



# City Council

## Regular Meeting

~ Minutes ~

1408 Lake Street South  
Forest Lake, MN 55025  
[www.ci.forest-lake.mn.us](http://www.ci.forest-lake.mn.us)

Karin Derauf, Deputy City Clerk

Monday, January 23, 2023

7:00 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. Approve the Agenda (Action)

Comments:

**Motion to:** Approve the Agenda

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Hanna Valento, Councilmember
<b>SECONDER:</b>	Leif Erickson, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

### 5. 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: Eva Droz, co-owner of Nothing But Hemp, commented on the THC Moratorium. She cited uses of THC and commented on their location. She noted she is in the process of moving the location of her business but has a clause in her lease if there is a moratorium on THC to get out of the lease.

Mike Mioseck, resident, commented on Hwy. 97 and the safety issues along the road. He also commented on the trail system and trail connections.



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### 6. Consent Agenda Considerations (Action Items)

Comments:

- a) Approve City Bills
- b) Approve Minutes from January 9, 2022 Regular Council Meeting
- c) Water Treatment Plant No. 2 Rehabilitation Project – Contractor’s Request for Payment No. 8 Final and Change Order No. 2
- d) North Shore Circle Utility & Street Improvements – Change Order No. 2
- e) Headwaters 12th Addition – Final Project Acceptance
- f) Legacy/Encore Apartments – Final Project Acceptance
- g) Bridge Academy Daycare – Letter of Credit Reduction No. 1
- h) 920 16<sup>th</sup> St SE Encroachment Agreement
- i) MASSAGE BUSINESS LICENSE RENEWAL
  - 1) Essential Massage
  - 2) Massage by K’s Caring Hands
  - 3) S & S SpaSalon Inc dba Adevia SpaSalon
  - 4) Timeless Elements Med Spa and Laser Center Inc
- j) MASSAGE INDIVIDUAL LICENSE RENEWAL
  - 1) Amy Blackburn
  - 2) Charles Bachman
  - 3) Danielle Blackwell
  - 4) Janette Collins
  - 5) Jodi Cruz
  - 6) Kay Ketchum
  - 7) Theresa Tryman
- k) PAWNBROKER LICENSE RENEWAL
  - 1) Mr. Pawn
- l) REFUSE HAULER LICENSE RENEWALS
  - 1) Ace Solid Waste
  - 2) Agar Incorporated dba Shafer Roll Off
  - 3) Allied Waste Services of NA dba Republic Services
  - 4) Alpha Container Services & Recycling
  - 5) Andersons Dumpster Box Service Inc
  - 6) Chisago Lakes Sanitation LLC
  - 7) Croix Valley Pick-up Inc
  - 8) Dem-Con Companies LLC
  - 9) Genes Disposal Service Inc
  - 10) Keith Krupenny & Son Disposal Service Inc
  - 11) KNS Services LLC dba KNS Junk Removal
  - 12) LePage & Sons Inc



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- 13) LRS of Minnesota LLC, dba Atomic Recycling
- 14) Northstar Recycling Inc
- 15) Twin Cities Refuse and Recycling
- 16) Veit Container Corp dba Veit Disposal Systems
- 17) Walters Recycling & Refuse Inc

m) TOBACCO LICENSE RENEWALS

- 1) Big Apple Global
- 2) DB Liquor LLC dba Liquor Works
- 3) Forest Lake 2000 LLC dba Cub Foods
- 4) Forest Lake E-Cig dba Fog E-Cig
- 5) Forest Lake Tobacco Inc-221 12<sup>th</sup> St SW
- 6) Forest Lake Tobacco Inc-668 Lake St
- 7) Forever Green Liquors LLC dba Westlake Warehouse Liquors
- 8) Holiday Stationstores LLC #236
- 9) Holiday Stationstores LLC #253
- 10) Holiday Stationstores LLC #311
- 11) Horizon Enterprises LLC dba Circle E Wines & Spirits
- 12) Hwy 61 Stop and Go Inc
- 13) Karmon Incorporated dba Karl's Korner
- 14) KSIALL Company dba MGM Wine & Spirits of Forest Lake
- 15) Kwik Trip Inc dba Kwik Trip #429
- 16) Northern Tier Retail LLC dba Speedway #4370
- 17) Tanners Brook LLP dba Tanners Brook Golf Course
- 18) Walgreen Co dba Walgreens #07111
- 19) Walmart Inc dba Walmart #2274
- 20) Wine & Roses Liquors Inc dba Wine & Roses Liquors

n) LIQUOR LICENSE RENEWALS

- 1) American Legion 225 dba American Legion Post
- 2) Apple Minnesota LLC dba Applebee's Neighborhood Grill & Bar
- 3) Ashew Holdings LLC dba Friar Tucks
- 4) Carse Inc dba Keys in Forest Lake
- 5) Comes Investments Inc dba Pizza Hut – WINE License
- 6) Comes Investments Inc dba Pizza Hut – 3.2 Beer License
- 7) D & D of Minnesota Inc dba Famous Dave's
- 8) DB Liquor LLC dba Liquor Works
- 9) Don Julio Inc dba Don Julio Authentic Mexican Restaurant
- 10) Fireside Getaway Inc dba Fireside Getaway
- 11) Forest Hills Golf Club Inc dba Forest Hills Golf Club
- 12) Forest Lake 2000 LLC dba Cub Foods
- 13) Forest Lake VFW Post 4210 dba VFW Post



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- 14) Forever Green Liquors LLC dba Westlake Warehouse Liquors
- 15) Foursome Golf Management Group LLC dba Castlewood Golf Course
- 16) Horizon Enterprises LLC dba Circle E Wines & Spirits
- 17) Karmon Incorporated dba Karl's Korner
- 18) KSIALL Company dba MGM Wine & Spirits of Forest Lake
- 19) Kwik Trip Inc dba Kwik Trip #429
- 20) Mallards MN LLC dba Mallards
- 21) Morales Food Inc dba Stellas on 97
- 22) Muddy Cow Forest Lake LLC dba Lone Oak Grill
- 23) New Joy Garden Inc dba Joy Garden – 3.2 Beer License
- 24) New Joy Garden Inc dba Joy Garden – WINE License
- 25) Northern Tier Retail LLC dba Speedway #4370
- 26) Old Log Cabin Inc dba Old Log Cabin
- 27) Other Guys LLP dba Norman Quacks
- 28) Rasa Ruelas LLC dba Rancho Loco Mexican Bar & Grill
- 29) Tanners Brook LLC dba Tanners Brook Golf Club
- 30) VR Companies LLC dba The Grillium
- 31) Wine & Roses Liquors Inc dba Wine & Roses Liquors

o) LIQUOR LICENSE – NEW

- 1) New Joy Garden MN Inc - 2023 WINE and BEER Licenses - NEW

**Motion to:** Approve Consent Agenda Items 6. a. through 6. h.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Hanna Valento, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

**Motion to:** Approve Consent Agenda Items 6. i. Massage Individual Renewal Licenses



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**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Hanna Valento, Councilmember  
**SECONDER:** Leif Erickson, Councilmember  
**AYES:** Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

Motion to: Approve Consent Agenda Items 6. j. Massage Business Renewal Licenses

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

Motion to: Approve Consent Agenda Items 6. k. Pawnbroker Renewal License

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Leif Erickson, Councilmember  
**SECONDER:** Sam Husnik, Councilmember  
**AYES:** Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

Motion to: Approve Consent Agenda Items 6. l. Refuse Hauler Renewal Licenses



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**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Blake Roberts, Councilmember  
**SECONDER:** Hanna Valento, Councilmember  
**AYES:** Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

Motion to: Approve Consent Agenda Items 6. m. Tobacco Renewal Licenses

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

Motion to: Approve Consent Agenda Items 6. n. Liquor Renewal Licenses

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Mara Bain, Mayor  
**SECONDER:** Hanna Valento, Councilmember  
**AYES:** Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

Motion to: Approve Consent Agenda Items 6. o. Liquor New License



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**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Hanna Valento, Councilmember  
**SECONDER:** Blake Robertson, Councilmember  
**AYES:** Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

### 7. Regular Agenda (Action Items)

#### a. Resolution 01-23-23-01 – Donation from Forest Lake Baseball Association for Kulenkamp Park Improvements

Comments: Community Development Director Wittman commented on the donation from Forest Lake Baseball Association and the improvements they would like to continue for Kulenkamp Park.

Motion to: Approve Resolution 01-23-23-01 - Donation from Forest Lake Baseball Association for Kulenkamp Park Improvements

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Mara Bain, Mayor  
**SECONDER:** Hanna Valento, Councilmember  
**AYES:** Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

#### b. Resolution 01-23-23-02 – \$1,000 Donation from Robert Smith for Forest Lake Veterans Memorial

Comments:

Motion to: Approve Resolution 01-23-23-02 – \$1,000 Donation from Robert Smith for Forest Lake Veterans Memorial

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**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Mara Bain, Mayor  
**SECONDER:**       Sam Husnik, Councilmember  
**AYES:**             Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

**c. Public Hearing and Adoption – Ordinance No. 719 - Amendment to Title XV, Chap. 153 Zoning Code Related to Accessory Dwelling Units**

Comments: Community Development Director Wittman presented information on an amendment to the zoning code regarding accessory dwelling units and explained what qualifies as and ADU. She also noted that the amendment would be cohesive with the Comprehensive Plan and is in conformance for a zoning text amendment.

Public Hearing opened at 7:21 p.m.

Public Hearing closed at 7:22 p.m.

**Motion to:** Approve Ordinance No. 719 - Amendment to Title XV, Chap. 153 Zoning Code Related to Accessory Dwelling Units

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Leif Erickson, Councilmember  
**SECONDER:**       Sam Husnik, Councilmember  
**AYES:**             Bain, Husnik, Valento, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

**d. Public Hearing and Adoption – Ordinance No. 720 - Repeal and Replace Title XV Chap. 153 Sect. 320 Regarding MXR-1 District**

Comments: Community Development Director Wittman commented on information on a zoning code repeal and replace for regarding the MXR-1 zoning district. She cited the proposed changes to the code noting in particular, lot size, lot width, setbacks and the Comprehensive Plan density requirements. She indicated this amendment is in conformance for a zoning text amendment. She provided further information about zoning code changes in general and this is the repeal and replace proposal will assist in cleaning up the city zoning codes.





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Public Hearing opened at 7:33 p.m.

Public Hearing closed at 7:33 p.m.

Councilmember Erickson thanked Staff noting this has been a long-term discussion and it will be good for the City to make this change.

**Motion to:** Approve Ordinance No. 720 - Repeal and Replace Title XV Chap. 153 Sect. 320 Regarding MXR-1 District

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Hanna Valento, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

**e. Public Hearing and Adoption – Ordinance No. 721 - Repeal and Replace Title III Chap. 31 Sect. 31.75 through Sect. 31.77 Regarding Parks, Trails, and Lakes Commission**

Comments: Community Development Director Wittman commented on the ordinance for the Parks, Trail, and Lakes Commission noting the historical Park Board functions and what the intent for the Commission is. She indicated that due to the transitions of the commission, it has become necessary to have a repeal and replace of the Parks, Trails, and Lakes Commission Ordinance highlighting a change to the name of the commission as Parks and Recreation Commission among other changes. She indicated an additional change includes the structure of commission members with community stakeholders as well as private citizens.

Councilmember Roberts commented about the reason of the loss of commission members and asked if former commissioner members have been included in conversations regarding the drafting of the ordinance. Community Development Director Wittman indicated she did not include the former members. City Administrator Casey also commented on the reason for the change to the ordinance. Mayor Bain commented on clearly identifying commission roles and if there are previous members who are interested in serving she would be happy to have those conversations.

Commissioner Roberts asked about agreements and if they are looked at by the commission. Community Development Director Wittman commented that commissions typically do not have a role in reviewing and assessing agreements between an entity and the City noting those types of agreements will be decided by Council. City Administrator Casey provided examples of contracts



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that are directly decided by Council. There was further discussion regarding the current ordinance and the changes proposed in the new ordinance.

Public Hearing opened at 7:55 p.m.

Karen Morehead, resident and former Parks, Trails, and Lakes Commissioner, commented that five of the previous seven commissioners left and no one asked them why. She also commented on giving commissioners credit for the time and attention they put into serving on the commission.

Public Hearing closed at 7:59 p.m.

Commissioner Roberts asked if commissioners are required to be residents of the City if they are on the School Board or FLAAA. City Administrator Casey indicated that they would not be required as the school district reaches farther than the City of Forest Lake. Councilmember Roberts indicated he is hesitant to approve non-residents. Councilmember Erickson echoed Councilmember Roberts' comment of non-residents. Councilmember Husnik indicated he didn't agree that the School Board needs to be involved in the proposed structure of the commission. City Administrator Casey commented that the input from the School Board is necessary and perhaps the language could be changed to have School Board members as non-voting. He noted that the commission will be made up of five residents, one member from the School Board, and one member from FLAAA.

Karen Morehead commented on the relationship that the former commission had with the School Board and FLAAA noting that they always had a good relationship with them.

**Motion to:** Approve Ordinance No. 721 - Repeal and Replace Title III Chap. 31 Sect. 31.75 through Sect. 31.77 Regarding Parks, Trails, and Lakes Commission

<b>RESULT:</b>	<b>ADOPTED [4 to 0]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Hanna Valento, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson
<b>NAYS:</b>	Roberts
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

**f. 2023 Local Street Improvement Project – Approve Plans & Specifications and Authorize Ad for Bid**



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Comments: City Engineer Goodman commented on the 2023 Local Street Improvement Project and when the bid opening is scheduled if approved.

**Motion to:** Approve 2023 Local Street Improvement Project – Approve Plans & Specifications and Authorize Ad for Bid

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Leif Erickson, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

### g. Board and Commission Appointments

Comments: Mayor Bain provided additional appointment recommendations to commissions, including Chris Hoyt for the EDA and Jeff Larson to the Planning Commission.

**Motion to:** Approve Appointment Recommendations as Presented

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mara Bain, Mayor
<b>SECONDER:</b>	Sam Husnik, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

## 8. Discussion

### a. Plowing / Shoveling of Downtown Sidewalks

Comments: City Administrator Casey commented on plowing and shoveling of downtown sidewalks and noted what the current policy is for snow removal. Public Works Director Adams noted that snow removal occurs on public streets and public parking lots. Councilmember Roberts indicated that he feels the City could plow the downtown sidewalks. Public Works Director Adams indicated that an issue for snow removal is level of service and when that snow is removed. He cited several examples of how complicated the level of service can be for residents and business owner. Mayor Bain indicated she would like to see the City move towards enforcement of the existing ordinance and policy regarding snow removal. Councilmember Husnik commented on enforcement as the mechanism to remove snow. Public Works Director Adams commented on prioritization of areas to



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be plowed. Councilmember Roberts commented that all areas need to be a priority. City Administrator Casey commented on options for the City in term of contractual agreements with business owners. There was further discussion regarding the level of service, costs, and options for snow removal.

### 9. Staff Updates

Comments: Assistant City Administrator Udem commented on the relaunch of the website. Community Development Director Wittman commented on the positing of a Community Development Assistant. City Administrator Casey commented on meeting with legislators for the bonding bill. City Engineer Goodman commented on the Open House on Monday, February 27, 2023 from 4:30 p.m. to 6:30 p.m. He also commented on the Hwy. 97 project. Chief Peterson commented that the department has a vacancy and he will be interviewing candidates soon. He also commented on the condition of the lakes and safety issues.

### 10. Mayor and City Council Updates

Comments: Councilmember Roberts attended a meeting at the Lyons Club and noted they are looking for fundraising efforts. Councilmember Husnik commented that the attended the meeting for the American Legion noting that they are rewarding their bartenders if they catch someone trying to purchase alcohol if they are underage.

### 11. Closed Session Pursuant to MN Statute 13D.05, Subd 3 (c)(3) to Discuss the Sale of City Property PID: 2003221320009 and Property PID: 2003221240001

Motion to: Move into Closed Session Pursuant to MN Statute 13D.05, Subd 3 (c)(3) to Discuss the Sale of City Property PID: 2003221320009 and Property PID: 2003221240001

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Leif Erickson, Councilmember
<b>SECONDER:</b>	Hanna Valento, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
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**Motion to:** Close the Closed Session and Open the Regular Scheduled Meeting

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mara Bain, Mayor
<b>SECONDER:</b>	Sam Husnik, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

## 12. Adjourn

**Motion to:** Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Hanna Valento, Councilmember
<b>SECONDER:</b>	Leif Erickson, Councilmember
<b>AYES:</b>	Bain, Husnik, Valento, Erickson, Roberts
<b>ABSENT:</b>	