

**CITY OF CIRCLE PINES, MINNESOTA  
REGULAR CITY COUNCIL MEETING**

**Tuesday, July 12, 2016  
7:00 p.m.**

**1., 2. CALL TO ORDER / ROLL CALL**

Mayor Bartholomay called the meeting to order at 7:00 p.m. Also present were Council Members Schweigert, Percy and O'Brien and City Administrator Keinath. Council Member Runbeck arrived at 7:03 p.m.

**3. SETTING OF AGENDA**

There were no changes to the agenda.

**4. COMMENTS**

**a. Taxpayer Comments**

There were no Taxpayer comments.

**b. Council Member Comments**

There were no Council Member comments.

**c. Mayor Comments**

Mayor Bartholomay commented on the following:

- Concerts in the Park at Golden Lake Park

**5. COMMITTEE REPORTS**

**a. Police Governing Board**

Mayor Bartholomay reported the board met last night and reviewed the proposed budget that includes a 2.6 percent increase. He said the two main items different than last year are body cameras for officers and updating of the phone system. Bartholomay mentioned there is also a capital improvement plan for replacement of patrol vehicles.

Council Member Runbeck asked if state law prohibits spending police forfeiture dollars on capital equipment. City Administrator Keinath explained there have been times where forfeiture dollars were used to purchase vehicles, but he is unaware of a new law change relating to that.

## **b. Fire Steering Committee**

Council Member Percy reported the committee met July 7 and reviewed the proposed 2017 budget. He noted there was a significant increase in calls over what was projected for 2016, causing an impact on the budget overall. Therefore, he said the proposed 2017 budget is increased by almost 13 percent, almost all due to higher call volumes. Percy said it was much higher than the five-year average for calls so proposed changes were made to address that such as eliminating responses to low-risk calls, changing the standby pay for firefighters, and changing responses to some types of high-risk calls. He said a change was also made to the physical condition policy to require written doctor approval to return to work.

## **6. COUNCIL BUSINESS**

### **a. Consent Agenda**

Items included:

1. Minutes: 06/28/16 Regular Council Meeting
2. Licenses
3. Fire Disbursements
4. Police Disbursements
5. Election Judge Resolution

**MOTION:** Schweigert moved, seconded by O'Brien, to approve the Consent Agenda as presented. **Motion carried 5-0.**

### **b. Temporary Family Health Care Dwellings**

City Administrator Keinath reported the Legislature passed a law that allows for temporary family health care dwellings, unless cities opt out. He said the size is up to 300 square feet, typically connected to electricity and water and with a tank for sewerage that is pumped on a regular basis. He said the structures are allowed in back yards and must meet setback requirements.

Keinath said if the city were to not opt out, we would need to make changes to ordinances to recognize that these be permitted. He commented there are conflicts in the ordinance and this really is a zoning issue. He added that after discussions with other city administrators, by and large, cities are opting out. He said basically the law would provide the dwelling be allowed with a permit for a six-month period renewable for an additional six months for a total of one year.

Mayor Bartholomay asked what would be required if the city decided to not opt out and allow them. Keinath said you would be amending the zoning code because there is an ordinance that requires a public hearing and recommendation by the Planning Commission before Council approval.

Council Member Runbeck commented it may make sense for some cities, but with the number of senior facilities in this area, this doesn't appear to be our need. Council Member O'Brien said we do have ordinances that allow for additions to homes to accommodate that need so she doesn't know that we have a compelling need at this time. Also, she does not like the idea of accepting the law as is and not being able to modify it if you don't opt out. Council Member Schweigert said he also does not see the need for the law.

Council Member Percy said this is more than just temporary family health care. He said some people just choose to live in these "tiny homes" rather than just take care of a relative. He said the issue is larger because there may be some who want to live there longer than six months or a year. He pointed out it seems no different than an RV and asked what would prohibit someone from simply just living in their RV. Keinath said the RV would not meet the requirements of the housing code to be habitable over a longer term.

Consensus from the Council was to opt out of permitting temporary health care dwellings in the city.

**c. Airbnb Rental Potential Restriction**

City Administrator Keinath noted there is one residence in the city currently participating in Airbnb rentals. He said a person in the neighborhood requested the city council look at the issue and claimed its use is disruptive and it doesn't fit the feel of a residential neighborhood. He said the city has the ability to regulate this to a certain extent and some of it is regulated by the state, but the question for the council is whether they want to develop regulations. He said some cities regulate the number of days' stay or number of days allowed per year.

Council Member Runbeck commented on taxes paid at and by hotels. Council Member Schweigert asked if the city regulates "not more than two boarders." It was confirmed that is in city ordinance. Council Member O'Brien said limiting it to two is a good control factor and at this time she would not want to make decision on further regulation. Council members agreed.

Runbeck suggested addressing the parking if that is an issue. Keinath said he will relay to the person who complained that the council had this discussion and let them know the council is open to hearing further comments.

No action was taken.

**d. Agreements for Prosecutor Data Access for Department of Public Safety and the Bureau of Criminal Apprehension**

City Administrator Keinath noted there is a letter from the city's criminal prosecutor Patrick Sweeney requesting the city enter into a Joint Powers

Agreement and an agreement with the Bureau of Criminal Apprehension (BCA) to provide our prosecutor's office access to both the Department of Public Safety and the BCA systems to gather data for the city. He said the requested action is for the council to authorize the City Administrator and Mayor to enter into the agreements and take any other steps needed to effectuate it.

Mayor Bartholomay asked if this is a renewal or new action. Keinath said he understands this is a renewal.

**MOTION:** Percy moved, seconded by Schweigert, to authorize the City Administrator and Mayor to enter into a Joint Powers Agreement and Subscriber Agreement, and take any other actions needed to effectuate the agreements.

Council Member Runbeck asked if there is a cost for this action. Keinath said there is not.

**Motion carried 5-0.**

**e. Change Orders to Alpha Video HD Equipment**

Mayor Bartholomay noted this item and the next are change orders for the North Metro Cable Commission and since the project is coming through the city, it requires council approval.

City Administrator Keinath explained that it was determined at a meeting with the vendor and North Metro TV Executive Director Heidi Arnson that specifications for equipment have changed since the bid process and this makes sure all equipment is current and usable. He said in other areas already there have been savings by making changes and this needs council authorization to change the equipment to the amounts indicated in the reduced amounts in the bids. He said there is about \$25,000 worth of savings with changes in the Alpha Video equipment.

**MOTION:** Percy moved, seconded by O'Brien, to approve changes orders to Alpha Video HD Equipment as follows: the amount for Studio B from \$40,025 to \$20,030; Studio A bid amount from \$469,520 to \$465,855; master control area servers bid amount from \$574,345 to \$569,555; and bid for the EFP truck's internal components from \$701,615 to \$703,160. **Motion carried 5-0.**

**f. Change Order EFP Truck**

Mayor Bartholomay explained this change order relates to updating the air conditioning unit for the EFP truck to one larger unit rather than two smaller units. It was noted savings in previous areas more than compensate for this upgrade that would also help protect the equipment in the truck.

**MOTION:** Percy moved, seconded by Schweigert, to approve a change order for the EFP truck in the amount of \$8,400. **Motion carried 5-0.**

7. **ADJOURNMENT**

**MOTION:** O'Brien moved, seconded by Schweigert, to adjourn the meeting at 7:57 p.m. **Motion carried 5-0.**

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**Mayor**

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**Clerk**