

EXPANDED AGENDA



CITY COUNCIL AGENDA

Monday, July 12, 2021

6:30 p.m.

(Scheduled to be broadcast on Channel 16)

*City Council: Mayor Rafferty, Councilmembers Cavegn, Lyden, Ruhland and Stoesz
City Administrator: Sarah Cotton*

COUNCIL WORK SESSION, 6:00 P.M.

Community Room (not televised)

1. Review Regular Agenda

CITY COUNCIL MEETING, 6:30 P.M.

- Call to Order and Roll Call - **Councilmembers Stoesz, Lyden, Cavegn, Ruhland and Mayor Rafferty were present**
- Pledge of Allegiance
- Open Mike / Public Comment *(in person or received in writing prior to meeting)*
Dorothy Rademacher, 6635 184th St, Forest Lake, requested financial assistance for the upcoming Blue Heron Days parade and related events
- Setting the Agenda: Addition or Deletion of Agenda Items
The agenda was approved as presented.

1. CONSENT AGENDA

- A) Consideration of Expenditures:
 - i) July 12, 2021 (Check No. 114594 through 114681) in the Amount of \$864,797.47
- B) Consider Approval of June 28, 2021 Work Session Minutes
- C) Consider Approval of June 28, 2021 Council Meeting Minutes
- D) Consider Approval of June 28, 2021 Closed Council Minutes
- E) Consider Approval of Resolution 21-71 American Legion Special Event Fundraiser/Corn Roast
- F) Consider Approval of Resolution 21-72, Lino Lakes Community Festival, Lino Lakes Chain of Lakes Rotary
- G) Consider Approval of Resolution 21-74, Quad Area Community Family Fun Festival
- H) Consider Approval of Resolution No. 21-63, Rescinding Declaration of Local State of Emergency

Action Taken: Motion by Ruhland, seconded by Lyden, to approve Consent Agenda Items 1A through 1H as presented, was adopted

2. FINANCE DEPARTMENT REPORT

None

3. ADMINISTRATION DEPARTMENT REPORT

None

4. PUBLIC SAFETY DEPARTMENT REPORT

None

5. PUBLIC SERVICES DEPARTMENT REPORT

None

6. COMMUNITY DEVELOPMENT REPORT

A) 426 Pine Street, Katie Larsen

i) Consider Resolution No. 21-67 Approving a Conditional Use Permit for Commercial Stables

ii) Consider Resolution No. 21-68 Denying a Variance to Increase the Number of Animal Units

Action Taken: Motion by Stoesz, seconded by Ruhland, to postpone consideration of Resolutions No. 21-67 and 21-68 to the August 9th council meeting, was adopted

B) Glamos Wire, Inc. (2300 Main Street), Katie Larsen

i) Consider Resolution No. 21-69 Approving Conditional Use Permit for Open and Outdoor Storage

ii) Consider Resolution No. 21-70 Approving Site Improvement Performance Agreement

Action Taken: Motion by Stoesz, seconded by Lyden, to approve Consent Agenda Items 1A through 1M as presented, was adopted

7. UNFINISHED BUSINESS




None

8. NEW BUSINESS

None

Adjournment

Motion by Cavegn, seconded by Ruhland, to adjourn at 6:50 p.m., was adopted

<i>Community Calendar – A Look Ahead</i>		
July 12, 2021 through July 26, 2021		
 Wednesday, July 14	6:30 pm, Council Chambers	Planning & Zoning Board
 Monday, July 26	6:00 pm, Community Room	Council Work Session
 Monday, July 26	6:30 pm, Council Chambers	City Council Meeting



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None

3. ADMINISTRATION DEPARTMENT REPORT

None

4. PUBLIC SAFETY DEPARTMENT REPORT

None

5. PUBLIC SERVICES DEPARTMENT REPORT

None

6. COMMUNITY DEVELOPMENT REPORT

- A) 426 Pine Street, Katie Larsen
 - i) Consider Resolution No. 21-67 Approving a Conditional Use Permit for Commercial Stables
 - ii) Consider Resolution No. 21-68 Denying a Variance to Increase the Number of Animal Units
- B) Glamos Wire, Inc. (2300 Main Street), Katie Larsen
 - i) Consider Resolution No. 21-69 Approving Conditional Use Permit for Open and Outdoor Storage
 - ii) Consider Resolution No. 21-70 Approving Site Improvement Performance Agreement




7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

None

Adjournment

<i>Community Calendar – A Look Ahead</i>		
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Expenditures

July 12, 2021

Check #114594 to #114681

\$864,797.47

Accounts Payable

Check Detail

User: katie.christofferson
Printed: 07/08/2021 - 8:07AM



Check Number	Check Date	Check Description	Amount
2 - 1st Choice Document Destruction			
114596	07/12/2021		
Inv 21-2101		Recycling 1830 lbs of paper and cardboard	600.00
114596 Total:			600.00
2 - 1st Choice Document Destruction Total:			600.00
4 - A&L Superior Quality Sod, Inc.			
114597	07/12/2021		
Inv 9298		7 Rolls Turfgrass sod	19.60
114597 Total:			19.60
4 - A&L Superior Quality Sod, Inc. Total:			19.60
11 - Ace Solid Waste, Inc.			
114598	07/12/2021	52 - 7741 Lake Dr	
Inv May 2021		50 - Clearwater Creek Organic Recycling	2,040.66
114598 Total:			2,040.66
11 - Ace Solid Waste, Inc. Total:			2,040.66
16 - Aid Electric Corporation			
114599	07/12/2021		
Inv 65957		Added dedicated circuit to fire alarm pa	972.12
114599 Total:			972.12
16 - Aid Electric Corporation Total:			972.12
1657 - Aker Doors, Inc.			
114600	07/12/2021		
Inv 6400		Service and adjust door	206.66
114600 Total:			206.66
1657 - Aker Doors, Inc. Total:			206.66
25 - American Legal Publishing Corp			

Check Number	Check Date	Check Description	Amount
114601	07/12/2021		
	Inv 8936	Internet renewal period 7/7/21-7/7/22	375.00
114601 Total:			375.00
25 - American Legal Publishing Corp Total:			375.00
42 - Anoka County Property Records & Taxation			
114602	07/12/2021		
	Inv 2021	2021 Assessment Contract	90,810.00
114602 Total:			90,810.00
42 - Anoka County Property Records & Taxation Total:			90,810.00
44 - Anoka County Treasury Office			
114603	07/12/2021		
	Inv B210616L	Site 117 July 2021 Cac Fiber	225.00
114603 Total:			225.00
44 - Anoka County Treasury Office Total:			225.00
1674 - Aramark Uniform & Career Apparel Group, Inc.			
114604	07/12/2021		
	Inv 1005071766	Towels	100.14
114604 Total:			100.14
1674 - Aramark Uniform & Career Apparel Group, Inc. Total:			100.14
54 - Aspen Mills, Inc.			
114605	07/12/2021		
	Inv 275288	Uniform Allowance - K. Kraemer	186.48
114605 Total:			186.48
54 - Aspen Mills, Inc. Total:			186.48
55 - Auto Nation Ford White Bear Lake			
114606	07/12/2021		
	Inv 68112	Motor assembly #256	54.67
114606 Total:			54.67
55 - Auto Nation Ford White Bear Lake Total:			54.67
1359 - Blaine Lock & Safe, Inc.			
114607	07/12/2021		
	Inv 30593	Best O Cores - Qty 5, Pinup Best Core -	239.75

Check Number	Check Date	Check Description	Amount
114607 Total:			239.75
1359 - Blaine Lock & Safe, Inc. Total:			239.75
106 - C.W. Houle, Inc.			
114608	07/12/2021		
		Inv 11356 3 - Catch Basin Repairs - Black Duck, He	4,995.00
114608 Total:			4,995.00
106 - C.W. Houle, Inc. Total:			4,995.00
115 - Centennial Utilities			
114609	07/12/2021	110 - Sunrise	
		Inv May 2021 130 - 7204 Lake Drive Natural Gas	2,223.87
114609 Total:			2,223.87
115 - Centennial Utilities Total:			2,223.87
117 - Central Pension Fund 101-000-2040-000			
114594	06/25/2021	June 2021	
		Inv June 2021 June 2021	4,992.00
114594 Total:			4,992.00
117 - Central Pension Fund Total:			4,992.00
118 - Central Wood Products - Rivard Companies			
114610	07/12/2021		
		Inv 463389 90 bags of mulch/wood chips	1,480.50
		Inv 463907 100 bags of mulch/wood chips	1,700.00
114610 Total:			3,180.50
118 - Central Wood Products - Rivard Companies Total:			3,180.50
121 - CenturyLink 101-432-4321-503			
114611	07/12/2021		
		Inv 6517843659 Phone - 6517843659	59.51
114611 Total:			59.51
114612	07/12/2021		
		Inv 7637869015 Phone - 7637869015	61.47
114612 Total:			61.47
121 - CenturyLink Total:			120.98

Check Number	Check Date	Check Description	Amount
122 - CES Imaging 101-432-4410-503			
114613	07/12/2021	Inv INV128215 June Plotter/Scanner Maintenance	86.90
114613 Total:			86.90
122 - CES Imaging Total:			86.90
129 - City of Blaine			
114614	07/12/2021	Inv 6077 Shared Street Light Billing 2020 (Jan-De	378.08
114614 Total:			378.08
129 - City of Blaine Total:			378.08
138 - City of St. Paul			
114615	07/12/2021	Inv IN45657 Asphalt	7,798.55
114615 Total:			7,798.55
138 - City of St. Paul Total:			7,798.55
1278 - Core & Main LP			
114616	07/12/2021	Inv O106357 Hydrant Wrench	396.90
		Inv O106434 Hydrant Wrench	146.90
		Inv P126995 Irrigation Meter	1,073.19
		Inv P127278 2 Fire Hydrants	7,952.00
114616 Total:			9,568.99
1278 - Core & Main LP Total:			9,568.99
156 - Cross Nurseries, Inc.			
114617	07/12/2021	Inv 046472 City Tree Sale	5,089.40
114617 Total:			5,089.40
156 - Cross Nurseries, Inc. Total:			5,089.40
162 - Curtis 1000 Inc.			
114618	07/12/2021	Inv 6344613 UB Return Envelopes	848.58
		Inv 6344614 UB Window Envelopes	946.59
114618 Total:			1,795.17

Check Number	Check Date	Check Description	Amount
162 - Curtis 1000 Inc. Total:			1,795.17
167 - Dalco, Inc.			
114619	07/12/2021		
	Inv 3787864	Toilet tissue, garbage can bags, kleenex	851.84
	Inv 3790722	Garbage bag liners	22.60
114619 Total:			874.44
167 - Dalco, Inc. Total:			874.44
170 - Davis Equipment Corporation			
114621	07/12/2021		
	Inv EI14070	Bearing, bearing cup, grease seal #409	84.50
114621 Total:			84.50
170 - Davis Equipment Corporation Total:			84.50
1757 - Davis, Phillip			
114620	07/12/2021		
	Inv 6/30/2021	Organic Site Tour	38.64
114620 Total:			38.64
1757 - Davis, Phillip Total:			38.64
175 - Delta Dental of Minnesota			
114622	07/12/2021	100	
	Inv July 2021	112 Dental Insurance Premiums	3,795.98
114622 Total:			3,795.98
175 - Delta Dental of Minnesota Total:			3,795.98
187 - Earl F. Andersen			
114623	07/12/2021		
	Inv 0126221-IN	Directional traffic signs andposts	3,705.50
	Inv 0126245-IN	Directional traffic signs	86.60
	Inv 0126343-IN	Directional traffic signs	54.50
	Inv 0126810-IN	Directional traffic signs	144.75
114623 Total:			3,991.35
187 - Earl F. Andersen Total:			3,991.35
1537 - Electro Watchman, Inc.			
114624	07/12/2021		
	Inv 369713	Fire Station #1 Upgrades	1,031.50
	Inv 369714	Fire Station #2 Upgrades	531.25

Check Number	Check Date	Check Description	Amount
Inv 369715	Annual inspection		777.84
Inv 369716	Annual inspection		718.01
114624 Total:			3,058.60
1537 - Electro Watchman, Inc. Total:			3,058.60
192 - Emergency Apparatus Maintenance			
114625	07/12/2021		
Inv 118978	Repair direct fill to tank leak #610		1,601.18
114625 Total:			1,601.18
192 - Emergency Apparatus Maintenance Total:			1,601.18
204 - Factory Motor Parts Company			
114626	07/12/2021		
Inv 159-051611	Battery #264		111.48
114626 Total:			111.48
204 - Factory Motor Parts Company Total:			111.48
210 - Ferguson Waterworks #2518			
114627	07/12/2021		
Inv 0473313-1	Paint & curb stop parts		770.40
114627 Total:			770.40
210 - Ferguson Waterworks #2518 Total:			770.40
1458 - Fidelity Security Life Insurance Co. 101-000-2048-000			
114628	07/12/2021		
Inv 7/1/2021	July Vision Insurance		119.38
114628 Total:			119.38
1458 - Fidelity Security Life Insurance Co. Total:			119.38
216 - First Advantage Occ.			
114629	07/12/2021		
Inv 2506832105	Annual Enrollment - T. Paulno		34.19
114629 Total:			34.19
216 - First Advantage Occ. Total:			34.19
225 - Frattallone's/Circle Pines Ace			
114630	07/12/2021		
Inv 075077/G	Cement primer and PVC		22.48

Check Number	Check Date	Check Description	Amount
Inv 075144/G		Torch head trigger	46.99
114630 Total:			69.47
225 - Frattallone's/Circle Pines Ace Total:			69.47
227 - Freimuth Enterprises, LLC			
114631	07/12/2021		
Inv April2021		April 2021 Recycling Saturday- Tonnage	375.00
Inv Feb2021		February 2021 Recycling Saturday - Tonna	375.00
Inv Jan2021		January 2021 Recycling Saturday - Tonnag	375.00
Inv March2021		March 2021 Recycling Saturday- Tonnage	375.00
Inv May2021		May 2021 Recycling Saturday -Tonnage 38	375.00
114631 Total:			1,875.00
227 - Freimuth Enterprises, LLC Total:			1,875.00
1386 - Frontier Ag & Turf			
114632	07/12/2021		
Inv P25026		Throttle cable #144	45.10
114632 Total:			45.10
1386 - Frontier Ag & Turf Total:			45.10
233 - GDO Law 101-414-4303-000			
114633	07/12/2021		
Inv 6709		July Prosecutor Contract	8,500.00
114633 Total:			8,500.00
233 - GDO Law Total:			8,500.00
1264 - Hach Company			
114634	07/12/2021		
Inv 12508059		KTO Reagent and Fluoride	532.73
114634 Total:			532.73
1264 - Hach Company Total:			532.73
271 - Hawkins, Inc.			
114635	07/12/2021		
Inv 4952846		Chlorine, LPC-5, and Hydrofluosilicic Ac	9,126.61
Inv 4960994		Chlorine and LPC-5	9,908.91
Inv 4969265		Chlorine	55.00
114635 Total:			19,090.52

Check Number	Check Date	Check Description	Amount
271 - Hawkins, Inc. Total:			19,090.52
290 - Hogstad Osterhues, Lisa			
114636	07/12/2021		
	Inv 6/18/2021	MCFOA Reimbursement	94.78
114636 Total:			94.78
290 - Hogstad Osterhues, Lisa Total:			94.78
294 - Hotsy Equipment of Minnesota			
114637	07/12/2021		
	Inv 71327	Replacement hose for vac trailer	164.05
114637 Total:			164.05
294 - Hotsy Equipment of Minnesota Total:			164.05
1749 - Huebsch Services			
114638	07/12/2021		
	Inv 20075869	Mats	48.71
	Inv 20077138	Mats	48.71
	Inv 20078407	Mats	49.10
	Inv 20079709	Mats	49.10
	Inv 20080986	Mats	49.10
	Inv 20084899	Mats	54.06
	Inv 20086175	Mats	25.08
114638 Total:			323.86
1749 - Huebsch Services Total:			323.86
311 - Instrumental Research, Inc.			
114639	07/12/2021		
	Inv 3354	May Water Testing	230.00
114639 Total:			230.00
311 - Instrumental Research, Inc. Total:			230.00
1717 - Jacon, LLC			
114640	07/12/2021		
	Inv 013084-000-6	NE Drainage Area Improvements	42,629.83
114640 Total:			42,629.83
1717 - Jacon, LLC Total:			42,629.83
757 - Jimmy's Johnnys 101-450-4410-000			
114641	07/12/2021		

Check Number	Check Date	Check Description	Amount
Inv 184154		Toilet Rental City Hall Park	60.00
Inv 184155		Toilet Rental Marshan Park	60.00
Inv 184156		Toilet Rental Sunrise Park	180.00
Inv 184157		Toilet Rental Birch Park	60.00
Inv 184158		Toilet Rental Clearwater Creek	60.00
Inv 184159		Toilet Rental Lino Park	60.00
Inv 184160		Toilet Rental Behm's Park	60.00
Inv 184161		Toilet Rental Highland Meadows	60.00
Inv 184162		Toilet Rental Sunset Oaks Park	60.00
114641 Total:			660.00
757 - Jimmy's Johnnys Total:			660.00
1597 - Landmark Structures I, LP			
114642	07/12/2021		
Inv 13091-000-13		Water Tower No. 3	50,768.00
114642 Total:			50,768.00
1597 - Landmark Structures I, LP Total:			50,768.00
1762 - LEAST Services/Counseling, LLC			
114643	07/12/2021		
Inv 446		Counseling Services	4,785.00
Inv 485		Counseling Services	275.00
114643 Total:			5,060.00
1762 - LEAST Services/Counseling, LLC Total:			5,060.00
1615 - Lennar MN Division			
114644	07/12/2021		
Inv 6/29/2021		Long Term Escrow Reduction	156,999.32
114644 Total:			156,999.32
1615 - Lennar MN Division Total:			156,999.32
381 - Lincoln National Life Ins Co			
114645	07/12/2021	155	
Inv July 2021		100 Disability Insurance Premiums	1,472.67
114645 Total:			1,472.67
114646	07/12/2021	290	
Inv July 2021		190 Life Insurance Premiums	1,405.35
114646 Total:			1,405.35
381 - Lincoln National Life Ins Co Total:			2,878.02

Check Number	Check Date	Check Description	Amount
1557 - Mader, Jay			
114647	07/12/2021	Inv 2018-03117 Escrow Release - 450 Aqua Ln	2,475.00
114647 Total:			2,475.00
1557 - Mader, Jay Total:			2,475.00
399 - Mansfield Oil Company 101-431-4212-000			
114648	07/12/2021	Inv 22430166 Diesel Fuel	2,738.16
		Inv 22430313 Gasoline	6,462.57
114648 Total:			9,200.73
399 - Mansfield Oil Company Total:			9,200.73
404 - Martin-McAllister			
114649	07/12/2021	Inv 13925 Public Safety Assessment - D.Swenson	550.00
114649 Total:			550.00
404 - Martin-McAllister Total:			550.00
410 - MCFOA			
114650	07/12/2021	Inv 6/24/2021 MN Certified Municipal Clerk Application	40.00
114650 Total:			40.00
410 - MCFOA Total:			40.00
416 - Medica			
114651	07/12/2021	250 Inv July 2021 170 Health Insurance Premiums	50,499.64
114651 Total:			50,499.64
416 - Medica Total:			50,499.64
418 - Menards - Forest Lake			
114652	07/12/2021	Inv 53239 Paintcare fee	0.99
		Inv 60336 PD Locker Room Remodel	2,415.04
		Inv 61019 PD Locker Room Remodel	83.98
		Inv 64192 25lb bag Oil Dri	29.94
		Inv 64288 PVC pipe and pipe adapter	5.68
		Inv 64626 PD Locker Room Remodel	222.37
		Inv 64734 Water	20.48

Check Number	Check Date	Check Description	Amount
Inv 65209		PD Locker Room Remodel	14.33
Inv 65287		Sink repair parts	27.98
Inv 65661		Installation of No Trespassing Sign	68.66
114652 Total:			2,889.45
418 - Menards - Forest Lake Total:			2,889.45
421 - Metro Sales Incorporated			
114653	07/12/2021		
Inv INV1804664		Copier Maintenance Contract Ricoh/MP C30	289.81
Inv INV1804669		Copier Maintenance Contract Ricoh/MP C35	240.80
Inv INV1808653		Copier Maintenance Contract Ricoh/MP C25	184.99
114653 Total:			715.60
421 - Metro Sales Incorporated Total:			715.60
450 - MN Department of Health			
114654	07/12/2021		
Inv Q22021		2nd Qtr 2021 Water ConnectionFee	12,370.00
114654 Total:			12,370.00
450 - MN Department of Health Total:			12,370.00
455 - MN Metro North Tourism Board 101-415-4900-000			
114655	07/12/2021		
Inv 5/31/2021		May 2021 Tourism Tax	4,186.00
114655 Total:			4,186.00
455 - MN Metro North Tourism Board Total:			4,186.00
477 - NAC Mechanical & Electrical			
114656	07/12/2021		
Inv 185542		Installed hot valves	2,201.02
114656 Total:			2,201.02
477 - NAC Mechanical & Electrical Total:			2,201.02
480 - NCPERS Group Life Insurance 101-000-2040-000			
114595	06/25/2021	June Life Insurance Premiums	
Inv June 2021		June Life Insurance Premiums June 2021 Life Insurance Premiums	240.00
114595 Total:			240.00
480 - NCPERS Group Life Insurance Total:			240.00

Check Number	Check Date	Check Description	Amount
UB*00092 - NELSON, RICHARD			
114657	07/12/2021	Inv Refund Check 005765-000, 7797 STALLION	14.34
114657 Total:			14.34
UB*00092 - NELSON, RICHARD Total:			14.34
1450 - Occupational Health Centers of MN, P.C.			
114658	07/12/2021	Inv 103374867 Background Check - Y. Heu	197.50
114658 Total:			197.50
1450 - Occupational Health Centers of MN, P.C. Total:			197.50
506 - Olson's Sewer Service, Inc.			
114659	07/12/2021	Inv 95109 Wastewater removal and disposal from Pub	469.00
114659 Total:			469.00
506 - Olson's Sewer Service, Inc. Total:			469.00
509 - O'Reilly Automotive Stores			
114660	07/12/2021	Inv 5914-162682 Power steering pump #402	11.49
		Inv 5914-162891 Blower motor #256	110.19
		Inv 5914-163494 Belt and hose fitting return credit	-40.01
114660 Total:			81.67
509 - O'Reilly Automotive Stores Total:			81.67
532 - Philip's Tree Care			
114661	07/12/2021	Inv 12944 Fertilizer	131.68
114661 Total:			131.68
532 - Philip's Tree Care Total:			131.68
1632 - Prairie Restorations, Inc.			
114662	07/12/2021	Inv 28620 Disking/harrowing, seed, seeding, mulchi	12,017.52
114662 Total:			12,017.52
1632 - Prairie Restorations, Inc. Total:			12,017.52

Check Number	Check Date	Check Description	Amount
552 - Press Publications, Inc.			
114663	07/12/2021		
		Inv 706722 Approving sale of land to Vaquero Ventur	71.68
		Inv 706723 Rezoning Butler Addition	112.64
		Inv 706725 Statement of Net Positions Proprietary F	189.44
		Inv 706727 Statement of Cash Flows Proprietary Fund	199.68
		Inv 706729 Summary Financial Report	168.96
		Inv 706730 Statement of Revenues, Expenses, & Chang	199.68
114663 Total:			942.08
552 - Press Publications, Inc. Total:			942.08
588 - Safety-Kleen Systems, Inc.			
114664	07/12/2021		
		Inv CN12961671 Solvent	50.42
114664 Total:			50.42
588 - Safety-Kleen Systems, Inc. Total:			50.42
1593 - Shred-it, c/o Stericycle, Inc.			
114665	07/12/2021		
		Inv 8182194875 Document destruction	84.64
114665 Total:			84.64
1593 - Shred-it, c/o Stericycle, Inc. Total:			84.64
1103 - Sir Lines-A-Lot			
114666	07/12/2021		
		Inv H21-0477-001 Crosswalk striping	5,932.60
114666 Total:			5,932.60
1103 - Sir Lines-A-Lot Total:			5,932.60
638 - State of MN - Department of Finance			
114667	07/12/2021		
		Inv 20-034111 Forfeiture Distribution Case #20-034111	885.12
114667 Total:			885.12
638 - State of MN - Department of Finance Total:			885.12
794 - Street Smart Rental			
114668	07/12/2021		
		Inv 1067370 Portable message trailer	18,007.00
114668 Total:			18,007.00

Check Number	Check Date	Check Description	Amount
794 - Street Smart Rental Total:			18,007.00
651 - T.A. Schifsky and Sons, Inc.			
114669	07/12/2021		
		Inv 017006-000-4 2021 Street Improvement Projects	268,158.17
114669 Total:			268,158.17
651 - T.A. Schifsky and Sons, Inc. Total:			268,158.17
656 - TDS Metrocom MN			
114670	07/12/2021		
		Inv 7/1/2021 Phone Services 6/13/21-7/12/21	243.68
114670 Total:			243.68
656 - TDS Metrocom MN Total:			243.68
659 - Tessman Company			
114671	07/12/2021		
		Inv S337738-IN Fertilizer	620.00
		Inv S338728-IN Soil	264.00
114671 Total:			884.00
659 - Tessman Company Total:			884.00
1761 - T-Mobile USA Inc			
114672	07/12/2021	10	
		Inv June 2021 30 Cell Phone/Wi-Fi Service	488.34
114672 Total:			488.34
1761 - T-Mobile USA Inc Total:			488.34
681 - Twin Cities Transport & Recovery			
114673	07/12/2021		
		Inv 21-0617-51670 ICR# 21-131172	85.00
		Inv 21-0622-52282 ICR# 21-135102	85.00
114673 Total:			170.00
681 - Twin Cities Transport & Recovery Total:			170.00
682 - Twin City Fab, Inc.			
114674	07/12/2021		
		Inv 30363 Reflective Strips	150.00
114674 Total:			150.00

Check Number	Check Date	Check Description	Amount
682 - Twin City Fab, Inc. Total:			150.00
683 - Twin City Garage Door Co, Inc			
114675	07/12/2021		
		Inv Z179638 Public Works overhead shop door maintena	252.50
114675 Total:			252.50
683 - Twin City Garage Door Co, Inc Total:			252.50
698 - Valley-Rich Co., Inc.			
114676	07/12/2021		
		Inv 29562 Sewer main repair at Lift 2	3,257.50
114676 Total:			3,257.50
698 - Valley-Rich Co., Inc. Total:			3,257.50
704 - W.W. Goetsch Associates, Inc.			
114677	07/12/2021		
		Inv 106283 Lift Station 4 repair	2,720.85
114677 Total:			2,720.85
704 - W.W. Goetsch Associates, Inc. Total:			2,720.85
1104 - Walters Recycling & Refuse			
114678	07/12/2021		
		Inv 5425481 Trash & Recycling	159.97
114678 Total:			159.97
1104 - Walters Recycling & Refuse Total:			159.97
1447 - Wheeler Hardware Company			
114679	07/12/2021		
		Inv SPI120131 PD armory door adjustment	340.00
114679 Total:			340.00
1447 - Wheeler Hardware Company Total:			340.00
UB*00091 - WYSE, LAURA & ROBERT			
114680	07/12/2021		
		Inv Refund Check 016009-000, 2062 RED OAK L	36.44
114680 Total:			36.44
UB*00091 - WYSE, LAURA & ROBERT Total:			36.44

Check Number	Check Date	Check Description	Amount
734 - Xcel Energy			
114681	07/12/2021	110-Street Lights	
	Inv June 2021-1	110-Street Lights Electric	4,010.43
	Inv June 2021-2	130 Electric	19,284.24
114681 Total:			<u>23,294.67</u>
734 - Xcel Energy Total:			<u>23,294.67</u>
Total:			<u><u>864,797.47</u></u>

City of Lino Lakes
Activity Codes

<u>Code</u>	<u>Description</u>	<u>Code</u>	<u>Description</u>
401	Mayor/Council	817	Spring Fling
402	Administration	818	Winter Festival
403	Elections	819	Community Gardens
404	Cable TV	822	Family Corn Roast
405	Charter Administration	827	Gobbler Games
407	Finance	830	Adult Golf Lessons
414	Legal Consultants	835	Youth Skating Class
415	Economic Development	850	Golf Academy
416	Planning & Zoning	856	Youth Soccer
417	Engineering	857	Soccer Fundamentals
418	Community Development	860	Secret Shop
420	Police Protection	864	Preschool Playtime
421	Fire Protection	868	Little Goblins Party
422	Building Inspections	871	Flag Football
430	Streets	875	Snow Day
431	Fleet Management	876	Kite Day
432	Government Buildings	877	Rockin' in the Park
450	Parks	879	Movies in the Park
451	Recreation	890	Senior Programs
461	Environmental		
462	Solid Waste Abatement		
463	Forestry		
494	Water		
495	Sanitary Sewer		
499	Other		
802	Dodgeball Camp		
806	Youth T-Ball		
808	Youth Baseball Camp		
810	Youth Playground		
811	Youth Safety Camp		
812	Youth Art Camps		
814	Senior Programs/Book Club		



**AP Checks by Account Number
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Vendor	Fund/Dept	Account	Amount	Check #	Description	
Central Pension Fund	101-000	101-000-2040-000	4,992.00	114594		Jun-21
Delta Dental of Minnesota	101-000	101-000-2040-000	145.12	114622	Dental Insurance Premiums	
Fidelity Security Life Insurance Co.	101-000	101-000-2040-000	14.31	114628	July Vision Insurance	
Lincoln National Life Ins Co	101-000	101-000-2040-000	1,168.31	114646	Life Insurance Premiums	
Lincoln National Life Ins Co	101-000	101-000-2040-000	83.90	114646	Life Insurance Premiums	
Medica	101-000	101-000-2040-000	-1,222.48	114651	Health Insurance Premiums	
NCPERS Group Life Insurance	101-000	101-000-2040-000	240.00	114595	June 2021 Life Insurance Premiums	
Medica	101-000	101-000-2041-000	8,999.96	114651	Health Insurance Premiums	
Delta Dental of Minnesota	101-000	101-000-2044-000	1,224.00	114622	Dental Insurance Premiums	
Fidelity Security Life Insurance Co.	101-000	101-000-2048-000	105.07	114628	July Vision Insurance	
Lincoln National Life Ins Co	101-000	101-000-3416-000	0.14	114646	Life Insurance Premiums	
	101-000 Total		15,750.33			
Medica	101-402	101-402-4131-000	538.42	114651	Health Insurance Premiums	
Lincoln National Life Ins Co	101-402	101-402-4133-000	96.35	114645	Disability Insurance Premiums	
Lincoln National Life Ins Co	101-402	101-402-4133-000	9.00	114646	Life Insurance Premiums	
Delta Dental of Minnesota	101-402	101-402-4134-000	89.89	114622	Dental Insurance Premiums	
First Advantage Occ.	101-402	101-402-4300-000	34.19	114629	Annual Enrollment - T. Paulno	
Martin-McAllister	101-402	101-402-4300-000	550.00	114649	Public Safety Assessment - D. Swenson	
Occupational Health Centers of MN P.C.	101-402	101-402-4300-000	197.50	114658	Background Check - Y. Heu	
Hogstad Osterhues Lisa	101-402	101-402-4330-000	94.78	114636	MCFOA Reimbursement	
American Legal Publishing Corp	101-402	101-402-4410-000	375.00	114601	Internet renewal period 7/7/21-7/7/22	
Shred-it c/o Stericycle Inc.	101-402	101-402-4410-000	28.21	114665	Document destruction	
	101-402 Total		2,013.34			
Medica	101-407	101-407-4131-000	2,066.40	114651	Health Insurance Premiums	
Lincoln National Life Ins Co	101-407	101-407-4133-000	66.67	114645	Disability Insurance Premiums	
Lincoln National Life Ins Co	101-407	101-407-4133-000	6.98	114646	Life Insurance Premiums	
Delta Dental of Minnesota	101-407	101-407-4134-000	101.11	114622	Dental Insurance Premiums	
Press Publications Inc.	101-407	101-407-4340-000	189.44	114663	Statement of Net Positions Proprietary Funds	
Press Publications Inc.	101-407	101-407-4340-000	199.68	114663	Statement of Cash Flows Proprietary Funds	
Press Publications Inc.	101-407	101-407-4340-000	168.96	114663	Summary Financial Report	
Press Publications Inc.	101-407	101-407-4340-000	199.68	114663	Statement of Revenues Expenses & Changes in Fund Net Positions	
Anoka County Property Records & Taxation	101-407	101-407-4410-000	90,810.00	114602	2021 Assessment Contract	
MCFOA	101-407	101-407-4452-000	40.00	114650	MN Certified Municipal Clerk Application - T. Thoma	
	101-407 Total		93,848.92			
GDO Law	101-414	101-414-4303-000	8,500.00	114633	July Prosecutor Contract	
	101-414 Total		8,500.00			
MN Metro North Tourism Board	101-415	101-415-4900-000	4,186.00	114655	May 2021 Tourism Tax	
	101-415 Total		4,186.00			
Medica	101-416	101-416-4131-000	538.43	114651	Health Insurance Premiums	
Lincoln National Life Ins Co	101-416	101-416-4133-000	25.84	114645	Disability Insurance Premiums	
Lincoln National Life Ins Co	101-416	101-416-4133-000	2.25	114646	Life Insurance Premiums	
Delta Dental of Minnesota	101-416	101-416-4134-000	44.94	114622	Dental Insurance Premiums	
Press Publications Inc.	101-416	101-416-4340-000	71.68	114663	Approving sale of land to Vaquero Ventures	
	101-416 Total		683.14			
Medica	101-418	101-418-4131-000	538.42	114651	Health Insurance Premiums	
Lincoln National Life Ins Co	101-418	101-418-4133-000	43.59	114645	Disability Insurance Premiums	
Lincoln National Life Ins Co	101-418	101-418-4134-000	4.50	114646	Life Insurance Premiums	
Delta Dental of Minnesota	101-418	101-418-4134-000	44.94	114622	Dental Insurance Premiums	
	101-418 Total		631.45			
Medica	101-420	101-420-4131-000	20,399.32	114651	Health Insurance Premiums	
Lincoln National Life Ins Co	101-420	101-420-4133-000	709.68	114645	Disability Insurance Premiums	
Lincoln National Life Ins Co	101-420	101-420-4133-000	70.98	114646	Life Insurance Premiums	
Delta Dental of Minnesota	101-420	101-420-4134-000	1,193.21	114622	Dental Insurance Premiums	
Menards - Forest Lake	101-420	101-420-4240-000	0.99	114652	Paintcare fee	
LEAST Services/Counseling LLC	101-420	101-420-4300-000	275.00	114643	Counseling Services	
LEAST Services/Counseling LLC	101-420	101-420-4300-000	2,905.00	114643	Counseling Services	
Aspen Mills Inc.	101-420	101-420-4370-000	186.48	114605	Uniform Allowance - K. Kraemer	
Xcel Energy	101-420	101-420-4381-000	3.61	114681	Electric	
Shred-it c/o Stericycle Inc.	101-420	101-420-4410-000	56.43	114665	Document destruction	
	101-420 Total		25,800.70			
Medica	101-421	101-421-4131-000	1,313.91	114651	Health Insurance Premiums	
Lincoln National Life Ins Co	101-421	101-421-4133-000	51.17	114645	Disability Insurance Premiums	
Lincoln National Life Ins Co	101-421	101-421-4133-000	4.40	114646	Life Insurance Premiums	



**AP Checks by Account Number
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Vendor	Fund/Dept	Account	Amount	Check #	Description
Delta Dental of Minnesota	101-421	101-421-4134-000	65.16	114622	Dental Insurance Premiums
Menards - Forest Lake	101-421	101-421-4211-000	20.48	114652	Water
Menards - Forest Lake	101-421	101-421-4211-000	29.94	114652	25lb bag Oil Dri
LEAST Services/Counseling LLC	101-421	101-421-4300-000	1,880.00	114643	Counseling Services
	101-421 Total		3,365.06		
Medica	101-422	101-422-4131-000	8,530.54	114651	Health Insurance Premiums
Lincoln National Life Ins Co	101-422	101-422-4133-000	76.13	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	101-422	101-422-4133-000	7.87	114646	Life Insurance Premiums
Delta Dental of Minnesota	101-422	101-422-4134-000	89.88	114622	Dental Insurance Premiums
T-Mobile USA Inc	101-422	101-422-4321-000	149.33	114672	Cell Phone/Wi-Fi Service
	101-422 Total		8,853.75		
Medica	101-430	101-430-4131-000	2,699.36	114651	Health Insurance Premiums
Lincoln National Life Ins Co	101-430	101-430-4133-000	119.31	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	101-430	101-430-4133-000	14.06	114646	Life Insurance Premiums
Delta Dental of Minnesota	101-430	101-430-4134-000	191.01	114622	Dental Insurance Premiums
Earl F. Andersen	101-430	101-430-4223-000	86.60	114623	Directional traffic signs
Earl F. Andersen	101-430	101-430-4223-000	144.75	114623	Directional traffic signs
Earl F. Andersen	101-430	101-430-4223-000	3,705.50	114623	Directional traffic signs and posts
Earl F. Andersen	101-430	101-430-4223-000	54.50	114623	Directional traffic signs
Menards - Forest Lake	101-430	101-430-4223-000	68.66	114652	Installation of No Trespassing Sign
Twin City Fab Inc.	101-430	101-430-4223-000	150.00	114674	Reflective Strips
City of St. Paul	101-430	101-430-4224-000	7,798.55	114615	Asphalt
T-Mobile USA Inc	101-430	101-430-4321-000	92.56	114672	Cell Phone/Wi-Fi Service
City of Blaine	101-430	101-430-4385-000	378.08	114614	Shared Street Light Billing 2020 (Jan-Dec)
Xcel Energy	101-430	101-430-4385-000	4,010.43	114681	Electric
Xcel Energy	101-430	101-430-4385-000	540.97	114681	Electric
C.W. Houle Inc.	101-430	101-430-4410-000	4,995.00	114608	3 - Catch Basin Repairs - Black Duck Heather Ct Country Ln
Olson's Sewer Service Inc.	101-430	101-430-4410-000	469.00	114659	Wastewater removal and disposal from Public Works
Sir Lines-A-Lot	101-430	101-430-4410-000	5,932.60	114666	Crosswalk striping
Twin City Garage Door Co Inc	101-430	101-430-4410-000	252.50	114675	Public Works overhead shop door maintenance
Street Smart Rental	101-430	101-430-5000-000	18,007.00	114668	Portable message trailer
	101-430 Total		49,710.44		
Medica	101-431	101-431-4131-000	1,084.08	114651	Health Insurance Premiums
Lincoln National Life Ins Co	101-431	101-431-4133-000	42.83	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	101-431	101-431-4133-000	4.95	114646	Life Insurance Premiums
Delta Dental of Minnesota	101-431	101-431-4134-000	98.88	114622	Dental Insurance Premiums
Aramark Uniform & Career Apparel Group Inc.	101-431	101-431-4211-000	100.14	114604	Towels
Safety-Kleen Systems Inc.	101-431	101-431-4211-000	50.42	114664	Solvent
Mansfield Oil Company	101-431	101-431-4212-000	2,738.16	114648	Diesel Fuel
Mansfield Oil Company	101-431	101-431-4212-000	6,462.57	114648	Gasoline
Auto Nation Ford White Bear Lake	101-431	101-431-4221-000	54.67	114606	Motor assembly #256
Davis Equipment Corporation	101-431	101-431-4221-000	84.50	114621	Bearing bearing cup grease seal #409
Factory Motor Parts Company	101-431	101-431-4221-000	111.48	114626	Battery #264
Frontier Ag & Turf	101-431	101-431-4221-000	45.10	114632	Throttle cable #144
O'Reilly Automotive Stores	101-431	101-431-4221-000	110.19	114660	Blower motor #256
O'Reilly Automotive Stores	101-431	101-431-4221-000	-40.01	114660	Belt and hose fitting return credit
O'Reilly Automotive Stores	101-431	101-431-4221-000	11.49	114660	Power steering pump #402
Emergency Apparatus Maintenance	101-431	101-431-4410-000	1,601.18	114625	Repair direct fill to tank leak #610
	101-431 Total		12,560.63		
Dalco Inc.	101-432	101-432-4211-000	22.60	114619	Garbage bag liners
Dalco Inc.	101-432	101-432-4211-000	851.84	114619	Toilet tissue garbage can bags kleenex paper towels
Aid Electric Corporation	101-432	101-432-4300-000	972.12	114599	Added dedicated circuit to fire alarm panel at Fire Stations
Anoka County Treasury Office	101-432	101-432-4300-500	75.00	114603	Site 115 July 2021 Cac Fiber
Aker Doors Inc.	101-432	101-432-4300-501	206.66	114600	Service and adjust door
Anoka County Treasury Office	101-432	101-432-4300-501	75.00	114603	Site 116 July 2021 Cac Fiber
Anoka County Treasury Office	101-432	101-432-4300-503	75.00	114603	Site 117 July 2021 Cac Fiber
NAC Mechanical & Electrical	101-432	101-432-4300-503	2,201.02	114656	Installed hot valves
Wheeler Hardware Company	101-432	101-432-4300-503	340.00	114679	PD armory door adjustment
TDS Metrocom MN	101-432	101-432-4321-000	203.78	114670	Phone Services 6/13/21-7/12/21
CenturyLink	101-432	101-432-4321-503	59.51	114611	Phone - 6517843659
Xcel Energy	101-432	101-432-4381-501	535.56	114681	Electric
Xcel Energy	101-432	101-432-4381-502	998.52	114681	Electric
Xcel Energy	101-432	101-432-4381-503	6,813.21	114681	Electric



**AP Checks by Account Number
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Vendor	Fund/Dept	Account	Amount	Check #	Description
Centennial Utilities	101-432	101-432-4383-503	1,364.15	114609	Natural Gas
Ace Solid Waste Inc.	101-432	101-432-4384-500	442.24	114598	Trash & Recycling
Ace Solid Waste Inc.	101-432	101-432-4384-500	72.71	114598	Commingle Recycling
Ace Solid Waste Inc.	101-432	101-432-4384-501	80.33	114598	Trash & Recycling
Ace Solid Waste Inc.	101-432	101-432-4384-502	148.74	114598	Trash & Recycling
Ace Solid Waste Inc.	101-432	101-432-4384-503	459.60	114598	Trash & Recycling
Metro Sales Incorporated	101-432	101-432-4410-500	82.22	114653	Copier Maintenance Contract Ricoh/MP C307
Metro Sales Incorporated	101-432	101-432-4410-500	82.22	114653	Copier Maintenance Contract Ricoh/MP C307
Electro Watchman Inc.	101-432	101-432-4410-501	777.84	114624	Annual inspection
Electro Watchman Inc.	101-432	101-432-4410-502	718.01	114624	Annual inspection
CES Imaging	101-432	101-432-4410-503	86.90	114613	June Plotter/Scanner Maintenance
Huebsch Services	101-432	101-432-4410-503	54.06	114638	Mats
Huebsch Services	101-432	101-432-4410-503	25.08	114638	Mats
Metro Sales Incorporated	101-432	101-432-4410-503	207.59	114653	Copier Maintenance Contract Ricoh/MP C3504
Metro Sales Incorporated	101-432	101-432-4410-503	158.58	114653	Copier Maintenance Contract Ricoh/MP C3504
Metro Sales Incorporated	101-432	101-432-4410-503	184.99	114653	Copier Maintenance Contract Ricoh/MP C2500 - Pub Svcs/Comm Dev
101-432 Total			18,375.08		
Medica	101-450	101-450-4131-000	1,453.75	114651	Health Insurance Premiums
Lincoln National Life Ins Co	101-450	101-450-4133-000	96.72	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	101-450	101-450-4133-000	11.13	114646	Life Insurance Premiums
Delta Dental of Minnesota	101-450	101-450-4134-000	177.52	114622	Dental Insurance Premiums
Central Wood Products - Rivard Companies	101-450	101-450-4211-000	1,480.50	114610	90 bags of mulch/wood chips
Central Wood Products - Rivard Companies	101-450	101-450-4211-000	1,700.00	114610	100 bags of mulch/wood chips
Cross Nurseries Inc.	101-450	101-450-4211-000	764.65	114617	Lino Park and Lake Drive Medians
Frattallone's/Circle Pines Ace	101-450	101-450-4211-000	46.99	114630	Torch head trigger
Tessman Company	101-450	101-450-4211-000	620.00	114671	Fertilizer
Tessman Company	101-450	101-450-4211-000	264.00	114671	Soil
T-Mobile USA Inc	101-450	101-450-4321-000	50.30	114672	Cell Phone/Wi-Fi Service
Xcel Energy	101-450	101-450-4381-000	153.64	114681	Electric
Centennial Utilities	101-450	101-450-4383-000	57.92	114609	Natural Gas
Centennial Utilities	101-450	101-450-4383-000	25.40	114609	Natural Gas
Centennial Utilities	101-450	101-450-4383-000	79.81	114609	Natural Gas
Ace Solid Waste Inc.	101-450	101-450-4384-000	207.91	114598	Trash & Recycling
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental Marshan Park
Jimmy's Johnnys	101-450	101-450-4410-000	180.00	114641	Toilet Rental Sunrise Park
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental Clearwater Creek
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental Behm's Park
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental Birch Park
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental Sunset Oaks Park
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental City Hall Park
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental Lino Park
Jimmy's Johnnys	101-450	101-450-4410-000	60.00	114641	Toilet Rental Highland Meadows
Philip's Tree Care	101-450	101-450-4410-000	131.68	114661	Fertilizer
101-450 Total			7,981.92		
Medica	101-461	101-461-4131-000	201.91	114651	Health Insurance Premiums
Lincoln National Life Ins Co	101-461	101-461-4133-000	8.19	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	101-461	101-461-4133-000	0.85	114646	Life Insurance Premiums
Delta Dental of Minnesota	101-461	101-461-4134-000	16.85	114622	Dental Insurance Premiums
T-Mobile USA Inc	101-461	101-461-4321-000	29.17	114672	Cell Phone/Wi-Fi Service
101-461 Total			256.97		
Medica	101-462	101-462-4131-000	134.61	114651	Health Insurance Premiums
Lincoln National Life Ins Co	101-462	101-462-4133-000	5.46	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	101-462	101-462-4133-000	0.56	114646	Life Insurance Premiums
Delta Dental of Minnesota	101-462	101-462-4134-000	11.24	114622	Dental Insurance Premiums
Davis Phillip	101-462	101-462-4330-000	38.64	114620	Organic Site Tour
1st Choice Document Destruction	101-462	101-462-4410-000	600.00	114596	Recycling 1830 lbs of paper and cardboard
Ace Solid Waste Inc.	101-462	101-462-4410-000	94.66	114598	Organic Recycling
Ace Solid Waste Inc.	101-462	101-462-4410-000	108.22	114598	Organic Recycling
Ace Solid Waste Inc.	101-462	101-462-4410-000	236.21	114598	Organic Recycling
Ace Solid Waste Inc.	101-462	101-462-4410-000	190.04	114598	Organic Recycling
Freimuth Enterprises LLC	101-462	101-462-4410-000	375.00	114631	February 2021 Recycling Saturday - Tonnage 13 665
Freimuth Enterprises LLC	101-462	101-462-4410-000	375.00	114631	May 2021 Recycling Saturday - Tonnage 38 077
Freimuth Enterprises LLC	101-462	101-462-4410-000	375.00	114631	April 2021 Recycling Saturday - Tonnage 32 863



**AP Checks by Account Number
7/12/2021 City Council Meeting**

Vendor	Fund/Dept	Account	Amount	Check #	Description
Freimuth Enterprises LLC	101-462	101-462-4410-000	375.00	114631	January 2021 Recycling Saturday - Tonnage 15 196
Freimuth Enterprises LLC	101-462	101-462-4410-000	375.00	114631	March 2021 Recycling Saturday - Tonnage 21 632
	101-462 Total		3,294.64		
Medica	101-463	101-463-4131-000	201.91	114651	Health Insurance Premiums
Lincoln National Life Ins Co	101-463	101-463-4133-000	8.19	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	101-463	101-463-4133-000	0.84	114646	Life Insurance Premiums
Delta Dental of Minnesota	101-463	101-463-4134-000	16.85	114622	Dental Insurance Premiums
	101-463 Total		227.79		
Menards - Forest Lake	202-451	202-451-4211-000	27.98	114652	Sink repair parts
CenturyLink	202-451	202-451-4321-000	61.47	114612	Phone - 7637869015
Xcel Energy	202-451	202-451-4381-000	4,843.39	114681	Electric
Centennial Utilities	202-451	202-451-4383-000	676.58	114609	Natural Gas
Walters Recycling & Refuse	202-451	202-451-4384-000	159.97	114678	Trash & Recycling
Huebsch Services	202-451	202-451-4410-000	48.71	114638	Mats
Huebsch Services	202-451	202-451-4410-000	49.10	114638	Mats
Huebsch Services	202-451	202-451-4410-000	48.71	114638	Mats
Huebsch Services	202-451	202-451-4410-000	49.10	114638	Mats
Huebsch Services	202-451	202-451-4410-000	49.10	114638	Mats
	202-451 Total		6,014.11		
State of MN - Department of Finance	207-420	207-420-4300-000	885.12	114667	Forfeiture Distribution Case #20-034111
Twin Cities Transport & Recovery	207-420	207-420-4300-000	85.00	114673	ICR# 21-131172
Twin Cities Transport & Recovery	207-420	207-420-4300-000	85.00	114673	ICR# 21-135102
	207-420 Total		1,055.12		
Electro Watchman Inc.	401-432	401-432-4300-000	1,031.50	114624	Fire Station #1 Upgrades
Electro Watchman Inc.	401-432	401-432-4300-000	531.25	114624	Fire Station #2 Upgrades
Menards - Forest Lake	401-432	401-432-5000-000	14.33	114652	PD Locker Room Remodel
Menards - Forest Lake	401-432	401-432-5000-000	212.49	114652	PD Locker Room Remodel
Menards - Forest Lake	401-432	401-432-5000-000	2,415.04	114652	PD Locker Room Remodel
Menards - Forest Lake	401-432	401-432-5000-000	83.98	114652	PD Locker Room Remodel
	401-432 Total		4,288.59		
NELSON RICHARD	406-000	406-000-2020-000	1.56	114657	Refund Check 005765-000 7797 STALLION LN
WYSE LAURA & ROBERT	406-000	406-000-2020-000	0.77	114680	Refund Check 016009-000 2062 RED OAK LN
	406-000 Total		2.33		
Landmark Structures I LP	406-499	406-499-4400-127	50,768.00	114642	Water Tower No. 3
	406-499 Total		50,768.00		
T.A. Schifsky and Sons Inc.	421-499	421-499-4400-137	268,158.17	114669	2021 Street Improvement Projects
	421-499 Total		268,158.17		
Jacon LLC	422-499	422-499-4400-125	42,629.83	114640	NE Drainage Area Improvements
	422-499 Total		42,629.83		
NELSON RICHARD	601-000	601-000-2020-000	0.38	114657	Refund Check 005765-000 7797 STALLION LN
NELSON RICHARD	601-000	601-000-2020-000	3.74	114657	Refund Check 005765-000 7797 STALLION LN
WYSE LAURA & ROBERT	601-000	601-000-2020-000	30.28	114680	Refund Check 016009-000 2062 RED OAK LN
WYSE LAURA & ROBERT	601-000	601-000-2020-000	0.19	114680	Refund Check 016009-000 2062 RED OAK LN
MN Department of Health	601-000	601-000-2140-000	12,370.00	114654	2nd Qtr 2021 Water Connection Fee
	601-000 Total		12,404.59		
Medica	601-494	601-494-4131-000	1,510.54	114651	Health Insurance Premiums
Lincoln National Life Ins Co	601-494	601-494-4133-000	61.27	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	601-494	601-494-4133-000	7.29	114646	Life Insurance Premiums
Delta Dental of Minnesota	601-494	601-494-4134-000	142.69	114622	Dental Insurance Premiums
Curtis 1000 Inc.	601-494	601-494-4200-000	424.29	114618	UB Return Envelopes
Curtis 1000 Inc.	601-494	601-494-4200-000	473.30	114618	UB Window Envelopes
A&L Superior Quality Sod Inc.	601-494	601-494-4211-000	19.60	114597	7 Rolls Turfgrass sod
Core & Main LP	601-494	601-494-4211-000	396.90	114616	Hydrant Wrench
Core & Main LP	601-494	601-494-4211-000	7,952.00	114616	2 Fire Hydrants
Core & Main LP	601-494	601-494-4211-000	146.90	114616	Hydrant Wrench
Ferguson Waterworks #2518	601-494	601-494-4211-000	770.40	114627	Paint & curb stop parts
Frattallone's/Circle Pines Ace	601-494	601-494-4211-000	22.48	114630	Cement primer and PVC
Menards - Forest Lake	601-494	601-494-4211-000	9.88	114652	Water supplies
Menards - Forest Lake	601-494	601-494-4211-000	5.68	114652	PVC pipe and pipe adapter
Core & Main LP	601-494	601-494-4215-000	1,073.19	114616	Irrigation Meter
Hach Company	601-494	601-494-4222-000	532.73	114634	KTO Reagent and Fluoride
Hawkins Inc.	601-494	601-494-4222-000	55.00	114635	Chlorine
Hawkins Inc.	601-494	601-494-4222-000	9,126.61	114635	Chlorine LPC-5 and Hydrofluosillic Acid



**AP Checks by Account Number
7/12/2021 City Council Meeting**

Vendor	Fund/Dept	Account	Amount	Check #	Description
Hawkins Inc.	601-494	601-494-4222-000	9,908.91	114635	Chlorine and LPC-5
Blaine Lock & Safe Inc.	601-494	601-494-4300-000	239.75	114607	Best O Cores - Qty 5 Pinup Best Core - Qty 5
Valley-Rich Co. Inc.	601-494	601-494-4300-000	3,257.50	114676	Sewer main repair at Lift 2
TDS Metrocom MN	601-494	601-494-4321-000	39.90	114670	Phone Services 6/13/21-7/12/21
T-Mobile USA Inc	601-494	601-494-4321-000	83.51	114672	Cell Phone/Wi-Fi Service
Xcel Energy	601-494	601-494-4381-000	1,850.68	114681	Electric
Instrumental Research Inc.	601-494	601-494-4410-000	230.00	114639	May Water Testing
601-494 Total			38,341.00		
NELSON RICHARD	602-000	602-000-2020-000	8.66	114657	Refund Check 005765-000 7797 STALLION LN
WYSE LAURA & ROBERT	602-000	602-000-2020-000	0.91	114680	Refund Check 016009-000 2062 RED OAK LN
WYSE LAURA & ROBERT	602-000	602-000-2020-000	4.29	114680	Refund Check 016009-000 2062 RED OAK LN
602-000 Total			13.86		
Medica	602-495	602-495-4131-000	1,510.56	114651	Health Insurance Premiums
Lincoln National Life Ins Co	602-495	602-495-4133-000	61.27	114645	Disability Insurance Premiums
Lincoln National Life Ins Co	602-495	602-495-4133-000	7.34	114646	Life Insurance Premiums
Delta Dental of Minnesota	602-495	602-495-4134-000	142.69	114622	Dental Insurance Premiums
Curtis 1000 Inc.	602-495	602-495-4200-000	473.29	114618	UB Window Envelopes
Curtis 1000 Inc.	602-495	602-495-4200-000	424.29	114618	UB Return Envelopes
Hotsy Equipment of Minnesota	602-495	602-495-4211-000	164.05	114637	Replacement hose for vac trailer
W.W. Goetsch Associates Inc.	602-495	602-495-4300-000	2,720.85	114677	Lift Station 4 repair
T-Mobile USA Inc	602-495	602-495-4321-000	83.47	114672	Cell Phone/Wi-Fi Service
Xcel Energy	602-495	602-495-4381-000	3,544.66	114681	Electric
Centennial Utilities	602-495	602-495-4383-000	20.01	114609	Natural Gas
602-495 Total			9,152.48		
Cross Nurseries Inc.	801-000	801-000-2027-000	4,324.75	114617	City Tree Sale
Press Publications Inc.	801-000	801-000-2300-000	112.64	114663	Rezoning Butler Addition
Mader Jay	801-000	801-000-2318-000	2,475.00	114647	Escrow Release - 450 Aqua Ln
Lennar MN Division	801-000	801-000-2336-106	156,999.32	114644	Long Term Escrow Reduction
Prairie Restorations Inc.	801-000	801-000-2353-106	12,017.52	114662	Disking/harrowing seed seeding mulching erosion blanket
801-000 Total			175,929.23		
Grand Total			864,797.47		



Electronic Funds Transfer
MN Statute 471.38 Subd. 3

Council Meeting July 12, 2021

Transfer In/(Out)

6/25/2021 Payroll #13	(145,312.98)
6/25/2021 Payroll #13 Federal Deposit	(43,418.84)
6/25/2021 Payroll #13 PERA	(44,463.56)
6/25/2021 Payroll #13 State	(10,014.01)
6/25/2021 Payroll #13 Child Support	(284.77)
6/25/2021 Payroll #13 H.S.A. Bank Pretax	(3,096.18)
6/25/2021 Payroll #13 TASC Pretax	(749.96)
6/25/2021 Payroll #13 ICMA 457 Def. Comp #301596	(3,845.00)
6/25/2021 Payroll #13 ICMA Roth IRA #706155	(855.75)
6/25/2021 Payroll #13 MSRS HCSP #98946-01	(1,616.21)
6/25/2021 Payroll #13 MSRS Def. Comp #98945-01	(3,458.00)
6/25/2021 Payroll #13 MSRS Roth IRA #98945-01	(755.00)
7/1/2021 HSA Bank ER Contribution	(6,416.51)
7/2/2021 Council #07 Payroll	(3,304.93)
7/2/2021 Council #07 Federal Deposit	(196.60)
7/2/2021 Council #07 PERA	(367.62)
7/2/2021 Council #07 State	(43.95)
7/6/2021 Anoka County Property Tax Settlement	6,488,299.66
7/6/2021 Transfer to Money Market	(6,488,299.66)

CITY COUNCIL WORK SESSION

DRAFT

**CITY OF LINO LAKES
MINUTES**

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DATE : **June 28, 2021**
TIME STARTED : **6:00 p.m.**
TIME ENDED : **6:28 p.m.**
MEMBERS PRESENT : **Council Member Stoesz, Lyden, Ruhland,
Cavegn and Mayor Rafferty**
MEMBERS ABSENT : **None**

Staff members present: City Administrator Sarah Cotton; Finance Director Hannah Lynch; Community Development Director Michael Grochala; City Engineer Diane Hankee; Director of Public Safety John Swenson; City Clerk Julie Bartell

1. Review Regular Agenda of June 28, 2021

Item 3A – Recreation and Aquatics Center Feasibility Study – Community Development Director Grochala noted that the consultants will be present for the council meeting. Public comments will be accepted.

Item 3C – Amendment to Lease Agreement with New Creations - Administrator Cotton reviewed the proposed amendment. The City has vacated one room in the day care wing by storing some items elsewhere. New Creations had expressed interest in leasing that room.

Item 3D – COVID Vaccine Site – Administrator Cotton explained that the State is requesting extension of the lease on the former YMCA facility at least through the end of July and perhaps through the end of August. A lease amendment is proposed by staff.

Item 3E – Appointment of Police Officer – Public Safety Director Swenson explained his recommendation to hire Yecheng “Eric” Heu.

Item 4A – Accept Donated Gift Cards – Public Safety Director Swenson noted the total amount of gift cards received and how they are being used by the department. In addition to utilizing the cards for department meeting food and refreshments, they also plan to use them in the community when that makes sense (to families in need, for children playing soccer).

Item 6A – 2021 Street Improvement Project Change Order – City Engineer Hankee explained that the Post Road/Forsham Lake portion includes some water service issues, staff having found facilities in worse condition than expected. New facilities installation is proposed and those will be made of stainless steel. A quote has been received for replacing the remainder of the facilities in the neighborhood and that is the change order requested (\$248,000 funded through the water fund).

CITY COUNCIL WORK SESSION

DRAFT

45 **Not on Printed Agenda:**

46

47 **Blue Heron Days Planning Update** – Councilmember Stoesz updated the council on
48 planning. Councilmember Lyden said funding should be committed if the event is go
49 forward.

50

51 The meeting was adjourned at 6:28 p.m.

52

53 These minutes were considered, corrected and approved at the regular Council meeting held on
54 July 12, 2021

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60 _____
Julianne Bartell, City Clerk

Rob Rafferty, Mayor

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COUNCIL MINUTES

DRAFT

**LINO LAKES CITY COUNCIL
REGULAR MEETING
MINUTES**

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6 **DATE** : **June 28, 2021**
7 **TIME STARTED** : **6:30 p.m.**
8 **TIME ENDED** : **8:05 p.m.**
9 **MEMBERS PRESENT** : **Councilmember Stoesz, Lyden,**
10 **Ruhland, Cavegn and Mayor**
11 **MEMBERS ABSENT** **Rafferty :**

12
13 Staff members present: City Administrator Sarah Cotton; Community Development Director
14 Michael Grochala; Finance Director Hannah Lynch; Public Safety Director John Swenson; City
15 Engineer Diane Hankee; Public Services Director Rick DeGardner; City Clerk Julie Bartell

16
17 **PUBLIC COMMENT**

18 There were no public comments.

19 **SETTING THE AGENDA**

20 The agenda was approved as presented.

21 **PROCLAMATION**

22 **Proclamation of Appreciation for the Lino Lakes Public Safety Department**

23 **CONSENT AGENDA**

24 Councilmember Ruhland moved to approve the Consent Agenda, Items 1A through 1G as
25 presented. Councilmember Lyden seconded the motion. Motion carried on a voice vote.

26
27 **ITEM** **ACTION**

28 **Consideration of Expenditures:**

- | | | | |
|----|----|--|----------|
| 29 | A) | June 28, 2021 (Check No. 114517 through 114593) in the | |
| 30 | | Amount of \$488,881.61 | Approved |
| 31 | B) | Consider Approval of June 7, 2021 Council | |
| 32 | | Work Session Minutes | Approved |
| 33 | C) | Consider Approval of June 14, 2021 Council | |
| 34 | | Minutes | Approved |
| 35 | D) | Consider Approval of June 7, 2021 Special Council | |
| 36 | | Minutes | Approved |
| 37 | E) | Consider Approval of June 14, 2021 Council Work | |
| 38 | | Session Minutes | Approved |
| 39 | F) | Consider Resolution No. 21-61 Approving Site Improvement | |
| 40 | | Performance Agreement for Otter Crossing | Approved |

COUNCIL MINUTES

DRAFT

- 41 G) Consider Resolution No. 21-66, Approving Common Interest
42 Agreement, DNR Water Appropriation Permit Amendment
43 Appeal Approved

44 **FINANCE DEPARTMENT REPORT**

45 There was no report from the Finance Department.

46 **ADMINISTRATION DEPARTMENT REPORT**

47 **3A) Consider Resolution No 21-62, Accepting Recreation and Aquatics Center Feasibility**
48 **Study, ISG** – Community Development Director Grochala reviewed his written report. It's been
49 about a year since the City was notified that the YMCA would not be reopening the facility in Lino
50 Lakes. The City commissioned a feasibility study and the consultants who have prepared that report
51 are present.

52
53 Mr. Stu Isaac, Isaac Sport Group, reviewed the written report, summarized in a presentation including
54 information on :

- 55 - The Study Process and Methodology;
- 56 - Goals and Opportunities for the Rec Center;
- 57 - Vision - rethinking as a Lino Lakes Recreation and Community Center to include those things
58 that were missing from the YMCA offerings;
- 59 - Programming (precedes design) – Immediate and long term growth and expansion;
- 60 - Potential Program Outsourcing (swim lessons; fitness provider);
- 61 - Membership Model – recommending 60% of equivalent YMCA membership rates; overall and
62 drop in memberships; membership categories; discount for annual membership;
- 63 - Operating and Financial Goals;
- 64 - Management Models (City managed; Outsourced; Hybrid management model); pros and cons
65 of each reviewed;
- 66 - Re-Opening Costs – estimate provided;
- 67 - Financial Operating Analysis (City managed and hybrid option); (Year 3 budget estimate);
- 68 - Long Term Accrued Deficit;
- 69 - Capital Outlay;
- 70 - Long Term Goals and Opportunities (sports center, outdoor activity center, community
71 function space);
- 72 - Timeline – workback provided in report for hybrid and city managed model; timeline factors;
- 73 - Next steps.

74 Delores Langston, 6625 White Birch Court – She and her husband are charter members of the YMCA
75 and they mourn it's passing. Seniors used the facility to get together. They hope that when this does
76 reopen, that opportunity will continue. She'd be less excited if it were to be outsourced.

COUNCIL MINUTES

DRAFT

77 Steve Heiskary, 572 Arrowhead Court. He is much in favor of pursuing this opportunity. He and his
78 wife have lived in Lino Lakes since 1987. They had to bring their children to Shoreview for
79 swimming and recreational opportunities. It seems like the strongest case is made for the hybrid
80 model but that's the council's decision. He supports this going forward.

81 Jill Anderson, 400 Coyote Trail, said she is a longtime member of the YMCA. She utilized the
82 former YMCA facility and enjoyed using the facilities including care for her children. The local girl
83 scouts have also used the facilities and would like to move to that again. She believes there is
84 opportunity to bring in leases.

85 Gretchen Hubble, 6450 Ware Road – said the facility is a great asset to the community She would be
86 reluctant to give up complete control. There is a captive audience with the end of COVID. She
87 encourages going forward with a locally controlled facility.

88 Paul Clasen, 7457 172nd Av NE, Columbus, said he is a charter member of the YMCA. He knows the
89 importance of a good swimming program because he experienced that with his own children. His city
90 doesn't have this kind of facility and he enjoyed being a part of it and he developed relationships
91 through the facility.

92 Mayor Rafferty remarked that that staff has worked hard with the consultants to paint the bigger
93 picture. He added that part of the discussion has been involving other communities.

94 Duane Proell, Isacc Sport Group consultant offered remarks. Regarding senior services, he assures
95 that senior elements are at the top of the list. He is keenly aware. He noted that they would also
96 provide the formal report in paper form for anyone that would like to read it.

97 Mr. Issac added that child watch (affordable) is included in the plans. He liked the comments on
98 senior services. He also heard comments on losing control through complete outsourcing.

99 Mayor Rafferty noted that the council has discussed the value of keeping all ages together and
100 involved in planning for this facility.

101 Councilmember Ruhland said he's curious about the lease and profit sharing portion. Mr. Isaac said
102 models can vary but, for fitness, there should be some incentive and that can mean sharing revenue.
103 The consultants looked at profits so there is no expense inclusion. Mr. Isaac also talked about the
104 possibility of integration with the school district's community education offerings.

105 Councilmember Cavegn asked about the possibility of including "area" community residents for
106 resident discount. Mr. Isaac explained that they looked at numbers for resident and non-resident rates
107 and if you want to incorporate, there is a sense of impact, allowing city staff to come up with a rate
108 that makes sense.

109 Councilmember Lyden said he's hopeful that this will move forward in some fashion. He wonders
110 how the consultants would remain involved if things move forward. Also, regarding the discussion
111 on expanding court facilities, he'd like the perspective of the consultant. Mr. Isaac explained that he
112 has worked throughout the country and in some cases with for-profit who developed court facilities.
113 In this case, they've already heard from interested developers. Also looking at the needs through the
114 school district and how they are meeting them, they see potential there also. He feels a commitment
115 to this project and is interested in helping the City move forward.

116 Mayor Rafferty said he's pleased with the effort of the consultant through this project.

117 Councilmember Ruhland moved to approve Resolution No. 21-62 as presented. Councilmember
118 Stoesz seconded the motion. Motion carried on a voice vote.

COUNCIL MINUTES

DRAFT

119 **3B) Consider 2nd Reading of Ordinance No. 06-21, Adjusting the Salaries of the Mayor and**
120 **Councilmembers** – Administrator Cotton noted that staff is recommending that the council approve
121 the second reading and passage of this ordinance providing for future adjustments to the salary for
122 council and mayor. The salary increase is based on what has been approved for staff.

123 Councilmember Cavegn moved to waive the full reading of Ordinance No. 06-21 as presented.

124 Councilmember Lyden seconded the motion. Motion carried on a voice vote.

125 Councilmember Lyden moved to approve the second reading and adoption of Ordinance No. 06-21 as
126 presented. Councilmember Cavegn seconded the motion. Motion carried: Yeas, 5; Nays none.

127 **3C) Consider Approval of Amendment #4 to Lease Agreement with NCCC, LLC (New**
128 **Creations Child Care)** – Administrator Cotton explained that the day care group operating at the City
129 hall complex inquired about leasing additional space from the City. Staff has negotiated an
130 amendment to their current lease to provide for that additional space. The additional revenue was
131 noted.

132 Councilmember Lyden moved to approve the amendment as presented. Councilmember Stoesz
133 seconded the motion. Motion carried on a voice vote

134 **3D) Consider Resolution No. 21-64, Authorizing Execution of Amendment No. 1 to the**
135 **License Agreement with the State of Minnesota for the Lino Lakes COVID-19 Vaccine Site** –
136 Administrator Cotton explained that the State of Minnesota wishes to extend their lease of the former
137 YMCA facilities through at least July 31 but possibly through August 31st.

138 Councilmember Ruhland moved to approve Resolution No. 21-64 as presented. Councilmember
139 Cavegn seconded the motion. Motion carried on a voice vote

140 **3E) Consider Appointment of Police Officer** – Public Safety Director Swenson reviewed staff's
141 recommendation to hire Yecheng "Eric" Heu as the next police officer for the Public Safety
142 Department. Mr. Swenson explained Mr. Heu's qualifications.

143 Councilmember Cavegn moved to approve the appointment of Yecheng "Eric" Heu as recommended.
144 Councilmember Ruhland seconded the motion. Motion carried on a voice vote

PUBLIC SAFETY DEPARTMENT REPORT

146 **4A) Consider Acceptance of Donated Gift Cards** – Public Safety Director Swenson first
147 thanked the Mayor and Council for the proclamation presented to the department earlier. He
148 continued that this item and the council's recognition is indicative of the high level of support that
149 the department receives from the community. That is not the case in every city.

150 Director Swenson explained that the generosity of the community has resulted in additional gift
151 cards received in the amount of \$585. The total amount is just under \$2,800. The cards have been
152 used to provide food for training sessions for the department. They are also considering utilizing
153 the cards to provide support to community members as they see needs as part of the department's
154 Pay It Forward efforts.

155 Councilmember Lyden said he appreciates being a part of a community that shows this type of
156 caring and consideration. He applauds the donors of the cards.

157 Councilmember Ruhland said he agrees and also is glad that he lives in a community where the
158 police are doing a program such as Pay It Forward.

COUNCIL MINUTES

DRAFT

159 Councilmember Cavegn moved to authorize the acceptance of gift cards as presented.
160 Councilmember Ruhland seconded the motion. Motion carried on a voice vote

161 **PUBLIC SERVICES DEPARTMENT REPORT**

162 There was no report from the Public Services Department.

163 **COMMUNITY DEVELOPMENT REPORT**

164 **6A) Consider Resolution No. 21-65, Approve Change Order No. 1, 2021 Street Improvement**
165 **Project** – City Engineer Hankee reviewed her written staff report requesting that the council approve
166 a change order. The change relates to findings of deteriorated water services in some areas of the
167 project. The additional cost (\$248,000) would be covered through the City’s Water Fund. When
168 the council discussed the failure of the equipment, Ms. Hankee noted that staff has changed
169 specifications to improve the life of these fixtures.

170 Councilmember Lyden moved to approve Resolution No. 21-65 as presented. Councilmember
171 Stoesz seconded the motion. Motion carried on a voice vote.

172 **UNFINISHED BUSINESS**

173 There was no Unfinished Business.

174

175 **NEW BUSINESS**

176 There was no New Business.

177

178 **COMMUNITY EVENTS**

179 There were no events announced.

180 **COMMUNITY CALENDAR**

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<i>Community Calendar – A Look Ahead</i>		
June 28, 2021 through July 12, 2021		
✚ Wednesday, June 30	6:30 pm, Council Chambers	Environmental Board
✚ Thursday, July 1	8:00 am, Community Room	EDAC
✚ Tuesday, July 6	6:00 pm, Community Room	Council Work Session
✚ Wednesday, July 7	6:30 pm, Council Chambers	Park Board
✚ Monday, July 12	6:00 pm, Community Room	Council Work Session
✚ Monday, July 12	6:30 pm, Council Chambers	City Council Meeting

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191 **ADJOURN**

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Following adjournment of the regular meeting, the City Council will reconvene for a closed meeting for the purpose of completing the City Administrator’s performance evaluation.

There being no further business, Councilmember Ruhland moved to adjourn to the closed session at 8:05 p.m. Councilmember Cavegn seconded the motion. Motion carried on a voice vote.

These minutes were considered and approved at the regular Council Meeting on July 12, 2021.

COUNCIL MINUTES

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Julianne Bartell, City Clerk

Rob Rafferty, Mayor

CLOSED COUNCIL SESSION

DRAFT

**CITY OF LINO LAKES
MINUTES
CLOSED COUNCIL SESSION**

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DATE : **June 28, 2021**
TIME STARTED : **8:18 p.m.**
TIME ENDED : **10:17 p.m.**
MEMBERS PRESENT : **Councilmembers Cavegn, Lyden, Stoesz,
Ruhland Mayor Rafferty**
MEMBERS ABSENT : **None**

13 Staff present: City Administrator Sarah Cotton

15
16 Mayor Rafferty convened the meeting at 8:18 p.m. at Lino Lakes City Hall. Before the
17 meeting was closed, Mayor Rafferty noted the purpose of the meeting. The
18 meeting was closed as a session of the city council pursuant to the Open Meeting Law for
19 the purpose of discussing the City Administrator performance review.

20
21 The meeting was not recorded.

22
23 The meeting was adjourned at 10:17 p.m.

24
25 These minutes were considered at the regular Council meeting held on July 12, 2021.
27
28
29

30 _____
31 Julianne Bartell, City Clerk

Rob Rafferty, Mayor

32

**CITY COUNCIL
AGENDA ITEM 1E**

STAFF ORIGINATOR: Lisa Hogstad-Osterhues, Deputy City Clerk

MEETING DATE: July 12, 2021

TOPIC: Consider Resolution No. 21-71, Approving an Application for a Special Event Permit for a Fundraiser/Corn Roast at the American Legion Post 566

VOTE REQUIRED: Simple Majority (3/5 Vote Required)

BACKGROUND:

The American Legion Post 566 has applied for a Special Event Permit to hold a fundraiser/corn roast event July 30, 2021.

Applicant has proposed to fence off a portion of their property to include a tent area outside.

Applicant has also proposed to have a band outside from 4:00 p.m. to 8:00 p.m. on Thursday, July 30, 2021.

The application has been reviewed by staff, including the public safety department. The applicant has been provided with a list of safety conditions. The applicant has agreed to comply with the conditions and to address any other safety considerations that may arise.

The applicant has provided a Certificate of Insurance covering this event.

Therefore, staff is presenting for city council consideration of a resolution authorizing the issuance of a Special Event Permit for the American Legion Post 566.

RECOMMENDATION:

Approve Resolution No. 21-71 authorizing issuance of a Special Event Permit for a Fundraiser/Corn Roast at the American Legion Post 566.

ATTACHMENT:

Resolution No. 21-71
American Legion Location Map

**CITY OF LINO LAKES
RESOLUTION NO. 21-71**

**APPROVING APPLICATION FOR A SPECIAL EVENT PERMIT
FOR AN EVENT HELD AT THE AMERICAN LEGION POST 566 ON JULY 29, 2021**

WHEREAS, the Commander of American Legion Post 566 has submitted an application for a special event permit; and

WHEREAS, the event plan includes live music outside from 4:00 p.m. to 8:00 p.m. Thursday, July 29, 2021; and

WHEREAS, the Legion has indicated that all patrons or members attending the event will receive a proper identification check to ensure no underage alcohol service will occur; and

WHEREAS, the outdoor liquor service will be set up on the outdoor patio contiguous to the building;

WHEREAS, the Public Safety Department has reviewed plans for the event which includes erecting a canopy. The Public Safety Department has provided conditions for the permit: and

- (1) Applicant will provide security on premise for the duration of the event to ensure there are no violations of laws and ordinances or disruptive behavior.
- (2) Applicant will provide all staff and/or volunteers working this event with training that focuses on prevention of over service of alcohol and other means to safely serve customers.
- (3) Applicant will ensure that event is compliant with City Ordinance 901.03 (4a) Public Nuisances Affecting Peace and Safety.
- (4) Applicant will ensure that the event is conducted in manner that meets the MN State Fire Code.
- (5) Telephone service shall be in place sufficient to connect to emergency services.
- (6) Event will end as articulated in the application.

WHEREAS, the Public Safety Department has reviewed the application and event plans; and

WHEREAS, proof of general liability insurance has been submitted by the American Legion to cover all events held on their property as well as the event held on city property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lino Lakes, Minnesota:

That the City Council authorizes issuance of a Special Event Permit to the American Legion Post 566 for the event scheduled on July 29, 2021.

Adopted by the Council of the City of Lino Lakes this 12th day of July, 2021.

The motion for the adoption of the foregoing resolution was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk

Satellites

Parkings

Sidewalk

Gate

Gate

Fenced Yard

TRASH

TENT

Grill area

DOOR

DOOR

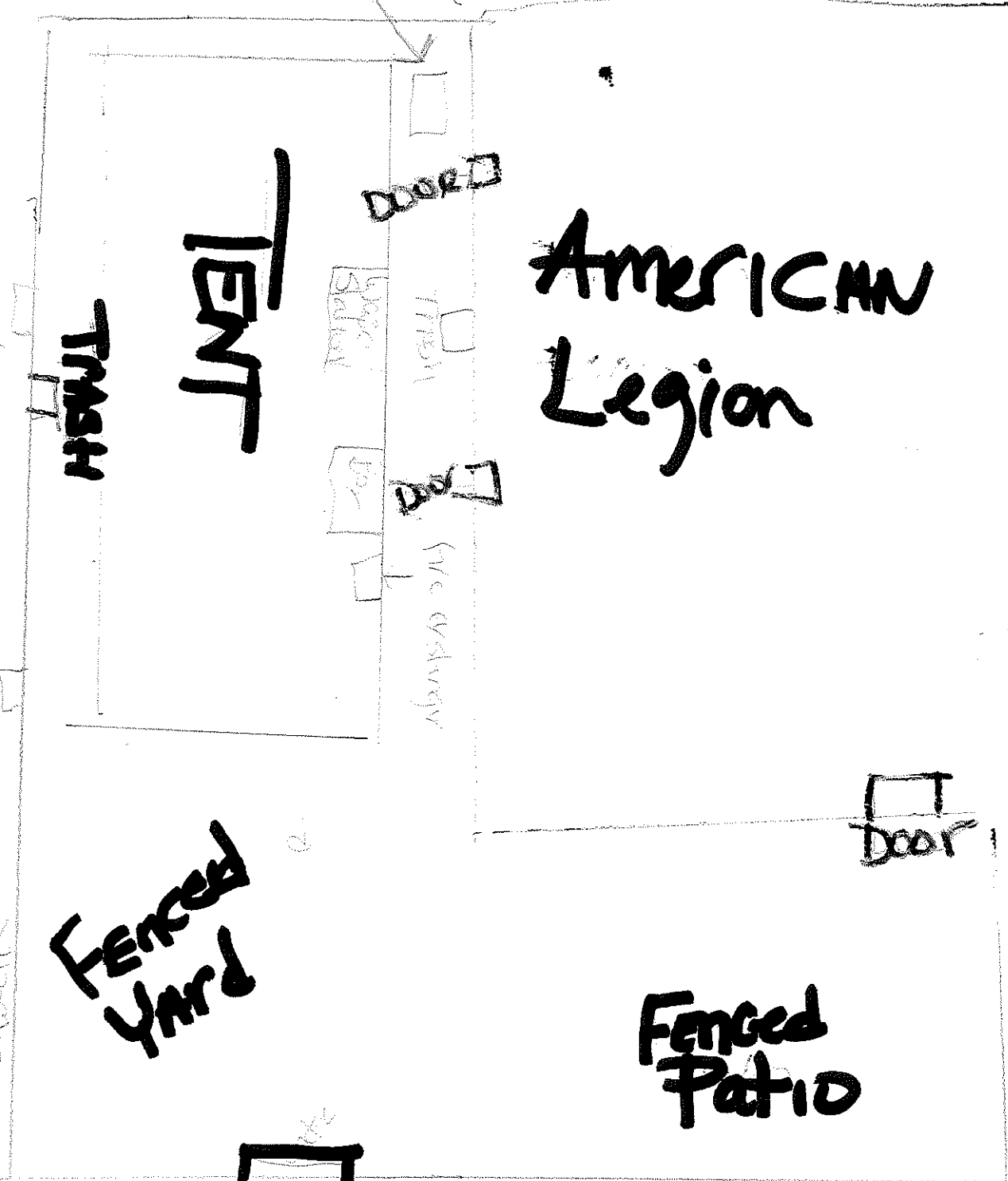
Fire extinguisher

AMERICAN Legion

DOOR

Fenced Patio

TABLE



**CITY COUNCIL
AGENDA ITEM 1F**

STAFF ORIGINATOR: Lisa Hogstad-Osterhues, Deputy City Clerk

MEETING DATE: July 12, 2021

TOPIC: Consider Resolution No. 21-72, Approving an Application for a Temporary On-Sale Liquor License, a 5K Run and a Special Event Permit for The Chain of Lakes Rotary Community Festival

VOTE REQUIRED: Simple Majority (3/5 Vote Required)

BACKGROUND:

The Chain of Lakes Rotary Club is partnering with the Quad Chamber of Commerce for a Lino Lakes Community Festival. The Chain of Lakes Rotary has applied for a Temporary On-Sale Liquor License, a 5K Run and a Special Event Permit for August 22, 2021.

The group is proposing a band, beer garden, food trucks, a cornhole tournament, business expo, dunk tank and dog bar located on community green property.

The group is proposing fencing off a portion of the community green for the beer garden. The Minnesota Alcohol and Gambling Enforcement Division requires a 1 – 4 Day Temporary On- Sale Liquor License to allow the consumption of alcohol in this outdoor area. The applicant is required to submit their request to the City for local approval before the application is submitted to the state for final consideration for the 1-4 day temporary liquor license.

The applications have been reviewed by staff, including the Public Safety Department, and the applicant has been provided with a list of safety conditions. The applicant has agreed to comply with the conditions and to address any other safety considerations that may arise.

Therefore, staff is presenting for city council consideration a resolution authorizing the issuance of a Temporary On-Sale Liquor License, a 5K Run and a Special Event Permit for the Chain of Lakes Rotary.

A Certificate of Insurance has been submitted by the Chain of Lakes Rotary Club to the City for this event.

RECOMMENDATION:

Approve Resolution No. 21-72 authorizing issuance of a 1-4 Day Temporary On- Sale Liquor License, a 5k Run and a Special Event Permit during a Lino Lakes Community Festival with conditions.

ATTACHMENTS:

Resolution 21-72

Map of the Event

2 Maps of the Rock n Run 5K

**CITY OF LINO LAKES
RESOLUTION NO. 21-72**

**APPROVING APPLICATION FOR A TEMPORARY ON-SALE LIQUOR LICENSE,
5K RUN AND A SPECIAL EVENT FOR THE CHAIN OF LAKES ROTARY
COMMUNITY FESTIVAL**

WHEREAS, Kevin Fitzpartrick of the Chain of Lakes Rotary has made application for a Temporary On-Sale Liquor License, a 5k Run and a Special Event Permit for Sunday, August 22, 2021; and

WHEREAS, the Lino Lakes Public Safety Department has the following conditions:

- (1) The applicant has plans for parking vehicles including size and location of lots, points of access; and proof of permission for use of property upon which the special event is to be held or upon which parking may occur, and in the case of County right-of-way, proper documentation from the County approving the plans.
- (2) Applicant will provide security on premise ensuring there is no violations of laws and ordinances or disruptive behavior.
- (3) Applicant will provide all staff and/or volunteers working this event with training that focuses on prevention of over service of alcohol and other means to safely serve customers.
- (4) Plans are submitted for sound control and sound amplification, if any, including number, location, and power of amplifiers and speakers; all reasonably necessary precautions shall be taken by the applicant to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.
- (5) Plans are submitted to meet the requirements of the State Fire Code, including but not limited to the following:
 - i. Minimum of three 2A10BC fire extinguishers need to be on location in the tent area;
 - ii. “No Smoking” signs need to be displayed throughout the area.
 - iii. No pyrotechnics are allowed.
 - iv. No parking within 20 feet of the tent. Measured from stakes.
 - v. Clearance to property line needed to 20 feet. Measured from stakes;
 - vi. Certificate of flame retardant for all panels of tent.
- (6) Telephone service shall be in place sufficient to connect to emergency services.
- (7) Event will end as articulated in the application.
- (8) Applicant is responsible for the placement and removal of all event signage to include road closure signage and adjacent property notification.

WHEREAS, the City Council must authorize the sale of alcohol in a City Park by resolution per City Ordinance 301.05 in order for the Temporary On-Sale Liquor proposed special event to take place; and

WHEREAS, the City Council may approve the use of city equipment relating to the proposed event. Applicant has requested use of the stage, canopy, barricades, cones, 40 chairs and 12

tables from the City. Applicant will pick up the equipment on Friday, August 20 and return the equipment on Monday, August 23; and

WHEREAS, city staff will place barricades and garbage cans for the proposed event on Friday, August 20; and

WHEREAS, food truck vendors are required to contact the Anoka County Environmental Services at 763-324-4260 for permission to operate in the City; and

WHEREAS, food truck vendors are required to provide their state licensing information as well as Anoka County Environmental Services licensing to the Chain of Lakes Rotary; and

WHEREAS, the Public Safety Department requires food vendors to be at least 20 feet from the structures; and

WHEREAS, city staff has reviewed the Application for Permit for the festival event for concurrence with city regulations; and

WHEREAS, the Lino Lakes Public Safety Department has conducted a background and found no reason to deny; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lino Lakes, Minnesota:

That the City Council hereby approves the applications for a Temporary On-Sale Liquor License, a 5K Run and a Special Event permit.

Adopted by the Council of the City of Lino Lakes this 12th day of July, 2021.

The motion for the adoption of the foregoing resolution was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

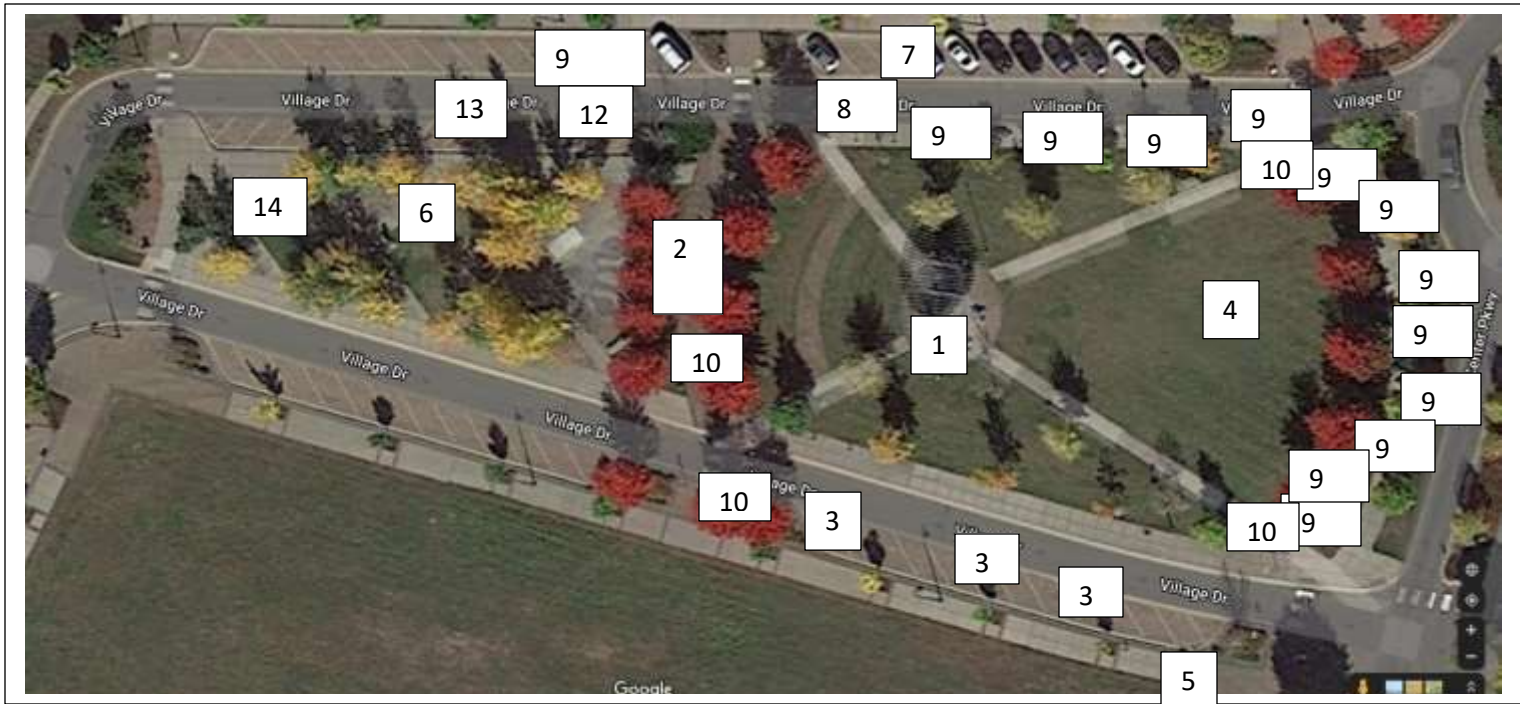
Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk



8.22.2021 Rock n Run Map – Community Green. Race: 9:00 am start. Bands, Food & Beer: 10:00 – 4:00 pm



Key

1	Band Stage
2	Beer Garden (fenced)
3	Food Trucks
4	Some tables & chairs – for fans
5	Portapotties
6	Officer Silvera Memorial (race start)
7	Race Registration & event HQ

8	Cornhole Tournament
9	Business Expo booths
10	Trash bins will be placed at corners and middle
12	Dunk Tank
13	Dog bar (sprinkler)
14	Bouncy house & Home Depot kids building tent



Chain of Lakes Rotary Club



8.22.2021 Rock n Run. Including parking.

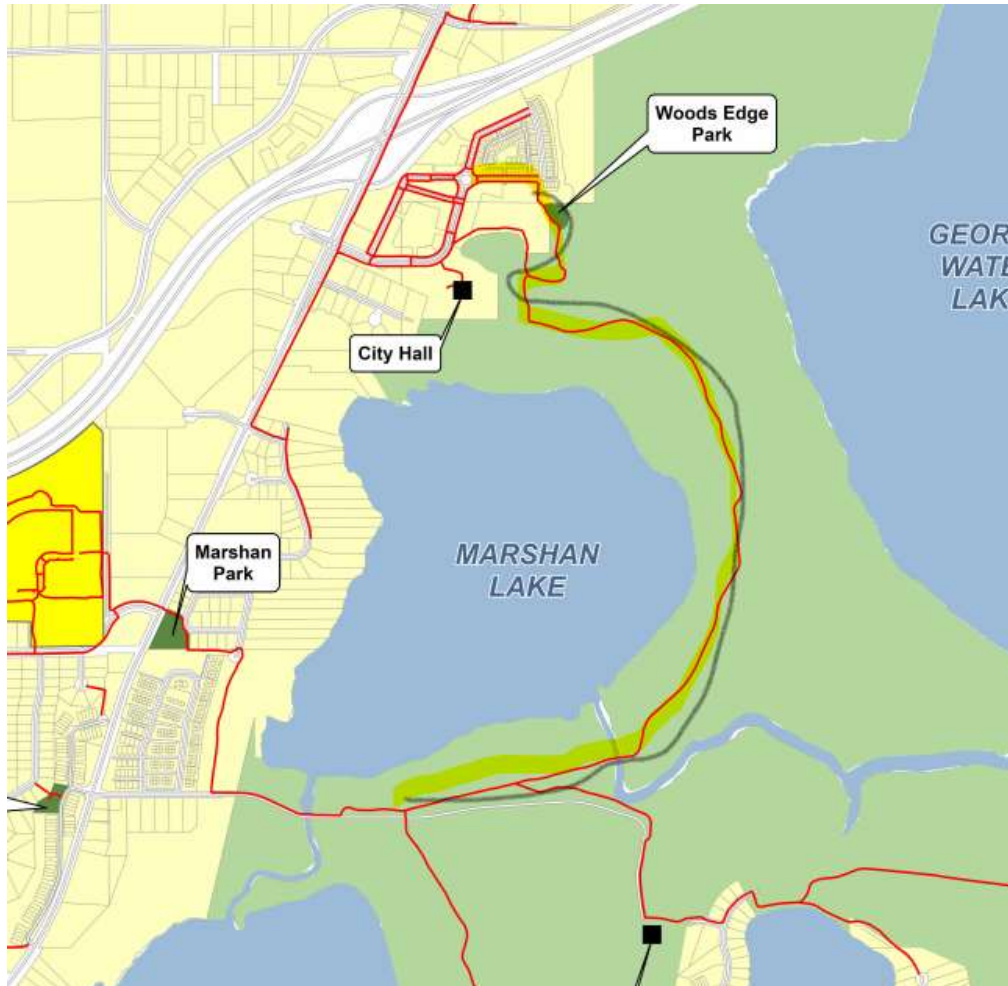


Parking: Rotary will string and mark the parking in overflow lots

- Lino Rec parking lots
- Overflow at Lino Rec parking lot
- Grassy area between Lino Rec Center & Town Center Pkwy (as we have used in past)



Officer Silvera/Rotary 5K Route. August 22, 2021 10:00 am start.



As in past years, the race will start with a dedication to Officer Silvera at his Memorial in Community Green.

Race starts on west Village Drive (by Memorial), goes through the traffic circle, heads to Anoka county trail, around Marshan Lake, with turnaround by Aqua Lane. Race doubles back with finish line on NE side of Lino Lakes Rec Center.

**CITY COUNCIL
AGENDA ITEM 1G**

STAFF ORIGINATOR: Lisa Hogstad-Osterhues, Deputy City Clerk

MEETING DATE: July 12, 2021

TOPIC: Consider Approval of Resolution 21-74, Quad Area
Community Family Fun Festival

VOTE REQUIRED: Simple Majority (3/5 Vote Required)

BACKGROUND:

The Quad Area Chamber of Commerce has applied for a Special Event Permit for Thursday, August 19.

The applicant is proposing to have a group called Minnesota Sings perform, various food trucks and a free car show, located at the Centennial Middle School property at 399 Elm Street.

The Quad Area Chamber of Commerce has submitted to the City an application for a Special Event. The application has been reviewed by staff, including the public safety department. The applicant has been provided with a list of safety conditions. The applicant has agreed to comply with the conditions and to address any other safety considerations that may arise.

Therefore, staff is presenting for city council consideration a resolution authorizing the issuance of a Special Event Permit for the Quad Area Chamber of Commerce.

A Certificate of Insurance has been submitted by the Quad Area Chamber of Commerce to the City for this event.

RECOMMENDATION:

Approve Resolution No. 21-74 authorizing issuance of Special Event Permit for the Quad Area Community Fun Festival.

ATTACHMENTS:

Event Flyer
Maps

**CITY OF LINO LAKES
RESOLUTION NO. 21-74**

**AUTHORIZING A SPECIAL EVENT PERMIT FOR THE QUAD AREA COMMUNITY
FAMILY FUN FESTIVAL AUGUST 19, 2021**

WHEREAS, the Quad Area Chamber of Commerce has submitted an application for a special event permit; and

WHEREAS, the event plan includes music outdoors from 4:00 p.m. to 8:00 p.m. Thursday, August 19, 2021 as well as various food trucks and a car show.

WHEREAS, the Public Safety Department has reviewed plans for the event and has provided conditions for the permit; and

WHEREAS, food truck vendors are required to contact the Anoka County Environmental Services at 763-324-4260 for permission to operate in the City; and

WHEREAS, food truck vendors are required to provide their state licensing information as well as Anoka County Environmental Services licensing to the Quad Area Chamber of Commerce; and

WHEREAS, the Public Safety Department requires food vendors to be at least 20 feet from the structures; and

WHEREAS, proof of general liability insurance has been submitted by the Quad Area Chamber of Commerce to cover all events held on the Centennial School District property; and

WHEREAS, city staff has reviewed the Application for Permit for the festival event for concurrence with city regulations; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lino Lakes, Minnesota:

That the City Council authorizes issuance of a Special Event Permit to the Quad Area Chamber of Commerce for their event scheduled for August 19, 2021, with the conditions attached hereto.

Adopted by the Council of the City of Lino Lakes this 12th day of July, 2021.

The motion for the adoption of the foregoing resolution was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk



Quad Area Community Car Show

Spectators Free

Thursday, August 19, 2021

4 – 8 PM

Centennial Middle School
399 Elm Street – Lino Lakes



Food Trucks

D & D Goodies (Gluten Free Options)
BBQ
Vietnamese
Ice Cream
Mini Donuts

ABSOLUTELY NO ALCOHOL PERMITTED ON THE SCHOOL PROPERTY!

ANYONE HAVING OR CONSUMING WILL BE ASKED TO LEAVE BY SECURITY STAFF!

\$10 Entry Fee

Proof of Insurance requested, no insurance/no entry.

Customs~ Hot Rods

Antiques~ Classics

Trucks ~Drag Cars

Awards at 7:30 P.M.

Call 651-321-4722

Or email: btvr.linolakes@gmail.com

Beyond the Yellow Ribbon Lino Lakes, serving Centerville, Circle Pines, Lexington & Lino Lakes

Centennial Community Education, Scavenger's Car Club

Craig Johnson USI, Dean Ravenscroft-Edward Jones, Nick Pino, Konik, **Hagerty, Toufong Towing**

Our Thanks to Our Sponsors

All Proceeds will go to serve Military & Veterans Efforts in Our Community

Through Centennial Community Education



**CITY COUNCIL
AGENDA ITEM 1H**

STAFF ORIGINATOR: Sarah Cotton, City Administrator

MEETING DATE: July 12, 2021

TOPIC: Rescind Declaration of Local State of Emergency (COVID-19)

VOTE REQUIRED: 3/5

INTRODUCTION

The Council is being asked to consider approval of Resolution No. 21-63, rescinding declaration of a Local State of Emergency (COVID-19).

BACKGROUND

The City Council affirmed the Mayor's declaration of a Local State of Emergency on March 19, 2020 at the outset of the COVID-19 pandemic. The Peacetime State of Emergency declared by Governor Tim Walz ended on July 1, 2021 and the City of Lino Lakes is currently operating under pre-pandemic policies and procedures; therefore, staff is recommending rescinding the declaration of a Local State of Emergency at this time.

RECOMMENDATION

Approve Resolution No. 21-63.

ATTACHMENTS

Resolution No. 21-63

**CITY OF LINO LAKES
RESOLUTION NO. 21-63**

**RESOLUTION RESCINDING DECLARATION OF LOCAL STATE OF EMERGENCY
(COVID-19)**

WHEREAS, the City Council affirmed the Mayor’s declaration of a Local State of Emergency on March 19, 2020, at the outset of the global COVID-19 pandemic to respond to the rapidly worsening public health crisis; and

WHEREAS, the declaration afforded staff the necessary authority to implement operational changes and respond to the pandemic and local conditions; and

WHEREAS, the Peacetime State of Emergency declared by Governor Tim Walz ended on July 1, 2021; and

WHEREAS, the City of Lino Lakes is currently operating under pre-pandemic policies and procedures;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lino Lakes that the Local State of Emergency affirmed on March 19, 2020, is hereby rescinded.

Adopted by the City Council of the City of Lino Lakes this 12th day of July 2021.

The motion for the adoption of the foregoing resolution was introduced by Councilmember _____ and was duly seconded by Councilmember _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk

**CITY COUNCIL
AGENDA ITEM 6A**

STAFF ORIGINATOR: Katie Larsen, City Planner

MEETING DATE: July 12, 2021

TOPIC: 426 Pine Street

- i. Consider Resolution No. 21-67 Approving a Conditional Use Permit for Commercial Stables
- ii. Consider Resolution No. 21-68 Denying a Variance to Double the Number of Allowed Animal Units

VOTE REQUIRED: 3/5

INTRODUCTION

Staff is requesting City Council consideration of the above mentioned resolutions as they relate to 426 Pine Street.

Complete Application Date:	May 18, 2021
60-Day Review Deadline:	July 17, 2021
60-Day Extension:	September 15, 2021
Planning & Zoning Board Meeting:	June 9, 2021
City Council Meeting:	July 12, 2021

BACKGROUND

The applicant and property owner, Christopher Stowe, submitted a Land Use Application for a conditional use permit amendment and variance for the commercial stable operations at 426 Pine Street. The conditional use permit amendment is to the previously approved Resolution No. 20-129, No. 20-130 and No. 20-144 and the variance request is to double the number of allowed animal units from 25 to 50.

ANALYSIS

History

Mr. Stowe owns three (3) parcels (PID #05-31-22-22-0006, #05-31-22-22-0003 and #05-31-22-22-0005). These parcels shall be referred to as the “Subject Site”. The commercial stables operate on the two (2) parcels ending in -0003 and -0005. These parcels shall be referred to as the “Property”. These 2 parcels have had several different uses over the years. From 1968 to the 1990’s, the riding stable and arena were used for horse shows and horse boarding. From the 1990’s to approximately 2010, the arena was used as a BMX track/arena. In 2020, the

current property owner, Christopher Stowe, was granted a conditional use permit to operate a commercial stable.

Previous Council Actions

- 1968: Special Use Permit (SUP) for Riding Stable/Show Arena
- 1997: Conditional Use Permit (CUP) for BMX Track/Arena
- 2020: Resolution No. 20-129 for Conditional Use Permit for Commercial Stables
 - Allows for maximum of 12.5 animal units without an approved facility management and waste handling plan
 - Allows for a maximum of 25.0 animal units with an approved facility management and waste handling plan
- 2020: Resolution No. 20-130 for Conditional Use Permit Termination Agreement
 - This Agreement terminates the 1968 SUP and 1997 CUP.
- 2020: Resolution No. 20-144 Amending CUP Resolution No. 20-129 and No. 20-130
 - This amendment corrected a transposed date from 1986 to 1968.

Both the 1968 special use permit and 1997 conditional use permit rights are lost and are expired because the uses have discontinued or ceased for more than one (1) year. This is per State Statute 462.357, subd. 1(e), Nonconformities, City Code Section 1007.041, Non-Conforming Uses and Structures and City Code Section 1007.016(2)(k), Conditional Use Permits. The 2020 Conditional Use Permits allow for the current commercial stable operations.

Site Plan Review

The Property is zoned R-Rural and allows for Commercial Stables with a conditional use permit.

Site Plan

PID #	Existing Land Use	Acres
05-31-22-22-0006	Rural Residential (Single Family House)	4.30
05-31-22-22-0003	Commercial (Arena, Accessory Structure & Restrooms)	5.66
05-31-22-22-0005	Vacant Rural Residential (Horse Corrals and Pasture Area)	15.09
TOTAL		25.05

The applicant owns all 3 parcels (“Subject Site”) and lives in the single family home located on PID # 05-31-22-22-0006. Using the City’s DataLink GIS website, the arena is approximately 250ft x 120ft (30,000 sf) and the large accessory structure/barn is approximately 110ft x 50ft (5,500sf). These are located on PID# 05-31-22-22-0003. The horse corrals and pasture area are located on PID #05-31-22-22-0005.

Using the City’s DataLink GIS website, wetlands and floodplain are indicated on the Subject Site. Without the benefit of a certificate of survey and using GIS, there are approximately 12

acres of wetland and 22 acres of floodplain on the 25 acre Subject Site. The property owner shall work with Rice Creek Watershed District (RCWD), Anoka Conservation District (ACD) and City staff regarding current wetland and floodplain impact violations and restoration requirements as noted in their March 25, 2021 letter.

Pine Street and 4th Avenue are major collector roads and have capacity to serve a commercial stable operation.

Definitions

City Zoning Ordinance Section 1007.058(2) defines Commercial Stable as follows:

Commercial Stable. A commercial stable is any structure, barn, or place where the stabling, boarding, training, and feeding of horses takes place.

City Zoning Ordinance Section 1007.001(2) defines Animal Unit as follows:

Animal Unit. A unit of measure used to compare differences in the production of animal manure that employs as a standard the amount of manure produced on a regular basis by a slaughter steer or heifer for an animal feedlot or a manure storage area, calculated by multiplying the number of animals of each type by the respective multiplication factor and summing the resulting values for the total number of animal units. For purposes of this chapter, the following multiplication factors shall apply. For animals not listed, the number of animal units is the average weight of the animal in pounds divided by 1,000 pounds.

Animal	Animal Unit
Dairy Cattle	
Mature Cow (1,000 pounds or over)	1.4
Mature Cow (Under 1,000 pounds)	1.0
Heifer	.7
Calf	.2
Beef Cattle	
Slaughter Steer or Stock Cow	1.0
Feeder Cattle or Heifer	.7
Cow and Calf Pair	1.2
Calf	.2
Swine	
Over 300 pounds	0.4
Between 55 and 300 pounds	0.3
Under 55 pounds	0.05
Horse	1.0
Sheep or Lamb	.1
Chicken (Liquid Manure System)	.0333
Chicken (Dry Manure System)	
5 pounds or over	.005
Less than 5 pounds	.003

Turkey	
5 pounds or over	.018
Less than 5 pounds	.005
Duck	.01

Animal Units Allowed on Subject Site

Parcel	Acres	Rounded Whole Acres	# Animal Units Allowed (1 unit per 2 acres)
05-31-22-22-0006	4.30	4	2.0
05-31-22-22-0003	5.66	6	3.0
05-31-22-22-0005	15.09	15	7.5
TOTAL	25.05	25	12.5

For parcels zoned R, Rural, Section 1007.080(5)(f) states, “Keeping of farm animals of up to three hundred (300) animal units in conformance with Chapter 503. No more than one (1) animal unit per two (2) acres.” The property owner could have 12.5 animal units for personal use without a conditional use permit assuming all other regulatory agency requirements can be met.

A conditional use permit for commercial stables is required because of the horse riding club and horse boarding being operated on site. With the approved 2020 conditional use permit, a maximum of 12.5 animal units are allowed on the three (3) parcels combined without a facility management and waste handling plan.

With the approved 2020 conditional use permit, Section 1007.058(3)(d) allows up to double the animal unit density with an approved facility management and waste handling plan. This would allow for a maximum of 25.0 animal units on the three (3) parcels combined.

Section 1007.058 Commercial Stables (3)(c) allows for adjacent parcels of land under common ownership to be used to determine maximum number of animal units allowed, if the parcels are operated as single enterprise. This is why all three (3) parcel acreages of the Subject Site are being used to calculate total number of animal units. The commercial stables operate on the Property (PID # -0003 and -0005).

It is important to note that while commercial stables are usually associated with horses, the property owner may have other farm animals such as cows, chickens, goats etc. as long as the total number of animal units do not exceed the approved amount. During the 2020 CUP application process, Mr. Stowe stated the following types and numbers of farm animals were on the Subject Site:

Animal	# of Animals	Animal Unit	Total # Animal Units
Cow (500 pounds)	4	0.5	2
Horse	20	1.0	20

Chickens	20	.003	0.06
		TOTAL	22.06

Grading Plan and Stormwater Management

Although a grading plan and stormwater management plan is not specifically required for the conditional use permit amendment or variance application, all efforts shall be made to prevent manure waste and runoff from draining into ditches and wetlands.

Public Utilities

The house and arena are served by private well and septic system. The property owner has provided documentation that the septic system and drain field have been inspected and determined to be in compliance with state requirements and sized for intended use. It should also be noted that any future improvements required for restrooms shall be ADA compliant.

Wetlands

Wetlands are located on the Subject Site. An approved wetland delineation is not required for the conditional use permit application; however, Rice Creek Watershed District (RCWD) may require one. The property owner shall work with RCWD, ACD and the City regarding the potential need for restoration of the wetlands on the site that were previously filled. The Property shall be in compliance with all City and other regulatory agency requirements or the conditional use permit may be revoked. No manure waste shall be stored or spread within 50 ft of a wetland and a 50 ft wide vegetated wetland buffer shall be maintained.

Floodplain

The 2015 DFIRM indicates Zone A floodplain on the Subject Site. No manure bins or manure storage shall be located in the wetlands or floodplain.

Accessory Structures

During the 2020 CUP application process, Mr. Stowe stated he had three (3) outside horse shelters approximately 10ft x 20ft each. Per Resolution No. 20-144, the maximum numbers of shelters allowed on the Subject Site is six (6). This would equate to 1,200 sf total (10ft x 20ft = 200sf x 6 shelters = 1,200sf total). The shelters are specific accessory structures associated with the operation of a commercial stable.

The property owner’s CUP amendment and variance land use application states the property owner owns additional horse shelters over 8,000 sf which exceeds the allowed square footage per the approved 2020 CUP. The applicant did correct this statement. There are currently 5 shelters totaling approximately 1,000 sf. This is compliant with the 2020 CUP.

Per the University of Minnesota Extension website, a 240 sf (12 x 20ft) open-front shelter is ideal for two (2) horses. An additional 60 sf (10 x 6 ft) is required for each additional horse.

A zoning or building permit is required for any accessory structure construction. All structures shall meet setback requirements and shall not be located in the front yards of any parcel or in wetlands or floodplain.

Signage

Per Chapter 1010: Signs, one sign with a maximum size of 6 square feet placed at least 10 feet from the property line is allowed without a permit.

Conditional Use Permit (CUP) Amendment Request

Per the Applicant's Narrative Letter, the property owner is seeking the following City approvals:

2. **Amended Conditional Use Permit.** Applicant seeks issuance of an amended conditional use permit reflecting that fifty (50) animal units may be retained on the Property. Applicant requests that the amended permit excise prior condition number 12, requiring that "PID #05-31-22-22-003 and PID #05-31-22-22-0005 shall be combined with Anoka County."

The City Attorney and City staff recommend the conditional use permit (CUP) for the Commercial Stable allow for a maximum of 12.5 animal units or 25.0 animal units on the Subject Site (3 parcels) with conditions listed in Resolution No.21-67. A separate variance could be approved to double the number of animal units from 25.0 to 50.0. In the event the variance was revoked, the CUP for 12.5 or 25.0 animal units could still be valid if all conditions were being met. This would be to the benefit of the property owner.

- *Resolution No. 20-129 and Resolution No. 20-144 Approving A Conditional Use Permit for Commercial Stables at 426 Pine Street*

Staff recommends voiding these two 2020 resolutions and creating a new conditional use permit resolution to avoid confusion and provide clarity. New conditions of the CUP are listed in Resolution No. 21-67.

- *Resolution No. 20-130 Approving Conditional Use Permit Termination Agreement for 426 Pine Street*

This resolution required the property owner to sign a Conditional Use Permit Termination Agreement acknowledging the 1968 Special Use Permit and 1997 Conditional Use Permit are void. This agreement is no longer required since the SUP and CUP have expired as previously explained.

Variance Request

Per the Applicant's Narrative Letter, the property owner is seeking the following City approval:

1. **Variance from Animal Unit Restriction.** Applicant is seeking a variance from the Stable Ordinance's animal unit restrictions and the cap of 25 animal units. Applicant is requesting fifty (50) animal units to be kept on the Property.

The property owner's Findings of Fact are stated in their May 11, 2021 land use application (Attachment #5).

Staff Comments

Staff has 3 main areas of concern.

- Wetlands and Floodplain

There are approximately 12 acres of wetlands and 22 acres of floodplain on the 25 acre Subject Site. This limits the amount of upland area to operate a commercial stable, pasture farm animals and properly manage manure waste.

Including but not limited to, Minnesota Pollution Control Agency (MPCA) guidelines state that for manure application, a minimum setback of 300 feet from protected wetlands is required. A 50 foot non-manured vegetated buffer can be used in place of the 300 foot setback during non-winter months.

MN State Rule 7020.2005 Subpart 1. states a "...manure storage area must not be constructed within a floodplain...". Manure bins and/or manure storage shall be located outside the floodplain.

- Animal Health

Given the limited amount of upland area, staff has concerns regarding the amount of pasture the animals have. Per the University of Minnesota Extension-Horse website, 2 acres of pasture are required for each horse and manure should not be spread on pastures with more than 1 horse per 2 acres.

- Facility Management and Waste Handling Plan

Per the University of Minnesota Extension-Horse website, the average 1,000 pound horse produces 56 pounds of manure per day. This equates 1,400 pounds of manure per day for 25 horses and 2,800 pounds of manure per day for 50 horses. Due to the large volume of manure potentially produced by 25-50 horses and the limited storage capacity on site due to wetlands and floodplain, a detailed manure management plan is required. The property owner shall work with the Minnesota Pollution Control Agency (MPCA) in creating an approved facility management and waste handling plan.

Findings of Fact

Council Resolution No. 21-67 details the findings for the Conditional Use Permit and Resolution No. 21-68 details the findings for the Variance.

Rice Creek Watershed District (RCWD)

On March 25, 2021, RCWD sent a letter to Mr. Stowe regarding unpermitted land disturbance, wetland impacts and floodplain fill. On June 4, 2021 via email, RCWD stated they had no concerns with the proposed conditional use permit or variance request.

RECOMMENDATION

The Planning & Zoning Board reviewed the conditional use permit and variance request on June 9, 2021. The property owner and his attorney spoke during the meeting. The residents at 455 Andall Street spoke of concerns regarding water quality, noise and traffic.

The Board recommended approval of the conditional use permit for commercial stables with a 4-0 vote and 1 abstention.

The Board recommended denial of the variance to allow up to 50 animal units with a 3-1 vote and 1 abstention.

ATTACHMENTS

1. Site Location & Aerial Map
2. Wetland & Floodplain Map
3. March 12, 2021 Stowe Attorney Letter
4. March 29, 2021 City Attorney Response Letter
5. May 11, 2021 Stowe Attorney Variance Application Letter
6. Resolution No. 21-67 Approving Conditional Use Permit
7. Resolution No. 21-68 Denying Variance



PID #05-31-22-22-0006
4.30 acres
Single Family House

PID# 05-31-22-22-0003
5.66 acres
Arena, Restroom & Accessory Structure

PID# 05-31-22-22-0005
15.09 acres
Corral & Wetlands



Site Location & Aerial Map 426 Pine Street




Wetland & Floodplain Map-426 Pine St





1 in = 200 ft


 Wetlands

FEMA Floodplain

 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

 Zone A

 Zone AE

 Zone X

25 acre site

22 acres wetlands and floodplain



October 7, 2020
Map Powered By DataLink



Larkin Hoffman

Larkin Hoffman

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Suite 1000
Minneapolis, MN 55437-1060

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Fax: 952-896-3333
Web: www.larkinhoffman.com

March 12, 2021

Katie Larsen
City Planner
Lino Lakes City Hall
600 Town Center Parkway
Lino Lakes, MN 55014

Via Email
KLarsen@linolakes.us

Re: Chris Stowe - 426 Pine Street NE, Lino Lakes, Minnesota

Dear Ms. Larsen:

This firm represents Chris Stowe, the owner of 426 Pine Street NE (“Property”), in the City of Lino Lakes (“City”). The Property is improved with an approximately 30,000 square foot riding arena (“Arena”), several acres, pasture land, and multiple agricultural buildings. This letter is intended to clarify Mr. Stowe’s position regarding the lawful use of the Arena and contest the applicability of the 2020 conditional use permit (CUP) conditions the City is seeking to enforce against the Property.

Background

On October 14, 1968, the City approved a special use permit (the “SUP”) for the Property to allow for a riding stable and Arena to be used for horse shows and horse boarding. At the time, the City had no limits on the number of animals that could be kept on the Property. Since that time, the owners of the Property have used the Arena and the Property for its approved purpose consistent with the SUP.

In April 2018, Mr. Stowe acquired the Property and immediately began using the 30,000 square-foot Arena consistent with the SUP, including horse riding, horse shows, and horse boarding. Shortly thereafter, in direct response to complaints about Mr. Stowe’s continuation of Arena operations, staff prepared a City Council staff report, dated July 9, 2018 (“2018 Staff Report”) with recommended ordinance changes. At that time, City staff openly acknowledged that “the [Property] has operated as a horse training and selling facility for the past 20 years and is considered a commercial stable under the zoning ordinance.” 2018 Staff Report Page 1.

On July 13, 2018 the City passed Ordinance Number 10-18 (“Stable Ordinance”), establishing City Code of ordinances (“City Code”) section 1007.058, which created numerous performance standards for Commercial Stables, including capping the maximum number of animals and requiring a conditional use permit (CUP).

In response to enforcement letters sent by the City following adoption of the Stable Ordinance, Mr. Stowe, a lay person acting without benefit of legal counsel, acquiesced to the City's demands and applied for a CUP for a commercial stable, which was approved on November 9, 2020 ("2020 CUP"). The November 9, 2020 City Council meeting minutes ("Minutes") in which the council discussed the 2020 CUP application indicated confusion as to the status of the SUP: "Mayor Rafferty received confirmation that the former conditional use permit expired recently or long ago. Staff suggested it was mostly likely a long time ago." Minutes 139-140. These assertions contradict the 2018 Staff Report, and the City has provided no foundation to support the assertion that the SUP had expired.

The 2020 CUP was subject to several conditions that significantly limited the Arena operations, proposing to curtail and diminish horse operations that have remained unfettered at the Property for the last fifty years. The conditions included a maximum of 12.5-25 animals, a new and unreasonable restriction on the 30,000 square foot Arena. In addition, the City demanded that Mr. Stowe surrender the SUP in exchange for the CUP. Upon review of these facts, this office has concluded that the SUP remains a property right held by the Property's owners and that the City has not lawfully terminated the SUP. Mr. Stowe will not surrender his rights under the SUP in exchange for an inferior and unnecessary CUP.

The Commercial Stable Ordinance is Inapplicable to the Property

Minnesota law provides that "any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless . . . the nonconformity or occupancy is discontinued for a period of more than one year." Minn. Stat. Sec. 462.357, subd. 1e.

This law establishes minimum protections from government overreach to ensure that newly-adopted ordinances and land use controls are not used to force the removal of an existing legal use. Here, the Arena use was established in 1968 under the SUP. Despite occasional use for other activities (including a BMX racing track) the Property continued to operate as an Arena, as was overtly and unequivocally acknowledged in the 2018 Staff Report. Again, the 2018 Staff Report unambiguously stated that the Arena has operated as a horse training and selling facility for the past 20 years and is considered a commercial stable under the zoning ordinance. Accordingly, the Arena remains a legally nonconforming use.

Mr. Stowe has every right to continue the uses allowed by the SUP, free from any City performance standards only just instituted by the Stable Ordinance. This would include, but not be limited to, the Stable Ordinance's cap on the number of animals that may be maintained on the Property. The enforcement letters issued by the City failed to acknowledge the Stowe's legal rights. Mr. Stowe was never required to apply for a new CUP because the use of the Property for horse operations simply continued the longstanding, legally nonconforming property use.

Removal of a Legal Nonconforming Use is Prohibited Under Law

The Minnesota Supreme Court has stated a municipality has limited lawful options to terminate a legal nonconforming use of land. Those options are as follows:

The first circumstance is by exercise of eminent domain. Minn. Stat. § 465.01 (2012). Two other circumstances are by operation of law when the use has been “discontinued for a period of more than one year,” Minn. Stat. § 462.357, subd. 1e(a)(1), or when the use has been “destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value,” *id.*, subd. 1e(a)(2). A fourth circumstance for terminating a nonconforming use is by judicial determination that the use is a nuisance. *Id.*, subd. 1d. Additionally, a municipality and a property owner may terminate a nonconforming use by written agreement.

White v. City of Elk River, 840 N.W.2d 43, 52 (Minn. 2013). In *White*, the City required an existing legal nonconforming use to obtain a CUP. After approving the CUP, the City subsequently sought to eliminate the applicant’s nonconforming rights by revoking the CUP. The Minnesota Supreme Court held that the City’s action was an unlawful termination of legal nonconforming rights, which did not meet any of the lawful methods for termination described above.

The same legal analysis as used in *White* is applicable to the City’s actions here regarding Mr. Stowe’s operation of the Arena. The City’s actions are particularly suspect here—it was not until after the City passed the Stable Ordinance and compelled Mr. Stowe to apply for the 2020 CUP that the City asserted the original SUP had been abandoned. In 2018, the City expressly acknowledged that the Arena had been used as horse training and selling facility for the past 20 years. At that time, the City did not make any claims or assertions that the SUP had expired. To the contrary, the City adopted an ordinance that would have been unnecessary if Mr. Stowe truly had no rights in the SUP. The City’s subsequent attempt to coerce Mr. Stowe to forfeit his rights under the SUP by claiming he needed an unnecessary CUP and have him acquiesce to the inapplicable requirements of the Stable Ordinance, is not appropriate under Minnesota law.

The Required Forfeiture of the SUP is a Statutory Taking

The City’s demand that Mr. Stowe forfeits the SUP and other use rights as a condition of approval is a statutory taking under Minnesota Law:

COMPENSATION FOR REMOVAL OF LEGAL NONCONFORMING USE.

(a) Notwithstanding any law to the contrary, an ordinance or regulation of a political subdivision of the state or local zoning authority that requires the removal of a legal nonconforming use as a condition or prerequisite for the issuance of a permit, license, or other approval for any use, structure, development, or activity constitutes a taking and is prohibited without the payment of just compensation. This section does not apply if the permit, license, or other approval is requested for the construction of a building or structure that cannot be built without physically moving the nonconforming use.

(b) This section applies to an action of a political subdivision of the state or a local zoning authority occurring on or after May 20, 2006, that requires removal of a legal nonconforming use as a condition or prerequisite for the issuance of a permit, license, or other approval.

Minn. Stat Sec. 117.184 (emphasis added). Here, the City has demanded that Mr. Stowe execute a Conditional Use Permit Termination Agreement to terminate the original SUP as well as a subsequently-approved CUP issued in 1997. The City, by requiring the forfeiture of a legal nonconforming use as a condition of granting an unnecessary and unreasonable CUP, has committed a statutory taking that can only be mitigated by an affirmative recognition that the Property retains property rights under the SUP.

Conclusion

Mr. Stowe's simple desire is to continue using the Property as it has been used for fifty years. Although Mr. Stowe disputes the applicability of any of the performance standards contained in the Stable Ordinance, by far the most intolerable limitation is the cap of 12.5-25 animals on the Property. My client will protect his rights to a greater number of animals on the Property. To this date, the City has been unwilling to provide any details regarding the facts underlying its view that the SUP expired. If the City insists on the applicability of the Stable Ordinance to the Property and the coerced surrender of the SUP, Mr. Stowe intends to seek relief from the District Court. Please contact me if you would like to discuss this matter further.

Sincerely,



Jacob W. Steen, for
Larkin Hoffman

Direct Dial: 952-896-3239

Direct Fax: 952-842-1738

Email: jsteen@larkinhoffman.com

cc: Mayor Rob Rafferty, (via email RRafferty@linolakes.us)
Councilmember Tony Cavegn (via email Tcavegen@linolakes.us)
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Nathan S. Froemming*
Hannah M. Reichenbach

**RUPP, ANDERSON, SQUIRES
& WALDSPURGER, P. A.**



*Also Admitted in Wisconsin

†Real Property Specialist Certified by
the MN State Bar Association

March 29, 2021

Jacob Steen
Larkin Hoffman
8300 Normandale Center Drive, Suite 1000
Minneapolis, MN 55437

RE: 426 Pine Street NE, Lino Lakes, MN
Our File No. 4021-0001

Dear Mr. Steen:

I am the City Attorney for Lino Lakes. This letter responds to your letter dated March 12, 2021. In that letter, you assert, on behalf of landowner Chris Stowe, that Mr. Stowe has the continuing nonconforming right to use his Pine Street property as a riding stable as authorized by a 1968 CUP. Your assertion is premised on the claim that the property has been utilized for this nonconforming purpose "continuously" since the CUP was issued. Your assertion is incorrect.

In 1968, a CUP was issued allowing a riding stable on the Pine Street property. Contrary to your assertion, there has **not** been continuous use of the Pine Street property for stable purposes since that time. In fact, in 1994 the property owner discontinued that use, and a conditional use permit for a BMX riding track was issued in 1997. The property then began to be used for that purpose for a period of time. I am attaching excerpts from a 1997 Planning Commission meeting and a 2010 newspaper article discussing historical uses of the Pine Street property..

Mr. Jacob Steen

March 29, 2021

Page 2

You specifically suggest in your letter that the City conceded in a July 9, 2018 staff report related to its consideration of zoning text amendments to allow limited commercial stables in the rural zoning district that the Pine Street property had been used as a stable continuously for the last 20 years. You have also misread those reports. The property being referred to in those comments is a stable located at 1288 and 1325 Main Street. You will note that the July 9, 2018 report discusses the site that had been operated for the prior 20 years as a "horse training and selling facility". That is the Main Street property, not the Pine Street property.

As you are aware, under Minnesota Statutes § 462.357, subd. 1(e), nonconforming use rights are lost if the use is discontinued for a period of one year or more. City Code contains similar language. Because the Pine Street property has not operated as a stable since 1994, it has lost any nonconforming rights it may have had under the 1968 CUP. Instead, it is subject to the present provisions of the zoning ordinance, which impose animal unit limitations on such operations. Your client has been granted a CUP allowing the maximum number of horses allowed by pertinent provisions.

In summary, given the above, your client has no right to maintain on the site horses in excess of the number allowed by the 2020 CUP issued to him. If the conditions are violated, the City will pursue enforcement, up to revocation of the CUP. If your client does not execute the 1968 CUP termination agreement referenced in condition 14 to the 2020 CUP, your client will also be in violation of the CUP, which could also result in CUP revocation.

Very Truly Yours,

/s/

Jay T. Squires

cc: Katie Larsen
Mike Grochala

RASW: 182024

<u>Street Classification</u>	<u>Minimum Setback</u>
Major Arterial	30 feet
Minor Arterial	30 feet
Collector	20 feet
Local	15 feet

6. The vehicles are not connected to any water or sewage disposal system on the residential property where the same is so parked or stored.

Mr. Herr seconded the motion. The motion carried with 5 Ayes and 1 Nay (Dunn).

Ms. Wyland asked if the Board wished to include all trailers associated with RV's and add a condition that parked or stored RV's cannot block a trail crossing a driveway.

Mr. Johnson made a MOTION to further amend the ordinance to include all trailers associated with RV's and add a condition that parked or stored RV's cannot block a trail crossing a driveway. He was supported by Mr. Herr. The motion carried with 5 Ayes and 1 Nay (Dunn).

B. Rehbein Arena/BMX Bike Racing, 426 Pine Street, Amended Conditional Use Permit - PUBLIC HEARING

Mr. Kirmis stated that Mr. Rehbein's request is to legalize the existing BMX Biking facility located on approximately 20 acres of land south of Pine Street and east of Fourth Avenue. The property is zoned Rural, which currently does not allow this particular use. To accommodate the biking facility, two approvals would be required: 1) a text amendment to the zoning ordinance to allow commercial sports arenas within this zoning district, and 2) approval of a conditional use permit to allow this use on the subject property. At the present time, the City does not have a mechanism in place to accommodate this request. There is no allowance for a conditional use permit for this use. The Board needs to determine whether or not to consider a conditional use permit prior to an ordinance being in place to accommodate it.

Chair Schaps declared the public hearing open at 7:20 p.m.

Mr. Herr stated that he would not want to take action until the ordinance amendment has been adopted by the City Council.

Ms. Wyland explained that the applicant has been waiting for Council action on an ordinance amendment. It is scheduled for review at the June 23, 1997

Council meeting. She noted that the City did receive a complaint. Because of the timing of the complaint, it was decided to go forward with the application. The Fire Chief has inspected the facility, and Mr. Rehbein is willing to make some corrections based on the Fire Chief's recommendations.

Mr. Herr stated that after the Council takes action to include this use as an option for a conditional use permit would be the appropriate time for the Board to consider it.

Mr. Dunn noted that if the amended ordinance is not adopted, the issue is moot. However, people have been notified of the public hearing, and he would like to take time to hear their comments. He expressed his serious concern about being in compliance with the fire code because with the knowledge that the facility is not in compliance, the City could potentially become liable.

Ms. Wyland stated that Mr. Rehbein and the Fire Chief have agreed on a 90-day time frame to complete repairs.

Mr. Dunn noted that the Fire Chief's memo is dated April 24, 1997, which means the 90-day period is almost ended. He expressed his strong concern that events are taking place at a facility that does not meet fire code standards.

Mr. Johnson asked if the arena is used in the summer.

Mr. Kenneth Rehbein, 8027 Danube Street, answered, yes. He noted that the Fire Chief did not indicate any danger in the facility. The repair work has been started and will be completed within the 90 days.

Mr. Kirmis noted that the arena was constructed in 1971 for the purpose of accommodating rodeo events. It has been a BMX facility since 1994. Events are held indoors and outdoors. The indoor facility is 15,000 square feet; the outdoor arena is 24,000 square feet. The Board has recommended that commercial sports arenas be allowed as a conditional use in Rural zoning districts in the revised Zoning Ordinance to be considered by the Council.

Mr. Kirmis stated that in relation to this conditional use permit application, staff is recommending approval with 15 additional conditions, which address: 1) allowing this conditional use in a Rural district; 2) combining the two lots currently used; 3) access issues; 4) compliance with side yard setbacks; 5) off-street parking compliance with setbacks; 6) adequate on-site sewer and water facilities; 7) compliance with the Fire Code; 8) adequate off-street parking provided, striped, surfaced and according to ADA standards; 9) exterior lighting; 10)

Policy Number: 87045924042021
Transaction Date: 03-27-2021 at 1:55 PM
Remittance ID: 58028336
Approval Code: n/a
Premium Amount Owed: \$909.00
Account Charged: \$909.00
Balance: \$0.00

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https://www.presspubs.com/quad/news/riders-tear-some-track-at-rehbeins/article_da9f3cd1-4449-59de-bf13-52cb342ab428.html

Riders tear some track at Rehbein's

Indoor track is one of a kind in Minnesota

by Nicholas Backus
Staff Writer
Mar 9, 2010



Jake Hoschette catches some air as he speeds along the indoor BMX course during a practice run at Rehbein Arena on Saturday, March 6. - *Photo by Paul Dols*

LINO LAKES — On the far north side of town, raging bulls used to kick up dirt trying to buck cowboys.

These days, the former rodeo grounds is littered with clay jumps and hairpin turns trying to buck a different kind of rider — those who commandeer BMX bicycles.

Last Saturday, Rehbein Arena hosted about 300 riders at an American Bicycle Association (ABA) state qualifying race and on Sunday, Redline Cup racers took their turn to tear up the track.

The arena is a place where people of all ages practice riding an ABA-sanctioned bicycle motorcross course, and it's the only indoor BMX course in Minnesota, according to track operator Doug Knollmaier.

"If you want to race bikes in the winter, you come to Rehbein's," Knollmaier said. "We have full-sized obstacles at a smaller venue just like outdoor tracks."

The 450-foot course is about half the size of an outdoor track, so riders make two laps to complete one official lap. Knollmaier said he sees riders of all ages from the five-state area participate in weekend races. Children as young as 3 can participate in Tuesday and Friday practice sessions.

"We get 3- and 4-year-olds all the way up to 50," said Knollmaier, 44.

Many riders make their weekly visits to Rehbein in an attempt to gain more victories. ABA riders start as novices but move up to intermediate status upon winning eight races. Once a rider achieves 25 wins, he or she reaches the expert level. Some go professional, but Knollmaier said it stays pretty quiet at Rehbein, as the bleachers aren't exactly swarming with scouts and sponsors looking for young new talent.

Rehbein Arena was built by current owner Don Rivard's father-in-law Tim Rehbein in 1971. It was initially used as a horse barn and indoor riding facility. It was also a popular venue for rodeos up until 1992, when Rivard was approached by the ABA to convert the barn into a racetrack.

"The horse market and economy fizzled," Rivard said. "So we gave BMX a try and we're still doing it."

Knollmaier, a White Bear Lake native, raced BMX in his younger days. He said a minor revival is taking place among people he raced with in the '80s. These days, he maintains the track with two other staff members. Once obstacles are built, maintenance doesn't become too major, he said. The clay track is watered every night to keep track structures hard.


"The sport keeps kids in shape," he said. "I have people come out for a cardio workout. It's not like just riding around the street, because you'll know it when you've gone around the track (once)."

Occasionally, Knollmaier hosts pro-am races with entry fees paid by BMX hotshots from Illinois, but most weekends provide friendly confines for parents to watch their children motor around the course. Knollmaier said riders can pay a reduced \$30 fee that covers practice on Friday and the race entry fee on Saturday. All skill levels get an opportunity to race every weekend.

"It's amazing to watch kids advance through the skill levels," the four-year track operator said. "They start by barely getting around the track and the next thing you know they are riding with the best."


For more information on the ABA BMX track at Rehbein Arena, contact Doug Knollmaier at 651-784-9514 or by e-mail at dugbmx@comcast.net.

Nicholas Backus can be reached at quadnews@presspubs.com, 651-407-1235 or on Twitter at www.twitter.com/quadpress.



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**CITY COUNCIL
AGENDA ITEM 6B**

STAFF ORIGINATOR: Katie Larsen, City Planner

MEETING DATE: July 9, 2018

TOPIC: Consider 1st Reading of Ordinance No. 10-18, Amending City Code Chapter 1007 Related to Commercial Kennel and Commercial Stable Performance Standards

VOTE REQUIRED: 3/5

INTRODUCTION

Staff is requesting City Council consideration to amend City Code Chapter 1007 to amend commercial kennel and commercial stable performance standards.

BACKGROUND

City staff received a complaint that a property has too many horses than permitted based on the zoning and acreage. The subject site has operated as a horse training and selling facility for the past 20 years and is considered a commercial stable under the zoning ordinance.

The issue to be discussed is whether commercial stables should be allowed more animal units than standard rural zoning district uses. There are multiple commercial horse stables in Lino Lakes. Staff provides the following information regarding current ordinances and proposed amendments regarding animal units and commercial stables.

ANALYSIS

The City Zoning Ordinance establishes definitions, performance standards and zoning district uses for Animal Units, Commercial Kennels, and Commercial Stables.

Per Section 1007.001 Rules and Definitions:

ANIMAL UNIT. A unit of measure used to compare differences in the production of animal manure that employs as a standard the amount of manure produced on a regular basis by a slaughter steer or heifer for an animal feedlot or a manure storage area, calculated by multiplying the number of animals of each type by the respective multiplication factor and summing the resulting values for the total number of animal units. For purposes of this chapter, the following multiplication factors shall apply. For animals not listed, the number of animal units is the average weight of the animal in pounds divided by 1,000 pounds.

Larkin Hoffman

Larkin Hoffman

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Web: www.larkinhoffman.com

May 11, 2021

City of Lino Lakes
Attn: City Planner, Mayor and City Council
Lino Lakes City Hall
600 Town Center Parkway
Lino Lakes, MN 55014

**VIA E-MAIL AND
UNITED STATES MAIL
(KLarsen@linolakes.us)**

Re: Variance Application at 426 Pine Street NE

Dear City Planner, Mayor and City Council Members:

We represent Christopher Stowe (“Applicant”), the owner of the Property at 426 Pine Street NE (“Property”) in the City of Lino Lakes (“City”). On behalf of Applicant, please accept the enclosed materials as application for the variance described herein.

Background

Applicant owns three adjacent parcels each with different tax identification numbers: ID No. 05-31-22-22-0003 (5.66 acres), ID No. 05-31-22-22-0005 (15.31 acres), and ID No. 05-31-22-22-0006 (4.31 acres). All of these parcels are zoned rural. The present Application concerns the parcels with Tax IDs ending in 03 and 05, which together total approximately twenty (20) acres (the “Property”).

The Property is improved with an approximately 50,000 square foot riding arena (“Arena”) and multiple horse-related buildings. In 1968, the City approved a building permit for a predecessor in title, Kenneth Rehbein, to construct a steel structure on the Property. The purpose of the structure was “Indoor + Outdoor Horse Show Arena.” In 1969, the City granted a building permit to Elswort Rehbein to allow the construction of a corrugated steel structure for the boarding of horses. The boarding structure is approximately 10,000 sq. ft. and, in conjunction with the hay barn and outside areas, can board over one-hundred and twenty (120) horses or other large animals.¹ Both the horse arena and boarding structure were constructed pursuant to these building permits and remain in place today. Pictures of these buildings are enclosed. Mr. Rehbein kept more than one-hundred (100) horses on the Property.

In April 2018, Applicant acquired the Property and immediately began using it for horse operations. For two (2) years Applicant used the Property without any concerns being raised.

¹ The hay barn on the property is 200 sq. ft. by 30 ft. Applicant also owns additional horse shelters, over 8,000 sq. ft. in size.

During this time Applicant had an average of twenty-two (22) and a maximum of twenty-six (26) horses. Applicant has a private riding club with six (6) friends who sometimes bring other riders. Half of the horses are rescue animals and are either too old to ride or have significant health conditions. Horses are kept in stalls but are also allowed out on pasture in the spring, summer, and fall. Horses are allowed to graze the twenty (20)-plus acres during these times. A substantial portion of the horses' diet is comprised of hay.

Manure generated by the animals is composted and used for fertilizer for pasture and hay fields. During the fall manure is removed from the Property by third parties for use off site. Any excess manure is removed from the Property by a dump truck.

On July 13, 2018 the City passed Ordinance Number 10-18 ("Stable Ordinance"), establishing City Code of Ordinances ("City Code") section 1007.058, which created numerous performance standards for Commercial Stables, including capping the maximum number of animals and requiring a conditional use permit (CUP). In response to enforcement letters sent by the City following adoption of the Stable Ordinance, Mr. Stowe applied for a CUP for a commercial stable, which was approved on November 9, 2020 ("2020 CUP"). The 2020 CUP was subject to several conditions that significantly limited the Arena operations. The conditions included a maximum of 12.5-25 animal units with horses each counting as 1 animal unit—for a maximum of 25 horses on the Property.

Prior Land Use Approvals

On October 14, 1968, the City approved a special use permit (the "SUP") for the Property to allow for the above-described boarding structure and Arena to be used for horse boarding and horse shows. At the time of approval of the SUP, the City had no limits on the number of animals that could be kept on the Property. The SUP did not place any conditions on the number of horses boarded on the Property.

In late 1997, the City granted an amended conditional use permit to permit use of the Property for purposes of a BMX bike racing facility.

As referenced above, in November 2020, the City approved Resolution 20-129 for a conditional use permit for the Property authorizing a commercial stable and recreational use.² The City placed conditions on the property including, but not limited to, (1) maximum of 12.5 animal units allowed on the property without an approved facility management and waste plan; and (2) a maximum of 25 animals are allowed on the site with MPCA approved facility management plan and waste plan.

² Also, in November 2020, the City approved Resolution No. 20-144 to, among other things, amend Resolution 20-129 to correct a typographical error.

Relief Requested

Applicant is seeking the following City approvals:

1. **Variance from Animal Unit Restriction.** Applicant is seeking a variance from the Stable Ordinance’s animal unit restrictions and the cap of 25 animal units. Applicant is requesting fifty (50) animal units to be kept on the Property.
2. **Amended Conditional Use Permit.** Applicant seeks issuance of an amended conditional use permit reflecting that fifty (50) animal units may be retained on the Property. Applicant requests that the amended permit excise prior condition number 12, requiring that “PID #05-31-22-22-003 and PID #05-31-22-22-0005 shall be combined with Anoka County.”³

Variance Criteria and Conditions

Under the City Code, variances must meet the following criteria:

1. **The variance shall be in harmony with the general purposes and intent of the ordinance.**

The variance being sought is in conformance with the general purposes and intent of the ordinance. The City Code, at § 1007.080(1), states the purposes for the rural zoning district. These purposes include:

- a. To preserve productive land for agricultural use and maintain ‘open space’ within and near to urban areas.
- ...
- c. To provide a method by which the urban farm can be guided so as to control urban sprawl and still conserve land in an economic status until such time as the need is present for an amendment to the Comprehensive Plan.

The Property will continue to be maintained as an open space. The Property will continue to stand as a bulwark against urban sprawl. Moreover, it is noteworthy that for veterinary hospitals (a conditional use in this zoning district) up to forty (40) animals may be boarded on a property irrespective of its size. *See* City Code § 1007.080(7)(e). Horses boarded on the Property include

³ Resolution No. 20-129 “observed that [t]here are three (3) parcels of land . . . under common ownership and operate as a single enterprise.” Indeed, these parcels have long been committed to the same operation and purpose. There is no need to require consolidation of these parcels. Instead, a CUP condition could be crafted that required that all three parcels be held in common by the same person or entity. Requiring consolidation of these parcels unnecessarily reduces the marketability of the parcels where there is a less restrictive condition that could be incorporated into a revised CUP.

geriatric and sick horses that receive care beyond that required for ordinary horses. The Property is substantially larger than a veterinary clinic.

2. The variance shall be consistent with the comprehensive plan.

The variance request is consistent with the City's 2040 Comprehensive Plan ("Comp Plan"). Relevant land use goals and policies under the Comp Plan include:

- a. Goal 7: Sustain Lino Lakes' natural resources which make it such a desirable place to live
 - a. Policy (a): Protect and preserve the natural resources throughout the city.

See Comp. Plan Chapter 3, Goals and Policies.

Applicant proposes to continue using the Property in a manner that will protect and maintain the natural resources on the site, including its natural wetlands and grasses. Horses will graze the grass and waste generated by the horses will be used as fertilizer. Excess waste, if any, will be removed off site. Horses that may not be desirable to others will be taken of, cared for, well fed, and regularly exercised.

3. There shall be practical difficulties in complying with the ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the ordinance.

The City approved the Property's use for boarding and showing horses over fifty years ago. Applicant proposes to use the Arena and boarding structure for the express purposes for which they were approved, constructed, and operated for several decades. The boarding structure alone provides sufficient space to house over fifty (50) horses. Without the additional horses, a large portion of the Arena will go unused. Half the horses that will be maintained on the Property are elderly or ill. These horses require less exercise and a smaller area for exercise. The Arena provides adequate space for these horses. Storing fifty animal units on the Property is a reasonable use of the Property that is not otherwise allowed.

4. The plight of the landowner shall be due to circumstances unique to the property not created by the landowner.

The Property is unique because, for over 50 years, it has retained structures erected for the specific purpose of boarding and showing horses. A prior landowner maintained at least 100 horses on the Property. The Property is also unique in that the City previously granted Applicant's predecessor in title a conditional use permit allowing an unlimited number of horses. Furthermore, the Property is unique in that the landowner owns three contiguous parcels that may all be used in the horse operation. Finally, the Property is unique because the Applicant bought the Property in the good faith belief that it could be used for purposes of horse boarding and showing, per the 1968 SUP, which has never been terminated.

5. The variance shall not alter the essential character of the locality.

Permitting fifty animal units on the Property will not alter the essential character of the locality. The City has recently granted a CUP for the Property allowing for twenty-five (25) horses. For over fifty (50) years the essential character of the structures on the Property has been for horse-related uses. The incremental increase in horses will be consistent with this character.

6. A variance shall not be granted for any use that is not allowed under the ordinance for property in the zoning district where the subject site is located.

The variance being sought does not change the Property's use. The use of the Property is already the operation of a horse stable. Storing animals is a permitted use in the rural district under the zoning code. City Code § 1007.080(5)(f).

7. In accordance with MN Stat. 462.357, Subp. 6, variances shall be granted for earth sheltered construction as defined in MN Stat. 216C.06, Subd. 14, when in harmony with the zoning ordinance.

This requirement is not implicated by the Application.

Based on the above criteria, Applicant has demonstrated that the variance request is warranted and consistent with City and state law.

My client makes this application notwithstanding the fact that the circumstances leading to the Application demonstrate legal rights to board at least fifty (50) horses and/or other animal units pursuant to the 1968 SUP. Applicant believes that said SUP remains in effect, for the reasons articulated in my letter dated March 12, 2021 (enclosed). Applicant respectfully requests that the City approve the application as a reasonable resolution to the circumstances and to avoid the need for formal dispute resolution proceedings.

Please contact me with any questions about this letter or the information contained herein.

Sincerely,



Jacob W. Steen, for
Larkin Hoffman

Direct Dial: 952-896-3239

Direct Fax: 952-842-1738

Email: jsteen@larkinhoffman.com

Cc: Mayor Rob Rafferty, (via email RRafferty@linolakes.us)
Councilmember Tony Cavegen (via email Tcavegen@linolakes.us)
Councilmember Chris Lyden (via email clyden@linolakes.us)

City of Lino Lakes

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Councilmember Michael Ruhland (via email mruhland@linolakes.us)

Councilmember Dale Stoesz (via email DStoesz@linolakes.us)

Jay Squires, City Attorney (via email jay.squires@raswlaw.com)

Chris Stowe (via email mss37@aol.com)

Mark Stowe (via email trinitypl@aol.com)

Bryan J. Huntington, Esq. (via email bhuntington@larkinhoffman.com)

Michael Grochala (Community Development Director) (MGrochala@linolakes.us)

Enclosures:

1. Photos of arena and horse boarding building
2. Correspondence of Jacob W. Steen dated March 12, 2021

4829-7653-1174, v. 1

**CITY OF LINO LAKES
RESOLUTION NO. 21-67**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
COMMERCIAL STABLES AT 426 PINE STREET**

WHEREAS, the City received a land use application for a conditional use permit amendment related to the commercial stables located at 426 Pine Street and related parcels; and

WHEREAS, the June 9, 2021 Planning & Zoning Staff Report and the July 12, 2021 City Council Staff Report provide supporting narrative and documentation to the land use application; and

WHEREAS, in 1968, the City Council approved a special use permit for riding stable/show arena on the Property and in 1997, the City Council approved a conditional use permit for BMX Track/Arena; and

WHEREAS, both the 1968 special use permit and 1997 conditional use permit rights are lost and expired because the uses have discontinued for more than one (1) year. This is supported by State Statute 462.357, subd. 1(e), Nonconformities, City Code Section 1007.041, Non-Conforming Uses and Structures and City Code Section 1007.016(2)(k), Conditional Use Permits; and

WHEREAS, in 2020, the City Council approved Resolution No. 20-129, Resolution No. 20-130 and Resolution No. 20-144 related to commercial stables located at 426 Pine Street; and

WHEREAS, to avoid confusion and provide clarity, these resolutions are now void and shall be replaced with this Resolution No. 21-67; and

WHEREAS, the “Subject Site” consists of three (3) parcels (PID #05-31-22-22-0006, #05-31-22-22-0003 and #05-31-22-22-0005); and

WHEREAS, the “Property” consists of two (2) parcels (PID #05-31-22-22-0003 and PID #05-31-22-22-0005).

WHEREAS, the Property is zoned R, Rural and allows for commercial stables with a conditional use permit per City Ordinance Section 1007.080(7)(l); and

WHEREAS, the commercial stables operate on the Property; and

WHEREAS, the legal description of the Property is as follows:

PID# 05-31-22-22-0003:

E 400 FT OF N 650 FT OF W3/4 OF NW1/4 OF NW1/4 OF SEC 5 TWP
31 RGE 22, EX RD, SUBJ TO EASE OF REC

PID # 05-31-22-22-0005:

THE W3/4 OF NW1/4 OF NW1/4 OF SEC 5 TWP 31 RGE 22, EX E 400
FT OF N 650 FT THEREOF, ALSO EX THAT PRT OF SD W3/4 DESC AS
FOL: BEG AT A PT ON W LINE OF SD W3/4 800 FT S OF NW COR
THEREOF, TH S ALG SD W LINE 208 FT, TH E 208 FT, TH N 208
FT, TH W 208 FT TO POB, ALSO EX N 375 FT OF SD W3/4, EX RD,
SUBJ TO EASE OF REC; and

WHEREAS, a public hearing was held before the Planning & Zoning Board on June 9,
2021 and the Board recommended approval of the conditional use permit with a 4-0 vote
with 1 abstention.

NOW, THEREFORE BE IT RESOLVED by The City Council of The City of Lino
Lakes hereby makes the following per City Ordinance Section 1007.016(2)(g):

FINDINGS OF FACT

1. The proposed development application has been found to be consistent with the
policies and recommendations of the Lino Lakes Comprehensive Plan including:

- a. Land Use Plan.

*The Property is guided Urban Reserve per the 2040 Comprehensive Plan and zoned
R, Rural. Commercial Stables are allowed with a conditional use permit and are
consistent with rural land uses.*

- b. Transportation Plan.

*Pine Street is a major collector road. The existing road has structural design and
capacity to accommodate traffic proposed by the commercial stable operation.*

- c. Utility (Sewer and Water) Plans.

*The Property is served by a restroom on a private septic system. The City's utility
plans are not impacted.*

- d. Local Water Management Plan.

*The City's Local Water Management Plan is incorporated into Chapter 7 of the
City's 2040 Comprehensive Plan. One goal of the Plan is to improve water quality
and the scenic and ecological values of City lakes, wetlands and other aquatic
assets. The Property shall be in compliance with the required facility management
and waste handling plan and other regulatory agencies requirements.*

Regulations of City Code Chapter 1011: Stormwater, Erosion and Sediment Control shall be met to ensure runoff will not increase and surface water (wetlands) will not be impacted. The Property shall be in compliance with all City and other regulatory agencies requirements.

No manure waste shall be stored or spread within 50 ft of a wetland and a 50 ft wide vegetated wetland buffer shall be maintained to further protect the water resource.

No manure bins or manure storage shall be located in the wetlands or floodplain.

e. Capital Improvement Plan.

There will be no changes to the City's Capital Improvement Plan related to the commercial stable operation.

f. Policy Plan.

The commercial stable is consistent with the comprehensive plan (i.e. Policy Plan) in regards to land use, transportation, utilities, local water management and capital improvements.

g. Natural Environment Plan.

The City's Natural Environment Plan is incorporated into Chapter 10: Parks, Greenways and Trails of the City's 2040 Comprehensive Plan. One goal of the Plan is to identify, protect and preserve the desirable natural areas and ecological and aquatic resources of the community.

The Property is part of the City's greenway corridor and shall be in compliance with all City and other regulatory agency requirements.

No manure waste shall be stored or spread within 50 ft of a wetland and a 50 ft wide vegetated wetland buffer shall be maintained to further protect the natural resource.

2. The proposed development application is compatible with present and future land uses of the area.

The commercial stables are compatible with present and future land uses. The surrounding land uses are rural residential.

3. The proposed development application conforms to performance standards herein and other applicable City Codes.

The commercial stables conform to the performance standards of the City Code.

4. Traffic generated by a proposed development application is within the capabilities of the City when:

- a. If the existing level of service (LOS) outside of the proposed subdivision is A or B, traffic generated by a proposed subdivision will not degrade the level of service more than one grade.
- b. If the existing LOS outside of the proposed subdivision is C, traffic generated by a proposed subdivision will not degrade the level of service below C.
- c. If the existing LOS outside of the proposed subdivision is D, traffic generated by a proposed subdivision will not degrade the level of service below D.
- d. The existing LOS must be D or better for all streets and intersections providing access to the subdivision. If the existing level of service is E or F, the subdivision developer must provide, as part of the proposed project, improvements needed to ensure a level of service D or better.
- e. Existing roads and intersections providing access to the subdivision must have the structural capacity to accommodate projected traffic from the proposed subdivision or the developer will pay to correct any structural deficiencies.
- f. The traffic generated from a proposed subdivision shall not require City street improvements that are inconsistent with the Lino Lakes Capital Improvement Plan. However, the City may, at its discretion, consider developer-financed improvements to correct any street deficiencies.
- g. The LOS requirements in paragraphs a. to d. above do not apply to the I-35W/Lake Drive or I-35E/Main St. interchanges. At City discretion, interchange impacts must be evaluated in conjunction with Anoka County and the Minnesota Dept. of Transportation, and a plan must be prepared to determine improvements needed to resolve deficiencies. This plan must determine traffic generated by the subdivision project, how this traffic contributes to the total traffic, and the time frame of the improvements. The plan also must examine financing options, including project contribution and cost sharing among other jurisdictions and other properties that contribute to traffic at the interchange.
- h. The City does not relinquish any rights of local determination.

Pine Street is a major collector road. The existing road has structural design and capacity to accommodate traffic proposed by the commercial stables.

- 5. The proposed development shall be served with adequate and safe water supply.

The Property is served by a private well that can serve the commercial stables.

- 6. The proposed development shall be served with an adequate and safe sanitary sewer system.

The Property is currently served by a private septic system. The septic system is designed and sized to accommodate any future building modifications.

7. The proposed development shall not result in the premature expenditures of City funds on capital improvements necessary to accommodate the proposed development.

There will be no premature expenditures of City funds.

8. The proposed development will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, or odors.

The commercial stables do not involve uses and activities detrimental to persons or property if properly maintained. The Property shall be in compliance with all City and other regulatory agencies requirements. Best waste management practices shall be implemented at all times.

9. The proposed development will not result in the destruction, loss, or damage of a natural, scenic or historic feature of major importance.

The natural features (wetlands) will be protected by vegetated buffers. There are no other known natural, scenic or historic features on the existing site.

BE IT FURTHER RESOLVED by the City Council of Lino Lakes in addition to the above administrative requirements of a conditional use permit, the following specific performance standards must also be met:

§ 1007.058 COMMERCIAL STABLES

(3) General Standards. The following standards shall apply to all commercial stables:

- (a) Commercial stables offering services to the public, and having the facilities to maintain or care for ten (10) or more horses, must have their principal entrance located on a state highway, county road, or city collector street.

Pine Street is a major collector road. The existing road has structural design and capacity to accommodate traffic proposed by the commercial stables.

- (b) Commercial stables that offer boarding, training, or other services to the public shall provide sanitary facilities for the public's use. The sanitary facilities must be constructed in accordance with the state building code, and connected to an individual sewage treatment system or the municipal sanitary sewer system.

The commercial stables have a restroom for the public's use that is connected to a private septic system.

- (c) Adjacent parcels of land under common ownership may be used to determine the maximum number of animal units allowed, if the parcels are operated as a single enterprise.
 - a. In instances where a parcel of land consists of a fraction of an acre, the property size shall be rounded to the nearest whole number to determine the number of animal units allowed.

Parcel	Acres	Rounded Whole Acres	# Animal Units Allowed (1 unit per 2 acres)
05-31-22-22-0006	4.30	4	2.0
05-31-22-22-0003	5.66	6	3.0
05-31-22-22-0005	15.09	15	7.5
TOTAL	25.05	25	12.5

The three (3) parcels of land are under common ownership and operate as a single enterprise. City Ordinance Section 1007.080(5)(f) allows for the keeping of farm animals, no more than one (1) animal unit per two (2) acres; therefore, no more than 12.5 animal units would be allowed on all three (3) parcels combined.

If PID# 05-31-22-22-0006 were to be sold and/or not remain under common ownership, the maximum number of allowed animal units on the Property would be reduced to 10.5.

- b. Adjacent parcels of land shall not be separated by public right-of-way.

The three (3) parcels are not separated by public right-of-way.

- (d) Up to double the animal unit density may be allowed subject to an approved facility management and waste handling plan.

The maximum number of animal units allowed on the Subject Site is 12.5.

With an approved facility management and waste handling plan, the maximum number of animal units allowed on the Subject Site is 25.0.

If PID# 05-31-22-22-0006 were to be sold and/or not remain under common ownership, the maximum number of allowed animal units on the Subject Site would be reduced to 21.0.

- (e) Buildings housing domestic livestock, including barns, stables, sheds, and similar facilities shall be located no nearer than 100 feet from any inhabited, neighboring dwelling.

Barns, stables and sheds on the property are located more than 300 feet away from the inhabited neighboring dwelling.

BE IT FURTHER RESOLVED by The City Council of the City of Lino Lakes hereby approves the conditional use permit for commercial stables on the Property with the following conditions:

1. Previously approved Council Resolution No. 20-129, No. 20-130 and No. 20-144 are void and superseded by this resolution.
2. The 1968 Special Use Permit for Riding Stable/Show Arena is void and superseded by this resolution.
3. The 1997 Conditional Use Permit for BMX Track/Arena is void and superseded by this resolution.
4. The Subject Site consists of three (3) parcels (PID #05-31-22-22-0006, #05-31-22-22-0003 and #05-31-22-22-0005).
5. The Property consists of two (2) parcels (PID #05-31-22-22-0003 and PID #05-31-22-22-0005).
6. If either of the two (2) Property parcels are sold or not held under common ownership, the conditional use permit is void.
7. A maximum of 12.5 animal units are allowed on the Subject Site without an approved facility management and waste handling plan.
 - a. If PID# 05-31-22-22-0006 were to be sold or not remain under common ownership, the maximum number of allowed animal units on the Property would be reduced to 10.5.
8. A maximum of twenty-five (25.0) animal units are allowed on the Subject Site with an approved facility management and waste handling plan.
 - a. If PID# 05-31-22-22-0006 were to be sold or not remain under common ownership, the maximum number of allowed animal units on the Subject Site would be reduced to 21.0.
9. No more than two (2.0) animal units are allowed on PID #05-31-22-22-0006.
10. The property owner shall work with the Minnesota Pollution Control Agency (MPCA) in creating an approved facility management and waste handling plan.
 - a. If the facility management and waste handling plan requires off-site storage of manure waste, a written and signed agreement with an off-site property owner shall be submitted to the City annually.
 - i. The agreement shall detail the number of times manure waste will be removed from the site and how much waste will be removed.
 - b. An approved facility management and waste handling plan shall be submitted to the City within six (6) months of Council approval of the conditional use permit.
11. The Conditional Use Permit Council resolution shall be recorded against the Property (PID# 05-31-22-22-0003 and PID # 05-31-22-22-0005) by the City.
12. The Property shall be in compliance with all City and other regulatory agencies requirements.
13. The property owner shall comply with all Rice Creek Watershed District (RCWD) regulations or the Conditional Use Permit (CUP) may be revoked.

14. No manure shall be spread in floodplains or wetlands.
15. No manure bins, manure storage, or portable animal shelters shall be located in the wetlands or floodplain.
16. No manure waste shall be stored or spread within 50 ft of a wetland.
 - a. A 50 ft wide vegetated wetland buffer shall be maintained.
17. No manure shall be spread on pastures with more than one (1) horse per two (2) acres.
18. Any future improvements required for restrooms shall be ADA compliant.
19. The total combined square footage of the portable animal shelters or loafing sheds shall not exceed 1,200 sf.
20. The Subject Site is subject to City Ordinance Chapter 503, Animal Control Regulations and shall be in compliance at all times.
21. A building permit or zoning permit is required for all future building construction or portable animal shelters.
22. The commercial stable operations shall be contained within the Property.
 - a. Horseback riding in or along any road right-of-way shall be kept to a minimum.
 - b. Animal waste deposited in or along any road right-of-way shall be removed immediately.
23. The City may inspect the Property on an annual basis.
24. Noise emanating from the Property shall be in compliance with all pertinent City and other agency regulations including but not limited to the State of Minnesota Pollution Control Standards, Minn. Rules Ch. 7030, as it may be amended from time to time.
 - a. No person shall engage in activities involving the use of any kind of electric, pneumatic, diesel or gas-powered machine or other power equipment except as follows:

7:00 a.m. to 7:00 p.m.	Monday through Friday
9:00 a.m. to 5:00 p.m.	Saturday
No activity allowed	Sunday and federal holidays

25. Any violations of the conditional use permit or other city, state or regional regulations may result in revocation of the conditional use permit.

Adopted by the Council of the City of Lino Lakes this 12th day of July, 2021.

The motion for the adoption of the foregoing resolution was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk

**CITY OF LINO LAKES
RESOLUTION NO. 21-68**

**RESOLUTION DENYING A VARIANCE TO DOUBLE THE
NUMBER OF ALLOWED ANIMAL UNITS AT 426 PINE STREET**

WHEREAS, the City received a land use application for a variance to double the number of allowed animal units from 25.0 to 50.0 related to the commercial stables located at 426 Pine Street and related parcels; and

WHEREAS, the June 9, 2021 Planning & Zoning Staff Report and the July 12, 2021 City Council Staff Report provide supporting narrative and documentation to the land use application; and

WHEREAS, the “Subject Site” consists of three (3) parcels (PID #05-31-22-22-0006, #05-31-22-22-0003 and #05-31-22-22-0005); and

WHEREAS, the “Property” consists of two (2) parcels (PID #05-31-22-22-0003 and PID #05-31-22-22-0005); and

WHEREAS, in 1968, the City Council approved a special use permit for riding stable/show arena on the Property and in 1997, Council approved a conditional use permit for BMX Track/Arena; and

WHEREAS, both the 1968 special use permit and 1997 conditional use permit rights are lost and expired because the uses have discontinued for more than one (1) year. This is supported by State Statute 462.357, subd. 1(e), Nonconformities, City Code Section 1007.041, Non-Conforming Uses and Structures and City Code Section 1007.016(2)(k), Conditional Use Permits; and

WHEREAS, the Property is zoned R, Rural and allows for commercial stables with a conditional use permit per City Ordinance Section 1007.080(7)(1); and

WHEREAS, Council Resolution No. 21-67 approved a conditional use permit (CUP) for commercial stables on the Property; and

WHEREAS, per Resolution No. 21-67, a maximum of 12.5 animal units are allowed on the Property without an approved facility management and waste handling plan; and

WHEREAS, Resolution No. 21-67 doubled the number of allowed animal units from 12.5 to 25.0 on the Property with an approved facility management and waste handling plan; and

WHEREAS, the variance request is to again double the number of allowed animal units from 25.0 to 50.0 on the Property; and

WHEREAS, the legal description of the Property and Subject Site parcels are as follows:

PID# 05-31-22-22-0003:

E 400 FT OF N 650 FT OF W3/4 OF NW1/4 OF NW1/4 OF SEC 5 TWP
31 RGE 22, EX RD, SUBJ TO EASE OF REC

PID # 05-31-22-22-0005:

THE W3/4 OF NW1/4 OF NW1/4 OF SEC 5 TWP 31 RGE 22, EX E 400
FT OF N 650 FT THEREOF, ALSO EX THAT PRT OF SD W3/4 DESC AS
FOL: BEG AT A PT ON W LINE OF SD W3/4 800 FT S OF NW COR
THEREOF, TH S ALG SD W LINE 208 FT, TH E 208 FT, TH N 208
FT, TH W 208 FT TO POB, ALSO EX N 375 FT OF SD W3/4, EX RD,
SUBJ TO EASE OF REC; and

PID #05-31-22-22-0006:

N 375 FT OF W3/4 OF NW1/4 OF NW1/4 OF SEC 5 TWP 31 RGE 22, EX E 400 FT
THEREOF, EX RDS, SUBJ TO EASE OF REC

WHEREAS, the Planning & Zoning Board reviewed the variance application on June 9,
2021 and recommended denial with a 3-1 vote and 1 abstention.

NOW, THEREFORE BE IT RESOLVED by The City Council of The City of Lino
Lakes hereby makes the following:

FINDINGS OF FACT

No variance shall be granted unless it meets all the criteria in paragraphs 1. through 7.
below. The City shall make findings regarding compliance with these criteria.

1. The variance shall be in harmony with the general purposes and intent of the
ordinance.

*The variance to double the number of animal units is not in harmony with the general
purposes and intent of the ordinance.*

*Per City Zoning Ordinance Section 1007.040 General Provisions, the general purpose
and intent of the General Provisions is to assure compatibility of uses' to prevent urban
blight, deterioration and decay; and to enhance the health, safety and general welfare of
the residents of the community.*

*Per City Zoning Ordinance Section 1007.058 Commercial Stables (1) Purpose: The
purpose of this section is to provide performance standards for the operation of
commercial stables.*

Per Resolution No. 21-67 approving a conditional use permit for the Commercial Stables, a maximum of 12.5 animal units are allowed on the Subject Site without an approved facility management and waste handling plan. The CUP also allows the number of animal units to be doubled to a maximum of twenty-five (25.0) on the Subject Site with an approved facility management and waste handling plan.

The variance request to double the number of animal units again from 25.0 to 50.0 does not enhance the health, safety and general welfare of the residents of the community due to the following issues:

- *Wetlands and Floodplain*

There are approximately 12 acres of wetlands and 22 acres floodplain on the 25 acre Subject Site. This limits the amount of upland area to operate a commercial stable, pasture farm animals and properly manage manure waste so it does not drain into ditches and wetlands.

Including but not limited to, Minnesota Pollution Control Agency (MPCA) guidelines state that for manure application, a minimum setback of 300 feet from protected wetlands is required. A 50 foot non-manured vegetated buffer can be used in place of the 300 foot setback during non-winter months.

MN State Rule 7020.2005 Subpart 1. states that a “...manure storage area must not be constructed within a floodplain...”. Manure bins and/or manure storage shall be located outside the floodplain.

- *Animal Health*

Given the limited amount of upland area, there are issues regarding the amount of pasture the animals have for grazing and manure management. Per the University of Minnesota Extension-Horse website, 2 acres of pasture are required for each horse and manure should not be spread on pastures with more than 1 horse per 2 acres.

- *Facility Management and Waste Handling Plan*

Per the University of Minnesota Extension-Horse website, the average 1,000 pound horse produces 56 pounds of manure per day. This equates 2,800 pounds of manure per day for 50 horses. Due to the large volume of manure produced by 25-50 horses and the limited storage capacity on site due to wetlands and floodplain, the applicant is proposing to haul excess manure off-site with a dump truck which creates excessive noise and traffic.

2. The variance shall be consistent with the comprehensive plan.

The variance is not consistent with the following City’s 2040 Comprehensive Plans goals and policies due to wetland, floodplain, animal health and manure management issues:

- *Chapter 3: Land Use*

Goal 7: Sustain Lino Lakes' natural resources which make it such a desirable place to live

a. Policy (a): Protect and preserve the natural resources throughout the city.

- *Chapter 7: Local Water Management Plan Executive Summary*

Goals of the City's Local Water Management Plan include but are not limited to:

Goal 2.1 Protect and improve water quality and the scenic and ecologic values of City lakes, wetlands and other aquatic assets.

Goal 3 Maintain and enhance, where possible, the functions and services of existing wetlands and associated habitats with the City.

Goal 4.1 Provide adequate storage and conveyance of runoff to protect the public safety and minimize property damage.

Goal 7.1 Identify, protect and preserve the desirable natural areas and ecological and aquatic resources of the community.

- *Chapter 10: Parks, Greenways & Trails*

Goal 4: Identify, protect and preserve the desirable natural areas and ecological and aquatic resources of the community.

3. There shall be practical difficulties in complying with the ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the ordinance. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

The applicant failed to demonstrate practical difficulties. There are no practical difficulties in complying with the Commercial Stable Ordinance 1007.058. Council Resolution No. 21-67 approved a conditional use permit stating a maximum of 12.5 animal units are allowed on the Subject Site without an approved facility management and waste handling plan and a maximum of twenty-five (25.0) animal units are allowed on the Subject Site with an approved facility management and waste handling plan. If the property owner/applicant cannot comply with the 12.5 or 25 animal unit requirement, they would not be able to comply with the 50 animal unit conditions.

4. The plight of the landowner shall be due to circumstances unique to the property not created by the landowner.

The plight of the landowner is not due to circumstances unique to the property. The property is not unique when compared to other similar sized rural properties with similar uses and large accessory structures. The landowner is allowed to operate a commercial stable in accordance to Resolution No. 21-67. The landowner purchased the property under the false assumption they could have an unlimited number of animal units.

5. The variance shall not alter the essential character of the locality.

The variance will alter the essential character of the locality which is a single family home, riding stable and arena in a rural residential neighborhood. The number of allowed animal units has already been doubled from 12.5 to 25.0 with the approved conditional use permit. The magnitude of quadrupling the number of animal units from 12.5 to 50 alters the essential character of the locality.

6. A variance shall not be granted for any use that is not allowed under the ordinance for property in the zoning district where the subject site is located.

The variance will not be granted for any use that is not allowed under the ordinance for property in the zoning district. The property is zoned R, Rural and commercial stable is allowed with an approved conditional use permit.

7. In accordance with MN Stat. 462.357, Subp. 6, variances shall be granted for earth sheltered construction as defined in MN Stat. 216C.06, Subd. 14, when in harmony with the zoning ordinance.

Not applicable.

BE IT FURTHER RESOLVED by The City Council of the City of Lino Lakes hereby denies the variance request to double the number of allowed animal units from 25.0 to 50.0 on the Property.

Adopted by the Council of the City of Lino Lakes this 12th day of July, 2021.

The motion for the adoption of the foregoing resolution was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk

**CITY COUNCIL
AGENDA ITEM 6B**

STAFF ORIGINATOR: Katie Larsen, City Planner

MEETING DATE: July 12, 2021

TOPIC: Glamors Wire, Inc. (2300 Main Street)

- i. Consider Resolution No. 21-69 Approving Conditional Use Permit for Open and Outdoor Storage
- ii. Consider Resolution No. 21-70 Approving Site Improvement Performance Agreement

VOTE REQUIRED: 3/5

INTRODUCTION

Staff is requesting City Council consideration of a Conditional Use Permit and Site Improvement Performance Agreement for Glamors Wire, Inc. located at 2300 Main Street.

Complete Application Date:	May 12, 2021
60-Day Review Deadline:	July 11, 2021
60-Day Extension:	September 9, 2021
Planning & Zoning Board Meeting:	June 9, 2021
City Council Work Session:	July 12, 2021
City Council Meeting:	July 12, 2021

BACKGROUND

The applicant, Steve Tomas of Glamors Wire, Inc., submitted a Land Use Application for a Conditional Use Permit (CUP) for Open and Outdoor Storage at their facility located at 2300 Main Street.

This staff report is based on the following information:

- Site Plan prepared by Michael Monn Architects revision date May 10, 2021
- ALTA/NSPS Land Title Survey prepared by EG Rud & Sons, Inc. dated July 2, 2020

ANALYSIS

Background

In July 2020, staff observed illegal outdoor storage of semi-trailers, signage and construction without a permit at 2300 Main Street, Glamos Wire, Inc. Staff reached out to the property owner in August 2020 with a courtesy call and email. After no response, staff followed up with letters and emails in September, October and November 2020. In December 2020 and March 2021, the applicant submitted incomplete land use applications. Staff continued to work with the property owner until a complete land use application was submitted in May 2021.

Zoning

The property is zoned LI, Light Industrial. Open and Outdoor storage is allowed with an approved conditional use permit. This includes the outdoor storage of semi-trailers as regulated by Zoning Ordinance Section 1007.043(16) Exterior Storage (b).

3. Within an industrial zoning district, the exterior storage of semi-trailers accessory to the principal use may be allowed by conditional use permit according to §1007.120 and §1007.121. Semi-trailers connected to semi-tractors queuing for loading or unloading shall be considered truck parking and be exempt from the outdoor storage conditional use permit.

Staff has observed as many as 20+ semi-trailers parked on the south side of the building. We were first told the semi-trailers were owned by Glamos Wire, Inc. but then learned they were owned by another company and Glamos Wire, Inc. was leasing outdoor storage space to them. If approved, the outdoor storage of any semi-trailers, vehicles, equipment, materials etc. shall be accessory to the principal use. No off-site user storage shall be allowed.

Surrounding Zoning and Land Use

Direction	Zoning	Current Land Use	Future Land Use
North	GB, General Business	Commercial (McDonald's & Main Street Shoppes)	Commercial
South	LI, Light Industrial	Vacant Industrial	Industrial
East	LI, Light Industrial	Industrial (Laborers Training Center)	Industrial
West	GB, General Business	Vacant Commercial	Commercial

This I-35E, Main Street and Otter Lake Road corridor has been the focus of high value, high quality commercial and industrial development for both the City and property owners. The City should be cognizant of outdoor storage and its limited increase in land value.

Site Plan

The parcel is 18 acres. The main building and associated parking lots are located on the north half of the site. The south half of the site consists of trees, wetlands and agricultural crop land.

The applicant's site plan shows an 8 ft. tall opaque white vinyl privacy fence extending from the existing building around the perimeter of a portion of the parking lot immediately south of the building. Additional landscape screening is proposed at the southwest corner of the building near the fence.

Per the ALTA/NSPS Land Title Survey prepared by EG Rud & Sons, Inc. dated July 2, 2020, a recorded Declaration for Maintenance of Stormwater Facilities, a recorded Easement, two (2) bioretention basins and a 22 ft. wide easement exist on the south side of the parking lot. These basins provide stormwater management for the parking lot. The parking lot sheet flows south into the basins. As proposed, the privacy fence appears to have a 4 inch gap at the bottom which would allow for water to flow under. The proposed fence and outdoor storage shall not impede or impair the function of the drainage, stormwater management system or bioretention basins. The property owner shall be in compliance with the recorded stormwater Declaration and Easement at all times.

Per May 10, 2021 email correspondence with the applicant, the following items are proposed for outdoor storage:

- Utility trailers and company vehicles
- Wire stems – these get picked up once a week from our steel suppliers so we're constantly cycling these in and out to be recycled.
- Steel scrap bin – we use this to recycle our scraps picked up once a week by National Recycling Inc.
- Bales of cardboard – picked up by International Paper Company
- Overflow pallets – cycled in and out every 1 to 3 days
- Snow plow and sanding equipment
- 8 yard Trash bin – picked up once a week by Waste Management

Conditional Use Permit for Open and Outdoor Storage

City Zoning Ordinance Section 1007.120(9)(e) details the following conditions of approval for open and outdoor storage:

(e) Open and outdoor storage (not outdoor sales lots) as an accessory use provided that:

1. The designated storage area shall comply with all building setback requirements for the district. Outside storage is prohibited between the principal structure and any public right-of-way.

The required building setback along CR 84 (Otter Lake Road) is 50 feet. The proposed outdoor storage and fence setback is 210+ ft. This requirement is met.

The required rear yard building setback is 15 feet. The proposed outdoor storage and fence setback is 480+ft. This requirement is met.

The required side yard building setback is 10 feet. The proposed outdoor storage and fence is proposed 3-4 ft off the east lot line which is in line with the existing building. The existing

building does not meet side yard building setbacks. Since a fence is allowed to be located on a lot line, the fence location could be allowed and the actual outdoor storage of semi-trailers, vehicles, equipment, materials etc. shall be 10 ft within the fence.

No outside storage is located between the principal structure and any public right-of-way.

2. The storage area is landscaped and screened from view of adjacent uses and public rights-of-way via a fence and greenbelt planting strip, in accordance with §1007.043 (17)(f) of this Ordinance.

Section 1007.043(17)(f) Buffer and Screen Standards requires for Outdoor Storage Yards, a minimum 8 foot tall wall or fence of permanent materials and planting shall provide shrub cover for 50% of the wall of fence on the exterior side. At its discretion, the City Council may approve a modification or waiver from these standards where the affected property line adjoins another industrial property.

The property owner has requested as an alternative, a row of arborvitae 15 ft tall x 4 ft wide along south of the parking lot. Staff and the Planning & Zoning Board do not recommend this alternative. CR 84 (Otter Lake Road) is a high traffic road and the site, building and outdoor storage area are highly visible from the road. The existing bioretention basins and 22 ft wide easement also shall not be encumbered or disturbed by plantings, trees or shrubs. There is no room between the parking lot and the basins or easement to plant arborvitae or other landscaping.

The 8 ft tall fence also provides greater security than coniferous trees and shrubs. Securing the outdoor storage is a main concern of the property owner as stated in their land use application. They have had several issues of trespassing and vandalism due to the unsecured, outdoor storage.

A reasonable modification could be to waive the 50% shrub cover along south, west and east lot lines due existing trees and landscaping. These existing trees and landscaping shall not be removed or they shall be replaced.

The applicant has also expressed concerns about the cost of the fence. Their land use application states a cost of \$60,000. To decrease costs, the applicant could make the outdoor storage area smaller.

3. The entire storage area is fenced and secured in an appropriate manner.

The entire storage area is fenced and secured with an 8ft tall opaque white vinyl privacy fence and the existing building. A 16 ft wide gate is proposed along the west side of the outdoor storage area.

4. The storage area is blacktopped or concrete surfaced, unless an alternative wear-resistant material is determined by the City Engineer to be suitable to control dust and drainage and is specifically approved by the City Council.

The outdoor storage area is located on the existing bituminous blacktopped parking lot. No outdoor storage shall occur on the grass or landscape area located between the building and the parking lot.

5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance and is not located in the front yard.

Per the submitted Site Plan, the required number of parking stalls based on building occupancy is 156 spaces. The total number of parking stalls on site is 360. The outdoor storage area proposes to eliminate 167 parking stalls. This will leave 193 parking stalls which exceeds the required 156. This requirement is met.

6. The property shall not abut I-35W or I-35E.

The property does not abut I-35W or I-35E.

7. The ratio of storage area to building footprint shall not exceed 2.5:1.

2.5 x 137,824sf building footprint = 344,560 sf storage area allowed.

The proposed outdoor storage area as shown on the Site Plan is approximately 71,200 sf. This requirement is met.

8. All parking, loading and truck staging activities shall occur on site. On-street parking and loading associated with the use is prohibited.

No on-street parking is proposed.

9. Storage shall not include material considered hazardous under Federal or State Environmental Law.

No additional comment.

Planning and Zoning Board

The Planning & Zoning Board held a public hearing on June 9, 2021. There were no public comments. The Board recommended approval with a 4-0 vote and 1 abstention with conditions detailed in Resolution No. 21-69. These conditions also include waiving the 50% shrub requirement along the fence.

Site Improvement Performance Agreement

A Site Performance Agreement is required per City Code Section 1007.020(5)(d).

Findings of Fact

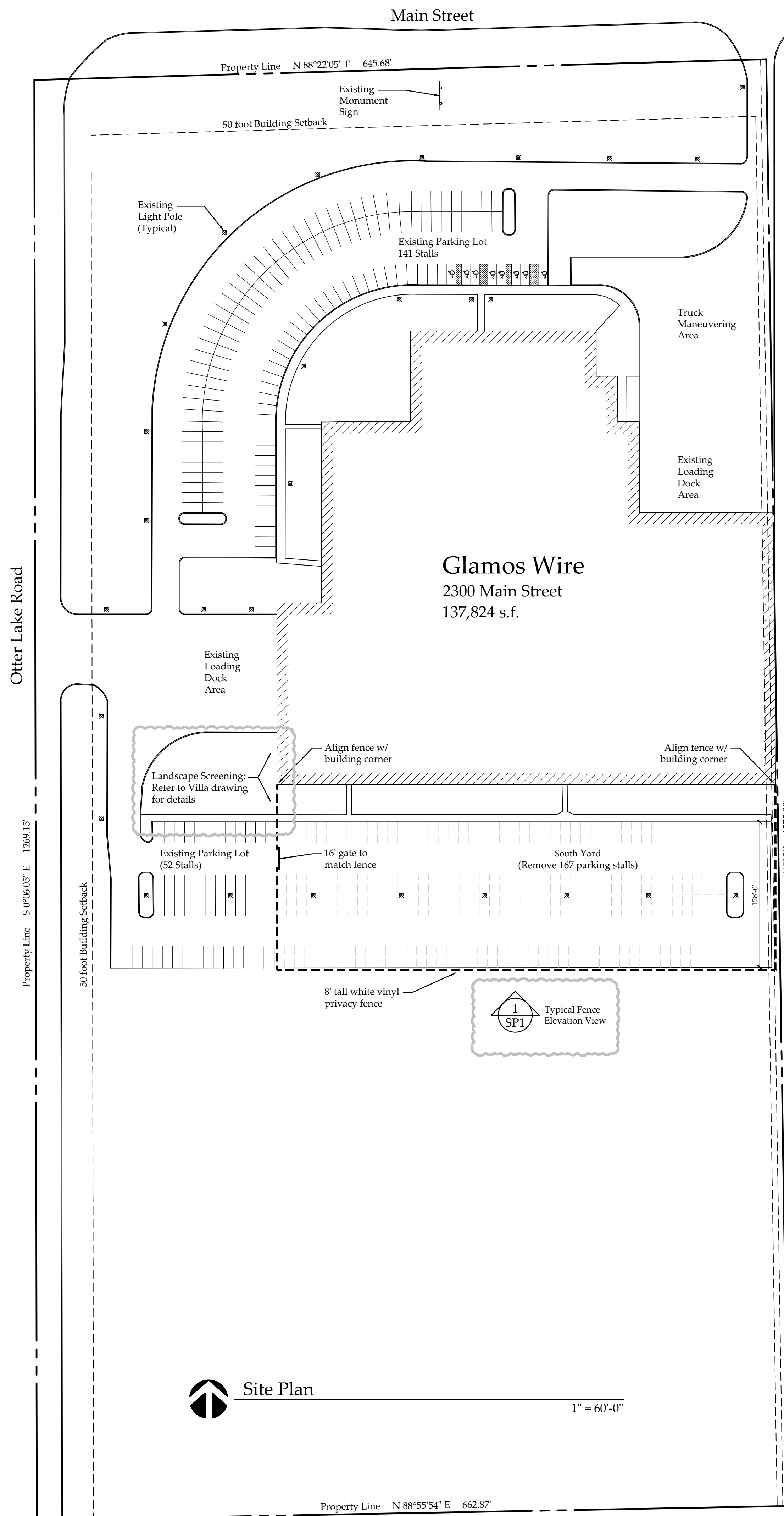
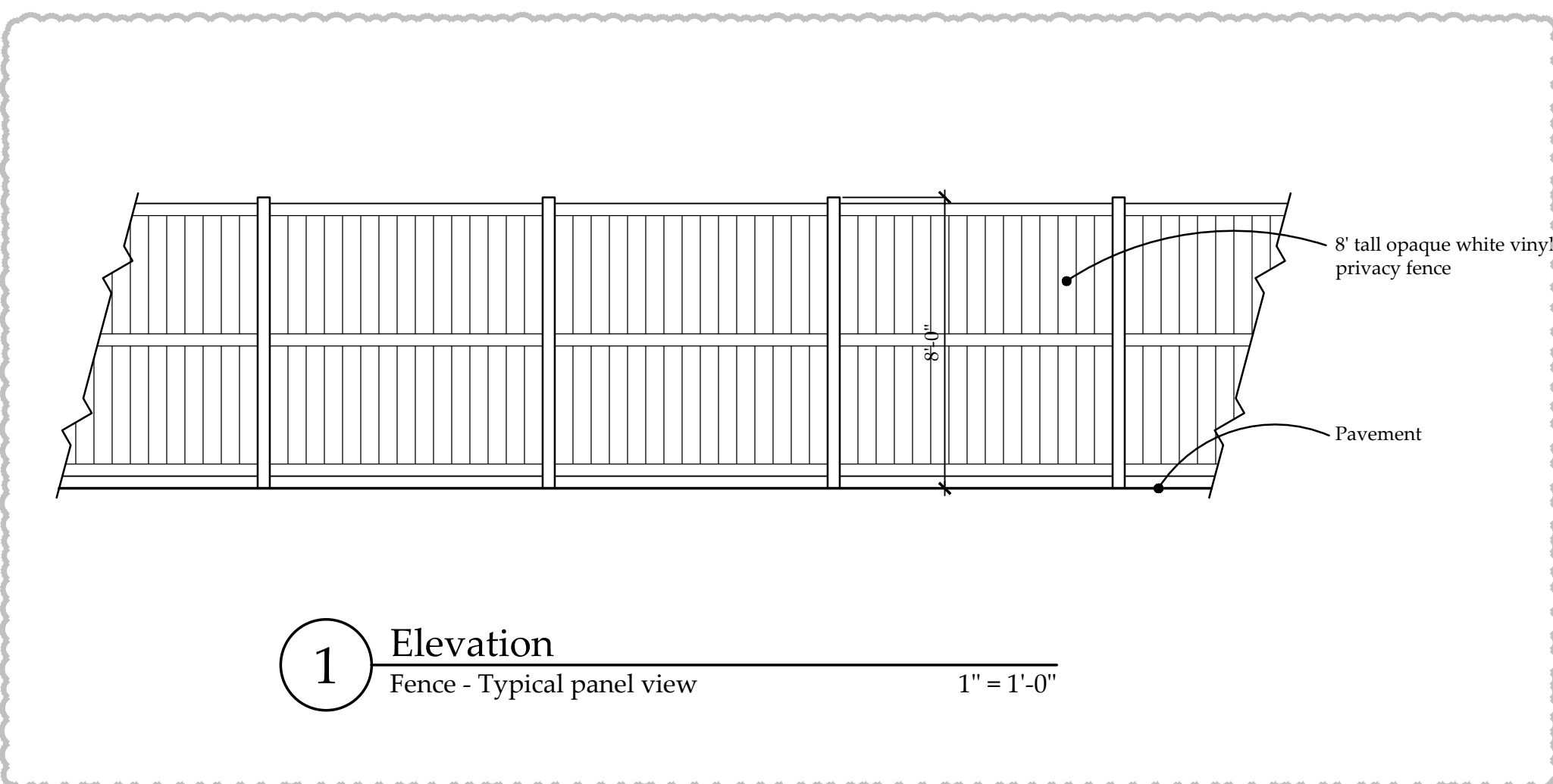
Council Resolution No. 21-69 details the Conditional Use Permit Findings of Fact.

RECOMMENDATION

Staff and Planning & Zoning Board recommend approval of the conditional use permit and Site Improvement Performance Agreement for Glamos Wire, Inc.

ATTACHMENTS

1. Sheet SP1, Site Plan
2. Resolution No. 21-69
3. Resolution No. 21-70
4. Site Improvement Performance Agreement



Site Data

THIS PROPOSAL IS FOR A REUSE OF THE EXISTING PARKING AREA TO THE SOUTH OF THE EXISTING BUILDING.
ALL EXISTING PAVEMENT, CURB & GUTTER, LANDSCAPING AND SITE LIGHTING SHALL REMAIN AS EXISTING.

SITE AREA: 19.11 Acres (832,279 s.f.)

BUILDING AREA: 137,824 s.f.

OCCUPANCY AREAS:

Office	9,275 s.f.	
Factory	88,040 s.f.	
Warehouse	28,820 s.f.	
Gymnasium (tenant)	11,689 s.f.	

PARKING REQUIRED:

Office	9,275 s.f. @ 1 space per 200 s.f.	=	27 Spaces
Factory	88,040 s.f. @ 1 space per 2000 s.f.	=	45 Spaces
Warehouse	28,820 s.f. @ 1 space per 2000 s.f.	=	15 Spaces
Gymnasium	11,689 s.f.	=	69 Spaces
Total	20 spaces plus 1 per 200 s.f. over 2000 s.f.	=	156 Spaces

PARKING PROVIDED:

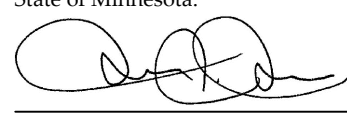
North parking lot	=	141 Spaces (including 8 Accessible spaces)
South parking lot	=	52 Spaces
Total parking lot	=	193 Spaces

Michael Monn Architects
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Certification
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the State of Minnesota.


Michael J. Monn Registration No.: 21772

5/10/2021

Revisions

- 2021-05-10 City Comments
-
-
-
-
-

Project Number
21109

Date
2021-03-26

Project
Glamors Wire
2300 Main Street
Lino Lakes, Minnesota 55038

Sheet Title
Site Plan

Sheet Number
SP1

**CITY OF LINO LAKES
RESOLUTION NO. 21-69**

**RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR
OPEN AND OUTDOOR STORAGE FOR
GLAMOS WIRE, INC. (2300 MAIN STREET)**

WHEREAS, the City received a land use application for a Conditional Use Permit from Glamos Wire, Inc. located at 2300 Main Street and hereafter referred to as “Development”; and

WHEREAS, the June 9, 2021 Planning & Zoning Staff Report and the July 12, 2021 City Council Staff Report provide supporting narrative and documentation to the land use application; and

WHEREAS, the property is zoned LI, Light Industrial and allows for open and outdoor storage with an approved conditional use permit; and

WHEREAS, the legal description of the subject property is as follows:

THE W1/2 OF SE1/4 OF NE1/4 OF SEC 24 TWP 31 RGE 22, EX RD, SUBJ TO EASE OF REC; and

WHEREAS, City staff has completed a review of the land use application based on the following plans:

- Site Plan prepared by Michael Monn Architects revision date May 10, 2021
- ALTA/NSPS Land Title Survey prepared by EG Rud & Sons, Inc. dated July 2, 2020; and

WHEREAS, a public hearing was held before the Planning & Zoning Board on June 9, 2021 and the Board recommended approval of the conditional use permit with a 4-0 vote and 1 abstention.

NOW, THEREFORE BE IT RESOLVED by The City Council of The City of Lino Lakes hereby makes the following findings:

FINDINGS OF FACT

1. The proposed development application has been found to be consistent with the policies and recommendations of the Lino Lakes Comprehensive Plan including:
 - a. Land Use Plan.
 - b. Transportation Plan.

- c. Utility (Sewer and Water) Plans.
- d. Local Water Management Plan.
- e. Capital Improvement Plan.
- f. Policy Plan.
- g. Natural Environment Plan.

The open and outdoor storage area is consistent with the 2040 Comprehensive Plan. The property is guided industrial and outdoor storage as an accessory to the industrial user is consistent with that land use. The development is also consistent with the goals and policies of the comprehensive plan in regards to resource management, transportation, utilities and local water management plan.

- 2. The proposed development application is compatible with present and future land uses of the area.

Present and future land uses include commercial and industrial. The open and outdoor storage area is compatible with these uses if proper screening and compliance with the conditional use permit and City ordinances is maintained.

- 3. The proposed development application conforms to performance standards herein and other applicable City Codes.

The open and outdoor storage area conforms will all performance standards as detailed in this resolution.

- 4. Traffic generated by a proposed development application is within the capabilities of the City when:
 - a. If the existing level of service (LOS) outside of the proposed subdivision is A or B, traffic generated by a proposed subdivision will not degrade the level of service more than one grade.
 - b. If the existing LOS outside of the proposed subdivision is C, traffic generated by a proposed subdivision will not degrade the level of service below C.
 - c. If the existing LOS outside of the proposed subdivision is D, traffic generated by a proposed subdivision will not degrade the level of service below D.
 - d. The existing LOS must be D or better for all streets and intersections providing access to the subdivision. If the existing level of service is E or F, the subdivision developer must provide, as part of the proposed project, improvements needed to ensure a level of service D or better.

- e. Existing roads and intersections providing access to the subdivision must have the structural capacity to accommodate projected traffic from the proposed subdivision or the developer will pay to correct any structural deficiencies.
- f. The traffic generated from a proposed subdivision shall not require City street improvements that are inconsistent with the Lino Lakes Capital Improvement Plan. However, the City may, at its discretion, consider developer-financed improvements to correct any street deficiencies.
- g. The LOS requirements in paragraphs a. to d. above do not apply to the I-35W/Lake Drive or I-35E/Main St. interchanges. At City discretion, interchange impacts must be evaluated in conjunction with Anoka County and the Minnesota Dept. of Transportation, and a plan must be prepared to determine improvements needed to resolve deficiencies. This plan must determine traffic generated by the subdivision project, how this traffic contributes to the total traffic, and the time frame of the improvements. The plan also must examine financing options, including project contribution and cost sharing among other jurisdictions and other properties that contribute to traffic at the interchange.
- h. The City does not relinquish any rights of local determination.

Traffic generated by Glamos Wire, Inc. and the open and outdoor storage area are within capabilities of the streets serving the property. CR 84 (Otter Lake Road) and CSAH 14 (Main Street) are arterial and A-Minor Connector roads respectively.

- 5. The proposed development shall be served with adequate and safe water supply.

The principal building, Glamos Wire, Inc. has an adequate water supply. The open and outdoor storage area does not impact the water supply.

- 6. The proposed development shall be served with an adequate and safe sanitary sewer system.

The principal building, Glamos Wire, Inc. has an adequate sanitary sewer system. The open and outdoor storage area does not impact the sanitary sewer system.

- 7. The proposed development shall not result in the premature expenditures of City funds on capital improvements necessary to accommodate the proposed development.

No City funds are being expended on this project.

- 8. The proposed development will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, or odors.

The outdoor storage of materials that cause excessive traffic, noise, smoke, fumes, glare or odors is not allowed.

9. The proposed development will not result in the destruction, loss, or damage of a natural, scenic or historic feature of major importance.

There are no natural, scenic or historic features on the existing site.

BE IT FURTHER RESOLVED by The City Council of Lino Lakes in addition to the administrative requirements of a conditional use permit, the following specific performance standards of City Code Section 1007.120 (9) must also be met:

- (e) Open and outdoor storage (not outdoor sales lots) as an accessory use provided that:

1. The designated storage area shall comply with all building setback requirements for the district. Outside storage is prohibited between the principal structure and any public right-of-way.

The required building setback along CR 84 (Otter Lake Road) is 50 feet. The proposed outdoor storage and fence setback is 210+ ft. This requirement is met.

The required rear yard building setback is 15 feet. The proposed outdoor storage and fence setback is 480+ft. This requirement is met.

The required side yard building setback is 10 feet. The proposed outdoor storage and fence is proposed 3-4 ft off the east lot line which is in line with the existing building. The existing building does not meet side yard building setbacks. Since a fence is allowed to be located on a lot line, the fence location could be allowed and the actual outdoor storage of semi-trailers, vehicles, equipment, materials etc. shall be 10 ft within the fence.

No outside storage is located between the principal structure and any public right-of-way.

2. The storage area is landscaped and screened from view of adjacent uses and public rights-of-way via a fence and greenbelt planting strip, in accordance with §1007.043 (17)(f) of this Ordinance.

Section 1007.043(17)(f) Buffer and Screen Standards requires for Outdoor Storage Yards, a minimum 8 foot tall wall or fence of permanent materials and planting shall provide shrub cover for 50% of the wall of fence on the exterior side. At its discretion, the City Council may approve a modification or waiver from these standards where the affected property line adjoins another industrial property.

An 8 ft. tall opaque white vinyl privacy fence extending from the existing building around the perimeter of a portion of the parking lot immediately south of the building provides screening. Additional landscape screening is also proposed at the southwest corner of the building near the fence.

The City Council agrees to waive the 50% shrub cover along south, west and east lot lines due existing trees and landscaping. These existing trees and landscaping shall not be removed or they shall be replaced.

3. The entire storage area is fenced and secured in an appropriate manner.

The entire storage area is fenced and secured with an 8ft tall opaque white vinyl privacy fence and the existing building. A 16 ft wide gate is proposed along the west side of the outdoor storage area.

4. The storage area is blacktopped or concrete surfaced, unless an alternative wear-resistant material is determined by the City Engineer to be suitable to control dust and drainage and is specifically approved by the City Council.

The outdoor storage area is located on the existing bituminous blacktopped parking lot. No outdoor storage shall occur on the grass or landscape area located between the building and the parking lot.

5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance and is not located in the front yard.

Per the submitted Site Plan, the required number of parking stalls based on building occupancy is 156 spaces. The total number of parking stalls on site is 360. The outdoor storage area proposes to eliminate 167 parking stalls. This will leave 193 parking stalls which exceeds the required 156. This requirement is met.

6. The property shall not abut I-35W or I-35E.

The property does not abut I-35W or I-35E.

7. The ratio of storage area to building footprint shall not exceed 2.5:1.

2.5 x 137,824sf building footprint = 344,560 sf storage area allowed.

The proposed outdoor storage area as shown on the Site Plan is approximately 71,200 sf. This requirement is met.

8. All parking, loading and truck staging activities shall occur on site. On-street parking and loading associated with the use is prohibited.

No on-street parking is proposed.

9. Storage shall not include material considered hazardous under Federal or State Environmental Law.

No additional comment.

BE IT FURTHER RESOLVED by The City Council of the City of Lino Lakes hereby approves the conditional use permit for open and outdoor storage for Glamors Wire, Inc. located at 2300 Main Street subject to the following conditions:

1. The outdoor storage of any semi-trailers, vehicles, equipment, materials etc. shall be accessory to the principal use. No off-site user storage shall be allowed.
2. The fence and/or outdoor storage items shall not impede or impair the function of the drainage, stormwater management system or bioretention basins.
3. The only items and equipment allowed in the open and outdoor storage area are as follows:
 - a. Semi-trailers, utility trailers and company vehicles
 - b. Wire stems
 - c. Steel scrap bin
 - d. Bales of cardboard
 - e. Overflow pallets
 - f. Snow plow and sanding equipment
 - g. Eight (8) yard trash bin
4. All outdoor storage shall be located on the paved parking lot within the outdoor storage area. No items or equipment shall be stored on the grass or landscape area located between the building and the parking lot.
5. No outside storage shall be located between the principal structure and any public right-of-way.
6. No outdoor storage shall occur within 10 ft. of the east lot line within the outdoor storage area.
7. The 50% shrub requirement along the fence is waived; however, the existing trees and landscaping shall not be removed or they shall be replaced to provide sufficient screening in accordance with City Code.
8. All outstanding building permit issues shall be resolved within 30 days of City Council approval of the conditional use permit.
9. Failure to comply with any of the above listed conditions may result in revocation of the conditional use permit.
10. A Site Performance Agreement and securities are required.
11. A building permit for the fence installation is required.

BE IT FURTHER RESOLVED by the City Council of the City of Lino Lakes hereby approves the conditional use permit subject to the following requirements being addressed prior to issuance of a building permit:

1. A Site Improvement Performance Agreement shall be approved by City Council, executed and securities in place.

2. The fence detail on Sheet SP1, Site Plan differs from the fence detail submitted as Document 3. Please revise for consistency.
3. A detail of the 16ft gate shall be provided. The gate shall provide full screening and slats are not allowed.

Adopted by the Council of the City of Lino Lakes this 12th day of July, 2021.

The motion for the adoption of the foregoing resolution was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk

**CITY OF LINO LAKES
RESOLUTION NO. 21-70**

**RESOLUTION APPROVING A SITE IMPROVEMENT PERFORMANCE
AGREEMENT WITH GLAMOS WIRE, INC. (2300 MAIN STREET)**

WHEREAS, the City has completed review of the site and building plan for Glamos Wire, Inc. located at 2300 Main Street; and

WHEREAS, the parcel is legally described as follows:

THE W1/2 OF SE1/4 OF NE1/4 OF SEC 24 TWP 31 RGE 22, EX RD, SUBJ TO EASE OF REC; and

WHEREAS, Section 1007.020(5)(d) of the Lino Lakes Zoning Ordinance requires the execution of a site performance agreement prior to issuance of a building permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lino Lakes that the Site Improvement Performance Agreement between the City of Lino Lakes and Glamos Wire, Inc. is hereby approved and the Mayor and City Clerk are authorized to execute such agreements on behalf of the City.

Adopted by the Council of the City of Lino Lakes this 12th day of July, 2021.

The motion for the adoption of the foregoing resolution was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk

**CITY OF LINO LAKES, MINNESOTA
SITE IMPROVEMENT PERFORMANCE AGREEMENT**

THIS AGREEMENT made this _____ day of _____, 2021, is by and between the **City of Lino Lakes**, a municipal corporation organized under the laws of the State of Minnesota, and **Glamos Wire, Inc., LLC**, a Minnesota corporation (2300 Main Street, Lino Lakes, MN 55038) (“Developer”).

WHEREAS, the Developer has received approval of Site Development Plans, hereinafter called the "Plans", by the City of Lino Lakes on the 12th day of July, 2021, and in accordance with the Plans all of which are made a part hereof by reference. In consideration of such approval, the Developer, its successors and assigns, does covenant and agree to perform the work as set forth in the Plans, in the aforesaid approval, and as hereinafter set forth upon the real estate (hereinafter referred to as "Property") described as follows:

THE W1/2 OF SE1/4 OF NE1/4 OF SEC 24 TWP 31 RGE 22, EX RD, SUBJ TO EASE OF REC; and

NOW, THEREFORE, in consideration of the mutual promises of the parties made herein,

IT IS AGREED BY AND BETWEEN THE PARTIES HERETO:

I. DESIGNATION OF IMPROVEMENTS.

- A. Improvements on the project site to be installed at the Developer’s expense by the Developer as hereinafter provided are hereinafter referred to as “On-site Work”.
- B. Improvements off the project site to be installed at the Developer’s expense, if any, by the Developer as hereinafter provided are hereinafter referred to as “Off-Site Work”.
- C. Developer shall enter into a Declaration for Maintenance of Stormwater Facilities.

II. ON-SITE WORK.

- A. On-Site Work. The On-Site Work shall consist of the improvements described in the approved Plans, to include any approved subsequent amendments, and shall be in compliance with all applicable statutes, codes and ordinances of the City. The On-Site Work includes all on-site exterior amenities as shown on the approved Plans and as required by the plan approval, such as, but not limited to: landscaping, private driveways, parking areas, sanitary sewer extension, water system extension, storm drainage systems, curbing, lighting, fencing, fire lanes, sidewalks, exterior

building architectural design and building elements, site grading and erosion control measures.

Such improvements shall be completed in accordance with Section IV herein.

- B. Cost Estimates. The Developer shall provide the City with a written estimate of all applicable costs of the On-Site Work, itemized by type; the estimates shall be based upon the actual estimates provided by the contractors who are to do the Work. Said cost estimates shall be reviewed by the City, and the City shall establish the actual amount of the financial guarantee. The description and estimated cost of Developer's On-Site Work are as follows:

	Description of Improvements	Estimated Costs
1.	Lighting	\$ 0.00
2.	Fences / Screen Structures	\$60,000.00
3.	Trash Disposal Structures	\$ 0.00
4.	Curbing / Islands / Delineators	\$ 0.00
5.	Storm Drainage Systems / Sewers / Catch Basins / Culverts / Swales	\$ 0.00
6.	Public Trails and / or Sidewalk	\$ 0.00
7.	Private Trails and / or Sidewalk	\$ 0.00
8.	Driveway / Curb cut / Parking Lot / Fire Lane	\$ 0.00
9.	Water mains / Hydrants / Sanitary Sewers	\$ 0.00
10.	Landscaping	\$ 1,000.00
11.	Site Grading	\$ 0.00
12.	Erosion Control	\$ 0.00
	Total Estimated Cost of Developer Improvements	\$ 61,000.00
	Security Requirement (Total * 35%)	\$ 21,350.00

III. DEVELOPER FEES. *NA-There are no Developer Fees with this project.*

- A. Trunk Sanitary Sewer Connection Fees
 The City established trunk utility connection fees to uniformly distribute the costs of public trunk sanitary sewer infrastructure. The Trunk Utility Connection Fee consists of two components; a Trunk Charge and an Availability Charge.

Trunk Charge

The trunk charge shall be paid at the time of subdivision approval or at the time of hook-up, whichever is first. The Sanitary Sewer Trunk Charge is \$1,505.00 per unit. Commercial/Industrial/Institutional (CII) trunk charges are based on a factor of 2.92 units per acre.

Availability Charge

For residential properties, the availability charge shall be paid at the time of subdivision approval or at the time of hook-up, whichever is first. Commercial/Industrial/Institutional availability charges shall be paid at the time of building permit. Fees are based on the number of sanitary access charge (SAC) units assigned by Metropolitan Council Environmental Services (MCES).

City Sewer (CSAC) \$1,408.00 Per SAC Unit

Trunk sewer unit charges addressed under this paragraph are in addition to any SAC charges imposed by Metropolitan Council Environmental Services.

B. Trunk Water Connection Fees

The City established trunk utility connection fees to uniformly distribute the costs of public trunk water infrastructure. The Trunk Utility Connection Fee consists of two components; a Trunk Charge and an Availability Charge.

Trunk Charge

The trunk charge shall be paid at the time of subdivision approval or at the time of hook-up, whichever is first. The Water Trunk Charge is \$2,162.00 per unit. Commercial/Industrial/Institutional (CII) trunk charges are based on a factor of 2.92 units per acre.

Availability Charge

For residential properties, the availability charge shall be paid at the time of subdivision approval or at the time of hook-up, whichever is first. Commercial/Industrial/Institutional availability charges shall be paid at the time of building permit. Fees are based on the number of sanitary access charge (SAC) units assigned by Metropolitan Council Environmental Services (MCES).

City Water (CWAC) \$1,360.00 Per SAC Unit.

C. Surface Water Management Area Charges

The City established a trunk area charge to uniformly distribute the costs of public trunk surface water infrastructure and water quality improvements. The Surface Water Management Charge shall be based on developable acreage, in the amount specified in Exhibit C.

		Acres	Fee
1.	Sanitary Sewer Trunk Unit Fee (\$1,505/unit; 2.92 units/Acre)		\$ NA
2.	City Sewer Availability Fee (\$1,408/SAC Unit)		\$ NA
3.	Water Trunk Unit Fee (\$2,162/unit; 2.92 units/Acre)		\$ NA
4.	City Water Availability Fee (\$1,360/SAC Unit)		\$ NA
5.	City Surface Water Management Fee		\$ NA
	Total Estimated (Budget) Developer Fees		\$ 0.00

IV. RECORD DRAWINGS. *NA-Record Drawings are not required for this project.*

- a. Upon project completion, Developer shall submit record drawings, in electronic format, of all public and private infrastructure improvements, including grading, sanitary sewer, water main, storm sewer facilities, and roads, constructed by Developer. The as-built survey must include, but is not limited to, proposed and final contours with adequate elevation shots to show conformance, property irons (to be exposed in field), low floor and low opening elevations, and the 100-Year High Water Level (HWL) of all ponds, lakes, and wetland areas. The files shall be drawn in Anoka County NAD 83 Coordinate system and provided in both AutoCAD .dwg and Adobe .pdf file formats. The plans shall include accurate locations, dimensions, elevations, grades, slopes and all other pertinent information concerning the complete work. The Developer shall also submit certified compaction testing results for the site grading operations.
- b. A summary of the record plan attribute data for the storm sewer, water main, and sanitary sewer structures and pipes shall be submitted in the form of an Excel Spreadsheet as provided by the City Engineer.
- c. No securities will be fully released until all record drawings have been submitted and accepted by the City Engineer.

V. COMPLETION DATE.

If the activities authorized by site and building plan approval are not initiated within twelve (12) months from the final execution of this agreement, then Developer will need to start the site and building plan approval process from the beginning.

VI. GUARANTEE.

- A. The Developer will fully and faithfully comply with all terms and conditions of any and all contracts entered into by the Developer. Concurrently with the execution hereof by the Developer, the Developer will furnish to, and at all times thereafter maintain with the City, a cash deposit, certified check, or Irrevocable Letter of Credit, based on thirty-five (35%) percent of the total estimated cost of Developer's On-site Work. An Irrevocable Letter of Credit shall be for the exclusive use and benefit of the City of Lino Lakes and shall state thereon that the same is issued to guarantee and assure performance by the Developer of all the terms and conditions of this Development Contract, construction of all required improvements in accordance with the ordinances and specifications of the City and guarantees the workmanship and materials for the landscape improvements for a period of one year following the City's acceptance of the landscape improvements. The City reserves the right to draw, in whole or in part, on any portion of the Irrevocable Letter of Credit for the purpose of guaranteeing the terms and conditions of this contract, if Developer has been found to be in default of this agreement and only after providing Developer with written notice and opportunity to cure any default. The Irrevocable Letter of Credit shall be automatically extended for additional periods of one year from present or future expiration dates unless sixty (60) days prior to such the City Clerk or Administrator is notified in writing by certified mail or overnight mail that the Letter of Credit will not be renewed.
- B. Upon written request, The City will grant a reduction of the Letter of Credit, or cash deposit based on prepayment or the value of the completed improvements at the time of the requested reduction. The Developer may make such requests three times throughout the life of this agreement, with the third and/or final request being at the completion of the project. The City will respond to such request within 30 days time. Prior to the final acceptance of the Developer's Improvements the City shall require a Letter of Credit or Cash Escrow to cover the warranty provisions of the agreement. The amount shall be agreed to by the City Engineer and Developer and Developer may use the Letter of Credit discussed in Section VI.A above.

VII. REIMBURSEMENT OF COSTS.

- A. The Developer agrees to establish a non-interest bearing escrow account with the City in an amount established by the City Engineer or his designee for the payment of all City fees and costs incurred by the City related to the On-site Work, including, but not limited to, the following:

1.	Site Plan Review Fee	\$500.00
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2.	Administration (Legal, Engineering, Planning and Contract Administration)	\$1,000.00
3.	Negative Short Term Escrow Balance	\$0.00
	Total Estimated (Budget) Costs for Escrow Account	\$1,500.00

- B. If it appears that the actual costs incurred will exceed the estimate or that the actual costs incurred will be less than the estimate, then Developer and City shall review the costs required to complete the project. In such case, if the actual costs exceed the estimate, then Developer shall promptly pay the additional sums to the City to pay for the agreed upon increase. However, in such case where the actual costs are less than the estimate, the City shall promptly reimburse to Developer any amounts overpaid by the Developer. The Developer may request a statement of the account each month for review.
- C. Intentionally Deleted.

VIII. REMEDIES FOR BREACH.

- A. The City shall give prior written notice to the Developer of any default hereunder before proceeding to enforce such financial guarantee or before the City undertakes any work for which the City will be reimbursed through the financial guarantee. If within twenty (20) days after receipt of such written notice to it, the Developer has not notified the City by stating in writing the manner in which the default will be cured and the time within which such default will be cured, the City will proceed with the remedy it deems reasonably appropriate.
- B. At any time after the completion date and any extensions thereof, if any of the work is deemed incomplete, the City may proceed in any one or more of the following ways to enforce the undertakings herein set forth, and to collect any and all expenses reasonably incurred by the City in connection therewith, including, but not limited to, engineering, legal, planning and litigation costs and expense. The enumeration of the remedies hereunder shall be in addition to any other remedies available to the City.
1. Specific Performance. The City may in writing direct the surety or the Developer to cause the Work to be undertaken and completed within a specified reasonable time. If the Developer fails to cause the Work to be done and completed in a manner and time reasonably acceptable to the City, the City may proceed to bring an action for specific performance to require work to be undertaken.
 2. Completion by the City. The City, after written notice, may enter the premises and proceed to have the Work done either by contract, by day labor or by regular City forces. The Developer may not

question the manner of doing such work or the letting of any such contracts for the doing of any such work; provided that all such work is performed in a reasonable manner, the costs are reasonable and the work is completed in a good and workman-like manner and in accordance with the approved plans and specifications. Upon completion of such work, the Developer shall promptly pay the City the full cost thereof as aforesaid.

3. Deposit of Financial Guarantee. In the event the financial guarantee has been submitted in the form of a Letter of Credit, the City may draw on the Letter of Credit the sum equal to the reasonably estimated cost of completing the Work, plus the City's reasonably estimated expenses as defined herein, including any other reasonable costs, expenses, and damages for which the surety may be liable hereunder, but not exceeding the amount set forth on the Letter of Credit. The money shall be deemed to be held by the City for the purpose of reimbursing the City for any reasonable costs incurred in completing the Work as hereinafter specified. Any funds remaining after completion of the project shall be promptly returned to the Developer.

IX. OCCUPATION OF PREMISES.

The Developer agrees that it will not cause to be occupied any portion of the building or improvements to be constructed upon the premises until completion of the building and site improvements as more fully described in the approved plans and following issuance of a Certificate of Occupancy.

X. INSURANCE.

Developer or its general contractor shall take out and maintain until one year after the City accepted the Developer Improvements, public liability and property damage insurance covering personal injury, including death, and claims for property damage which may arise out of the Developer's or general contractor's work, as the case may be, or the work of its subcontractors or by one directly or indirectly employed by any of them. Limits for bodily injury and death shall be not less than Five Hundred Thousand and no/100 (\$500,000.00) Dollars for one person and One Million and no/100 (\$1,000,000.00) Dollars for each occurrence; limits for property damage shall be not less than One Million and no/100 (\$1,000,000.00) Dollars for each occurrence; or a combination single limit policy of Two Million and no/100 (\$2,000,000.00) Dollars or more. The City, its employees, its agents and assigns shall be named as an additional insured on the policy, and the Developer or its general contractor shall file with the City a certificate evidencing coverage prior to the City signing the plat. The certificate shall provide that the City must be given ten days advance written notice of the

cancellation of the insurance. The certificate may not contain any disclaimer for failure to give the required notice.

XI. REIMBURSEMENT FOR LITIGATION EXPENSES.

The City and Developer agree that the prevailing party in any litigation pertaining to the enforcement of this Agreement shall be entitled to reimbursement from the non-prevailing party for all reasonable costs incurred by said prevailing party including court costs and reasonable engineering and attorneys' fees.

XII. VALIDITY.

If a portion, section, subsection, sentence, clause, paragraph or phrase in this Agreement is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect or void any of the other provisions of the Site Improvement Performance Agreement.

XIII. GENERAL.

- A. Binding Effect. The terms and provisions hereof shall be binding upon and inure to the benefit of the heirs, representatives, successors and assigns of the parties hereto and shall be binding upon all future owners of all or any part of the Property and shall be deemed covenants running with the land.
- B. Notices. Whenever in this Agreement it shall be required or permitted that notice or demand be given or served by either party to this Agreement to or on the other party, such notice or demand shall be delivered personally or (i) mailed by United States mail by certified mail (return receipt requested) or (ii) sent by nationally recognized overnight carrier to the addresses hereinbefore set forth on Page 1. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail or the overnight carrier in accordance with the above. The addresses of the parties hereto are as set forth on Page 1 until changed by notices given as above.
- C. Incorporation by Reference. All plans, special provisions, proposals, specifications and contracts for the improvements furnished and let pursuant to this Agreement shall be and hereby are made a part of this Agreement by reference as fully as if set out herein in full.
- D. Hours of Construction Activity. Construction activity shall be limited to the hours set out as follows:

Monday through Friday	7:00 a.m. to 7:00 p.m.
Saturday	9:00 a.m. to 5:00 p.m.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, 2021, before me, a Notary Public within and for said County, personally appeared, _____, who executed the foregoing instrument.

Notary Public

This instrument was drafted by:

City of Lino Lakes
600 Town Center Parkway
Lino Lakes, Minnesota 55014

Glamos Wire, Inc.-CUP for Open and Outdoor Storage

City Council
July 12, 2021



Land Use Application

- Conditional Use Permit
 - Open and Outdoor Storage
- 2300 Main Street
- Glamos Wire, Inc.



Site Location & Aerial Map 2300 Main St-Glamos Wire, Inc.



- Parcel = 18 acres North Half = building & parking lot South Half = trees, wetlands, agr

Background

- July 2020: Illegal outdoor storage of semi-trailers, signage and construction without permit
- August-November 2020: Staff reached out to property owner to discuss compliance
- May 2021: Complete Land Use Application submitted

Zoning

- Zoned LI, Light Industrial.
- Open and Outdoor storage is allowed with CUP
- Includes the outdoor storage of semi-trailers as regulated by Zoning Ordinance Section 1007.043(16) Exterior Storage (b).

3. Within an industrial zoning district, the exterior storage of semi-trailers accessory to the principal use may be allowed by conditional use permit according to §1007.120 and §1007.121.

Zoning

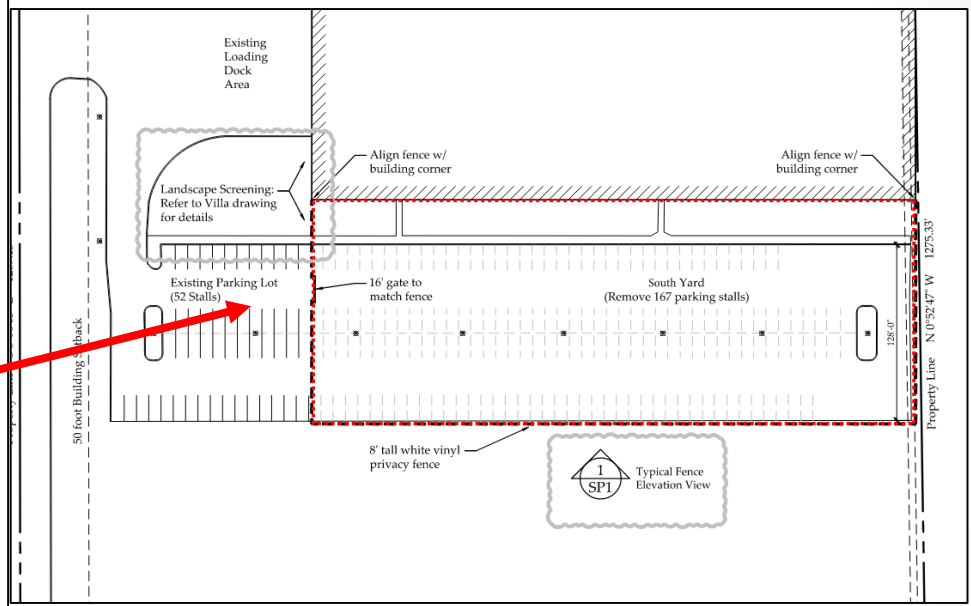
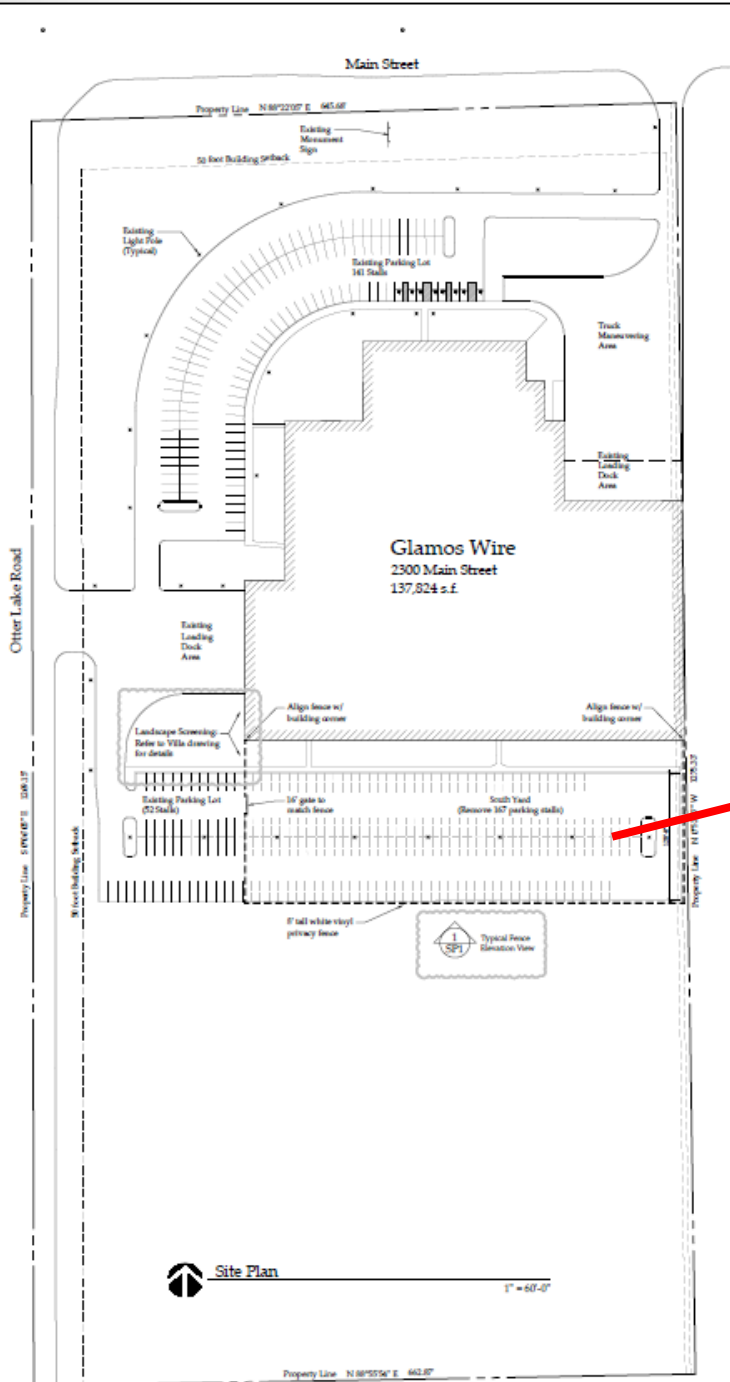
- Staff has observed as many as 20+ semi-trailers parked on the south side of the building.
- We were first told the semi-trailers were owned by Glamos Wire, Inc. but then learned they were owned by another company and Glamos Wire, Inc. was leasing outdoor storage space to them.
- If approved, the outdoor storage of any semi-trailers, vehicles, equipment, materials etc. shall be accessory to the principal use.
- No off-site user storage shall be allowed.

Surrounding Land Use

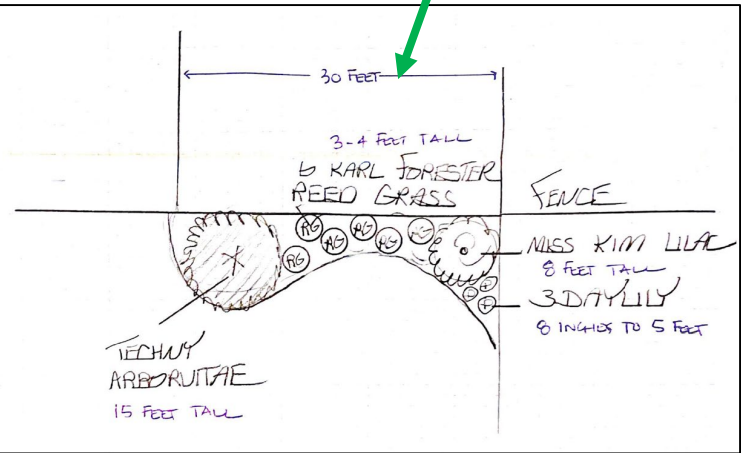
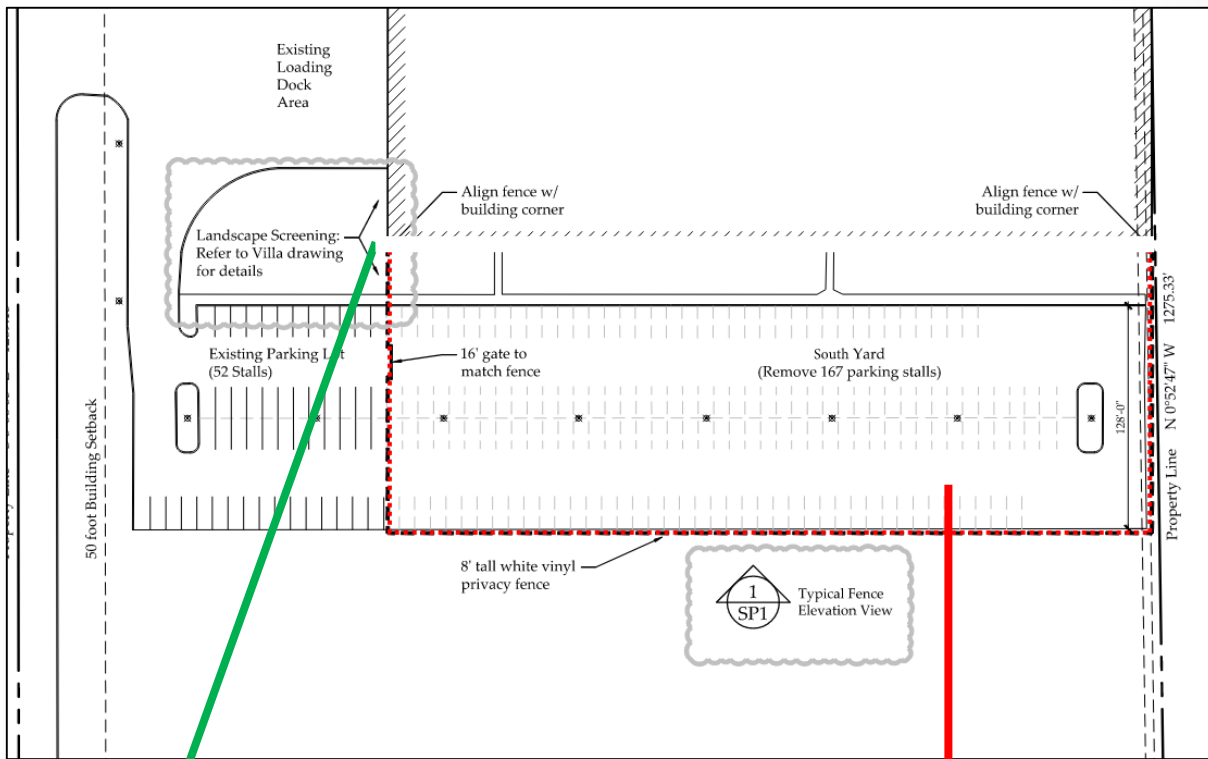
- I-35E, Main Street and Otter Lake Road corridor
- Focus of high value, high quality commercial and industrial development for both the City and property owners.
- City should be cognizant of outdoor storage and its limited increase in land value.

Site Plan

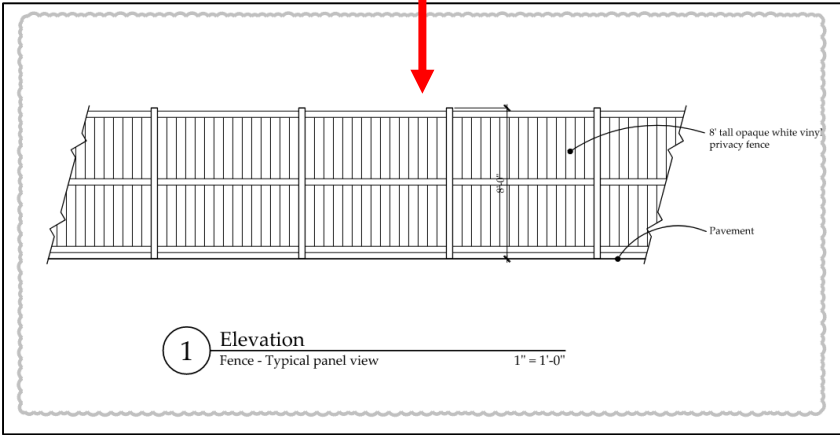
- Outdoor Storage proposed south of building in existing parking lot



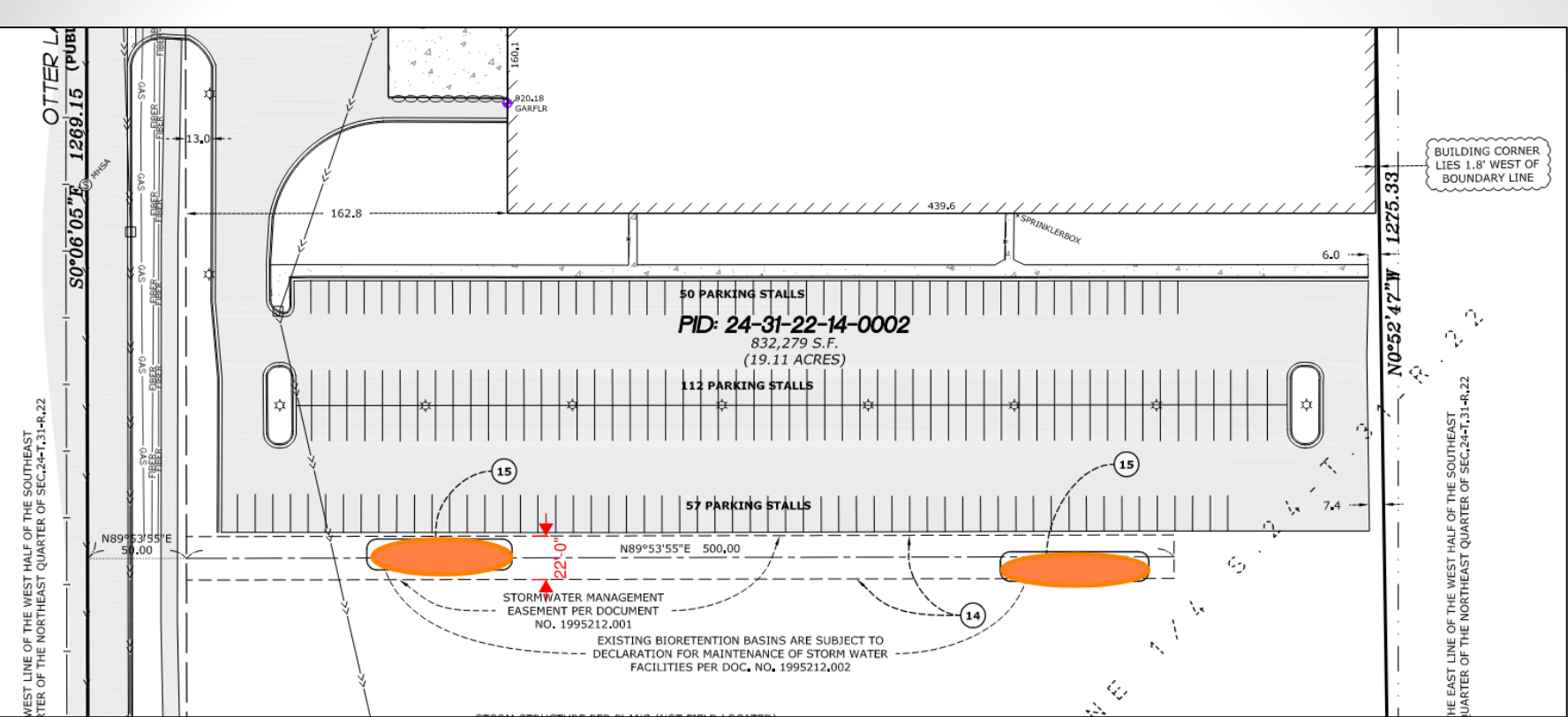
Site Plan
1" = 60'-0"



Landscaping



8ft tall opaque white vinyl fence around west, south and east of parking lot



Per ALTA Survey

- 2 stormwater basins
- 22ft wide drainage easement
- Parking lot drainage sheet flows south into basins
- Fence and/or outdoor storage cannot impede or impair drainage

Outdoor Storage Items

- Utility trailers and company vehicles
- Wire stems
- Steel scrap bin
- Bales of cardboard
- Overflow pallets
- Snow plow and sanding equipment
- 8 yard Trash bin

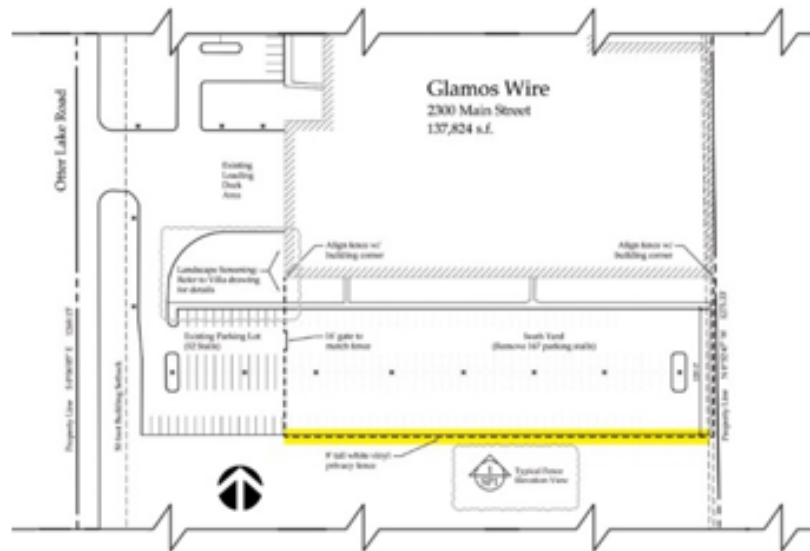
Outdoor Storage Requirements

2. The storage area is landscaped and **screened from view of adjacent uses and public rights-of-way via a fence and greenbelt planting strip**, in accordance with §1007.043 (17)(f) of this Ordinance.

- *Section 1007.043(17)(f): Minimum 8 foot tall wall or fence of permanent materials and planting shall provide shrub cover for 50% of the wall or fence on the exterior side.*
- *At its discretion, the City Council may approve a modification or waiver from these standards where the affected property line adjoins another industrial property.*

Alternative Screen

Proposed alternative of arborvitae maturing to 15 ft tall x 4 ft wide along south line for a more aesthetically pleasing border between the parking lot and woods.



Along highlighted area



proposing similar to this

The property owner has requested as an alternative, a row of arborvitae 15 ft tall x 4 ft wide along south of the parking lot.

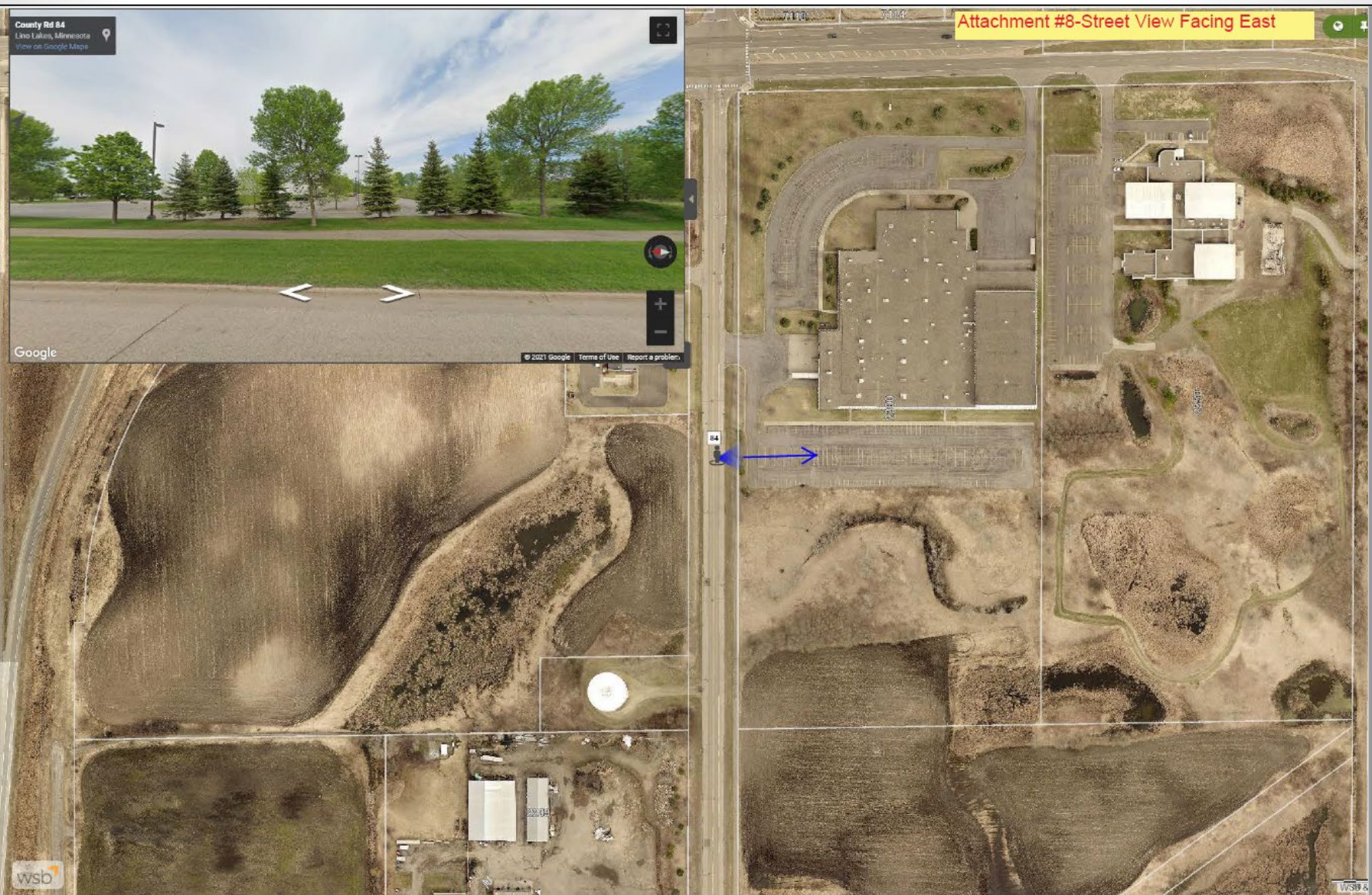
Outdoor Storage Requirements

- *Staff and P&Z does not recommend this alternative.*
- *Otter Lake Road is a high traffic road and the site, building and outdoor storage area are highly visible from the road and trail.*
- *Existing stormwater basins and 22 ft wide easement also shall not be encumbered or disturbed by plantings, trees or shrubs.*
- *There is no room between the parking lot and the basins or easement to plant arborvitae or other landscaping.*
- *Trees and landscaping more likely to die out.*



Attachment #7-Street View Facing Northeast

Summer leaf on conditions vs. winter leaf off conditions



Attachment #8-Street View Facing East

These trees and landscaping are acceptable along west lot line

Outdoor Storage Requirements

- *8 ft tall fence also provides greater security than coniferous trees and shrubs.*
- *Securing the outdoor storage is a main concern of the property owner as stated in their land use application.*
- *They have had several issues of trespassing and vandalism due to the unsecured, outdoor storage.*
- *Reasonable modification could be to waive the 50% shrub cover along south, west and east lot lines due existing trees and landscaping.*
 - *These existing trees and landscaping shall not be removed or they shall be replaced.*

Outdoor Storage Requirements

- *Applicant has also expressed concerns about the cost of the fence.*
- *Their land use application states a cost of \$60,000.*
- *To decrease costs, the applicant could make the outdoor storage area smaller.*

Findings of Fact-Res. No. 21-69

1. Consistent with Comprehensive Plan
2. Compatible with present and future land uses
3. Conforms to performance standards
4. Traffic generation
5. Served with adequate water and sanitary sewer
6. No premature expenditures of City funds
7. No excessive traffic, noise, smoke, fumes, glare or odor
8. No loss of natural, scenic or historic features

P&Z Board Recommendation

- The Planning & Zoning Board held a public hearing on June 9, 2021.
- There were no public comments.
- The Board recommended approval with a 4-0 vote and 1 abstention with conditions detailed in Resolution No. 21-69.
- These conditions also include waiving the 50% shrub requirement along the fence.

Site Performance Agreement

- A Site Performance Agreement is required per City Code Section 1007.020(5)(d).

Council Action

- Consider Resolution No. 21-69 Approving Conditional Use Permit for Open and Outdoor Storage
- Consider Resolution No. 21-70 Approving Site Improvement Performance Agreement