on this basis, the city shall notify the applicant in writing

of the following:

1. The ground and reasons for the denial;
2. The applicant compliant and grievance procedure set forth in M.S. § 364.06, as it may be amended from time to time;
3. The earliest date the applicant may reapply for the license; and
4. That all competent evidence of rehabilitation will be considered upon reapplication.

SECTION 9: **CUSTOM CLAUSE NAME** The City Fee Schedule is hereby amended to repeal the fee for Edible Cannabinoid Products licenses and to establish the Lower Potency Hemp Edible Retailer (Sale of Certain Edible Cannabinoids) application fee at \$125/year per retail location, an initial license fee of \$125/year per retail location and renewal license fee of \$125/year per retail location.

SECTION 10: **EFFECTIVE DATE** This Ordinance shall be in full force and effect upon approval and publication according to law.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL

_____.

| | AYE | NAY | ABSENT | ABSTAIN |
|---------------------------------|------------|------------|---------------|----------------|
| Councilmember Wendling | _____ | _____ | _____ | _____ |
| Councilmember Goodboe-Bisschoff | _____ | _____ | _____ | _____ |
| Councilmember Dircks | _____ | _____ | _____ | _____ |
| Councilmember Moran | _____ | _____ | _____ | _____ |
| Mayor Nelson | _____ | _____ | _____ | _____ |

Presiding Officer

Attest

Robert Nelson, Mayor, Spring Lake Park

Daniel R. Buchholtz, Administrator, Clerk/Treasurer, Spring Lake Park

CITY OF SPRING LAKE PARK

RESOLUTION NO. 2023-30

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 488,
AN ORDINANCE AMENDING THE SPRING LAKE PARK CITY CODE RELATING
TO CANNABIS AND EDIBLE CANNABINOID PRODUCTS**

WHEREAS, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the City Council has determined that publication of the title and summary of Ordinance 488 will clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota that the following summary of Ordinance No. 488 is approved for publication:

“On August 7, 2023, the Spring Lake Park City Council approved Ordinance No. 488, entitled ‘An Ordinance Amending the Spring Lake Park City Code Relating to Cannabis and Edible Cannabinoid Products.’

The following is a summary of Ordinance No. 488, a copy of which is available in its entirety for review during regular office hours at the City of Spring Lake Park, 1301 81st Avenue NE, Spring Lake Park, MN, or for review on the City’s website, www.slpmn.org.

The Ordinance repeals Section 11.48, Edible Cannabinoid Products. The ordinance adopts a new Section 11.50, Cannabis and Edible Cannabinoid Products; Drug Paraphernalia. Section 11.50 establishes the purpose and intent of the ordinance, adopts M.S. § 151.72 and M.S. Ch. 342 by reference, prohibits use of cannabis and edible cannabinoids in public places, limits sale of low-potency edible cannabinoid products, prohibits possession of drug paraphernalia, except that used for cannabis products, and amends Section 11.52.020(A)(2) of the City Code to strike edible cannabinoid products from that section. The ordinance establishes registration/license fees for lower potency hemp edible retailers at \$125/year.

The Ordinance takes effect upon publication in the City’s newspaper of record.”

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 7th day of August, 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: July 28, 2023

Subject: August Work Session

I am requesting the City Council schedule a work session for August 14, 2023 at 5:30pm.

The topic for the work session is the Review the Proposed 2024 Administrator's Budget Proposal. The budget will be sent given to you on August 7.

If you would like other items added to the work session agenda, please reach out to Wanda Brown by Tuesday, August 8.



City of Spring Lake Park
Engineer's Project Status Report

To: Council Members and Staff
From: Phil Gravel

Re: **Status Report for 08.07.23 Meeting**
File No.: R-18GEN

Note: Updated information is shown in *italics*.

2023 MS4 Permit and SWPPP Update (193805251). *The 2023 Annual Public Meeting was held on June 20th. Pond, structural BMP, and outfall inspections due by July 31st. Program analysis and annual training is due in December. The next Annual Report is due by June 30, 2024. Per 5-15-23 message: MPCA has put their requested review/audit of the city's 2022 information on hold until further notice.*

2023 Sewer Lining Project (193805871). This project includes lining the remaining sanitary sewers in the city that have not been lined (approximately 35,710-feet). Terry Randall will watch this project. The Contractor is Visu-Sewer Inc with a low bid amount of \$1,047,746. Construction Contracts have been signed and sent to the contractor (Visu-Sewer Inc.). *Contractor has indicated that they intend to start work this fall.*

2023 Seal Coat and Crack Repair Project (193806041). Project included street maintenance on the streets in the area north of 81st Avenue and east of Able Street. The Contractor was Allied Blacktop (bid amount of \$97,770). *Construction work has been completed. Final payment can be processed when contractor submits project close-out documents.*

City Hall Building (193806049). The Design Phase for the city hall remodel project started in January 2023. The schedule calls for obtaining construction bids in late 2023. Council updated at spring 2023 workshops. Public Open House was held on May 8th. Bids are anticipated later this fall with contract award to be considered in December. *Plan preparation and staff meetings continue.*

Geographic Information System (GIS) and Mapping (19380----). The city has a need to update the mapping and records system for public works documents. Staff has been discussing implementing an online AcrGIS system maintain documents and mapping of infrastructure.

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.*

2024 Sanburnol Drive NE, Elm Drive NE, and 83rd Avenue NE (193806347). Sanburnol Drive (SAP 183-103-001) and Elm Drive (SAP 183-104-001) were reconstructed in 1998. 83rd Avenue NE was last paved in 1994. Sanburnol Drive is a shared road between the cities of Spring Lake Park and Blaine. Spring Lake Park will be the lead agency on this project, but it will be a cooperative project between Blaine and Spring Lake Park. *Joint Powers Agreement (JPA) with Blaine has been prepared. Geotechnical work has been completed. Feasibility Report being prepared.*

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