



City Council

Workshop

~ Minutes ~

1408 Lake Street South
Forest Lake, MN 55025
www.ci.forest-lake.mn.us

Karin Derauf, Deputy City Clerk

Tuesday, June 20, 2023

6:30 PM

City Center - Council Chamber

[City of Forest Lake - Livestream and Recorded Meetings](#)

1. Call to Order

2. Roll Call

Attendee Name	Title	Status	Arrived
Mara Bain	Mayor	Present	
Sam Husnik	Councilmember	Present	
Hanna Valento	Councilmember	Present	
Leif Erickson	Councilmember	Present	
Blake Roberts	Councilmember	Present	

3. Pledge of Allegiance

4. Open Forum – Citizen Petitions, Requests, and Concerns

The Open Forum is available for residents to express personal opinions for any item of business. Please limit your comments to three (3) minutes.

Comments: Jerry Grundtner, Forest Lake Lake Association President and Resident, commented that the Lake Association supports the Fall Alum Treatment Project by the Comfort Lake Forest Lake Watershed organization. He also commented on the Administrative Code Enforcement Abatement discussion noting he is in support of code enforcement abatements. He indicated that there should be a clear definition on public versus private “public nuisance” in the language. He noted he also supports a citation process with a significant fee.

5. Discussion Items

a. Republic Services 2022 Annual Presentation

Comments: Bev Mathiasen from Republic Services presented information form 2022. She noted the number of refuse bins at resident properties in Forest Lake, as well as the sizes of carts, collection in tonnage, and yard waste carts. She also noted the participation of recycling at 79%.

She commented on the amount of tonnage from 2020 to 2022 noting that there was a slight decrease in 2022 as people have gone back to work in the office and are not at home. She also commented on the composition of recycling collection noting the percentages in 2021 and 2022.

She reminded Council of the beginning of service in 2019 and noted that they deployed service in 18 (eighteen) days. She provided customer comments from their call center noting the customer experience. She commented on the challenge of the 2022 winter months with all the ice and snow.



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She noted that the majority of difficult stops were on private roads that are not maintained by the City.

Bev discussed the recycling grant that the City receives and the programs that the City is partnering with Republic Services on. She also discussed 2023 planning involving yard waste, recycling composition analysis, event service and portables, continuing education, private road resolutions and planning, resident communication planning and updated phone numbers, and finally winter 2023 preparation.

She provided information from the MPC and the solid waste plan noting that Forest Lake is ahead with their single hauler provider for both refuse and recycling. She also commented on the next contract beginning in 2025.

b. Fall Alum Treatment Project – Comfort Lake Forest Lake Watershed

Comments: Jessica Lindemyer, from Comfort Lake Forest Lake Watershed, presented information regarding the Fall Alum Treatment Project. She commented on the quality noting the three separate basins and noted that the east basin has the best quality at a b+ and the west basin is graded at a c+. She discussed phosphorus noting the potential problems with excess phosphorus in the lakes. She discussed the projects and programs indicating the number of pounds per year reduction, and behavior changes (external load) still needed to reduce the phosphorus in the lake. She noted the Alum Treatment deals with the internal load in the lake. She discussed the benefits of alum treatment noting the alum binds to phosphorus creating a “floc” which sinks to the bottom of the lake forming a barrier and making the phosphorus no longer available for growth. She indicated the first application will be Fall 2023 and potentially again in 2025. Jessica also noted that the application will only be in basin number two but all three basins will benefit from the application. She commented that after the treatment, the lakes will see more vegetation growth of aquatic plants, however, it should balance out over time. She also provided information on public sessions on June 24, June 29, and July 15. Residents can learn more by going to the website at: www.cflwd.org.

Jessica provided the project budget of \$667,000 noting there is a Clean Water Fund Grant of \$533,600 and a grant match from the Watershed of \$133,400. She also discussed the changes of Bald Eagle Lake and the difference made with the alum treatments. She commented that the Alum Treatment will move the City from a grade of B overall to an A.

c. Administrative Code Enforcement Abatements

Comments: Amanda Johnson, City Attorney, presented information on public nuisances and the City’s code enforcement options. She provided the state statutory definition of public nuisance along with what the City Code considers a public nuisance. She noted that many cities consider



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refuse or garbage to be thrown away, unsheltered storage, poor property maintenance, noise, animals, and lack of snow removal as common nuisances. She also commented on the tools available to cities including compliance letters and administrative citation. She noted that an administrative citation does not include a criminal process. She noted the Code Enforcement Officer is generally the staff member who issues the citations. She also noted that the City of Forest Lake does not currently have a Code Compliance Officer. She also noted that the citation process provides a financial motivation to remove the public nuisance.

City Attorney Johnson noted the first step in the process for the City will be to adopt an ordinance noting the state authority for citations, how the citation is served, determine a time frame for penalty and appeals, and create an appeal procedure. She also noted that step two will be to adopt a fee schedule surrounding the various violations as determined by city code. She indicated step three will be to hire a Code Enforcement Officer, a tracking method in the Finance Department, creation of forms, and training for Staff. She noted the contents of the citation would include the property address, city code section, amount of the penalty, statement that failure to correct will result in another administrative citation, process for filing an appeal, and a statement that failure to pay may result in the fee being assessed.

She also commented on the appeal process showing citation issued process or abatement issued noting the various steps in the process including unpaid citations and appealed citations potentially leading to assessments to property taxes. City Attorney Johnson also described the abatement process giving an example of a junk vehicle. She also noted that abatement can only be of items that are visible, not non-visible items, unless there is permission of the property owner. She provided an example and photos of weed abatement. She commented on civil action or injunction which is a court procedure for public nuisance on the behavior of a person. She also commented on civil action regarding the structure, for example a hoarding house where the Building Official declares the building hazardous which can eventually lead to demolition of the building. City Attorney Johnson indicated that civil action or injunctions on individual behavior or a hazardous building is very expensive, and to be used for very serious situations. She also commented on criminal citations noting this can be used if abatement is not an option, the owner continues to ignore administrative citations, or if the Police Department have to step in to handle the matter.

City Attorney Johnson noted the limitations and cost indicating that code enforcement is expensive and not uncommon for a “problem property” to cost tens of thousands of dollars. She also noted it is time consuming. She noted the next steps are for Council to provide direction on the addition of administrative citations, creation of a policy, and budget considerations.

There was discussion about prioritization, acknowledgement of complaints or violations being helpful, and also triaging complaints or biggest offenses. Community Development Director Wittman commented that in the last week the department has developed a courtesy letter to send



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to residents if a complaint is received. There was further discussion about policy and past incidents where the City has had to step in for service, for example, cut grass, shovel snow, and vehicle removal, noting this is provided by a hired vendor.

Councilmember Erickson asked about the appeal process and who performs that service. City Attorney Johnson indicated it would start with the City Attorney and held at the Office of Administrative Hearings in St. Paul. Councilmember Erickson also asked about costs including salary of a Code Enforcement Officer. There was further discussion regarding additional costs in the event of an appeal and use of an attorney, as well as, the immediate need for this position.

Councilmember Valento commented that she supports administrative citations, policy, and creation of a Code Enforcement Officer position. Councilmember Husnik indicated he is also in support of the same. City Administrator Casey indicated that Staff will move forward with city code and policy development. There was further discussion on levels of citation fees and potential distinction of commercial versus residential fees. Councilmember Erickson noted he is in favor of citations, but expressed concern of the budget and hiring a Code Enforcement Officer.

6. Adjourn

Motion to: Adjourn

Comments: Councilmember Roberts asked about the replacement for the Assistant City Administrator position and Airport duties. City Administrator Casey indicated it is still being evaluated and will be reflected when the budget is presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Husnik, Councilmember
SECONDER:	Hanna Valento, Councilmember
AYES:	Bain, Husnik, Valento, Erickson, Roberts
ABSENT:	