

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 27, 2019**

1. CALL TO ORDER

Mayor Mike Wallen called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Council Members present: Dick Backlund, Seth Hansen, Rose Johnson, Paul Knier, and Mike Wallen. Also present: City Administrator Clay Wilfahrt, Finance Director Deb Wegeleben, Community Development Director Hanna Klimmek, Public Works Director Mike Goebel, Police Chief Joel Scharf, City Clerk Gina Wolbeck, City Planner Michael Healy, City Engineer Layne Otteson, and Liquor Store Manager Greg Zurbey.

4. OPEN FORUM

Mayor Wallen opened the Open Forum at 6:01 p.m. No one came forward. Mayor Wallen closed the Open Forum at 6:02 p.m.

5. PROPOSED AGENDA

Council Member Knier motioned to adopt the proposed Agenda with the addition of item no. 7E. 2019 Street Resurfacing Project No. ST2019-1 – Addition of Pond View Drive to Public Hearing, and item no. 7F. Personnel Policy Amendment. Seconded by Council Member Johnson, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Hansen motioned to approve the Consent Agenda with the removal of item no. 6C. Seconded by Council Member Johnson, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A. Approve Council Workshop Minutes of February 13, 2019, 6B. Approve Regular Council Meeting Minutes of February 13, 2019, ~~6C. Approve Change of Employment Status for Part Time Liquor Clerk Markus Passer,~~ 6D. Approve Resolution No. 2019-11 approving a Lawful Gambling Permit to the Monticello Lions Club, 6E. Approve Big Lake Fire Department Equipment Lease Agreement, and 6F. Approve Resolution No. 2019-12 approving 2019/2020 Liquor License Renewals.

7. BUSINESS

7A. Variance Application – Parcel No. 65-414-0234

Michael Healy reviewed the planners report for the Variance application submitted by Robert and Marcia Hagen for the property identified as Parcel No. 65-414-0234, to consider the parcel as a buildable lot for the purpose of constructing a single family detached home. The Applicants recently purchased the vacant parcel from their daughter who owns the adjacent parcel located at 400 Washington Avenue. The Applicants wish to construct a single-family home on the vacant parcel and live next to their daughter so that she can provide them with care as they grow older and need additional help. The subject property is located in the R-5 Residential Zoning District and is considered a non-conforming lot that requires a Variance to make any improvements on the vacant lot. Healy noted that the R-5 rules require that new subdivision lots must be at least 75 feet in width and at least 10,000 square feet in size if they are not located on a lake. The subject parcel is 60 feet wide and 11,034 square feet in size. It does meet the lot size requirement, but does not meet the lot width requirement. Per the Ordinance, the parcel is considered unbuildable and should be combined with the neighboring parcel. The City Attorney has advised that the parcel can only be considered buildable if a Variance is obtained. Healy reviewed the MNDNR's lot combination rules and the Legislature's resulting action prohibiting cities from enforcing this type of lot combination rule for many lots in Shoreland areas as they felt the MNDNR overreached when the rules were initially approved. Healy reviewed the Findings of Fact for a Variance, and noted that a public hearing was held at the Planning Commission on February 6, 2019 with no one speaking in opposition to the Variance request. The Planning Commission unanimously recommended approval of the Variance, and asked staff to bring the R-5 lot combination rule back for discussion at a future meeting as it seems apparent that an ordinance amendment is necessary to bring the R-5 ordinance into alignment with MN Statute 463.357. Healy also noted that a letter from Donald Pittman arrived after the public hearing stating that he is in favor of the Variance as long as what is being proposed is legal.

Council Member Hansen motioned to approve Resolution No. 2019-13 approving a Variance to consider the vacant lot to the east of 400 Washington Avenue, PID No. 65-414-0234 as a buildable lot for the construction of a single-family home. Seconded by Council Member Backlund, unanimous ayes, motion carried.

7B. Ordinance Amendment – Modifying Height Rules for Detached Accessory Structures

Michael Healy reviewed the planners report for the ordinance amendment to modify the height rules for detached accessory structures. At the request of the City Council, the Planning Commission held a discussion on this item at their December 5, 2018 meeting. Staff and Planning Commissioners discussed how the rules for detached garage height are primarily an aesthetics and community values decision. Healy noted that the Planning Commission held a public hearing on February 6, 2019 to review revisions to the ordinance that included clarification of rules for side wall height, allowing detached garages with hipped and pitched roofs to be up to 19 feet tall at the peak, and to restrict height for detached garage structures which have more visually imposing roof designs such as mansard, shed and gambrel roofs. One resident, Bettina Potter, spoke at the public hearing in support of the proposed amendments and requested that the Planning Commission consider further amending the ordinance as residents living on small lake properties have serious issues with having sufficient storage space. Potter requested the City allow 12-foot sidewalls for detached garages to allow for storage of motor homes. Potter also requested that garage height be measured at the average height of the highest gable. Healy noted that the Planning Commission determined that, at this time, they just want the ordinance amendment to allow slightly taller detached garages, but were supportive of allowing 12-foot sidewalls for detached garages. The Planning Commission unanimously recommended approval of the draft ordinance with an additional revision to allow side wall heights up to 12 feet.

Council Member Hansen motioned to approve Ordinance No. 2019-04 modifying the height rules for detached accessory structure with a correction to table showing 12' maximum side wall height, and approve Resolution No. 2019-14 authorizing summary publication. Seconded by Council Member Knier, unanimous ayes, motion carried.

7C. Sherburne County Soil & Water Conservation District Agreement for Watercraft Inspection Hours

Mike Goebel reviewed the Sherburne County Soil and Water Conservation District's (SCSWCD) Aquatic Invasive Species Program that includes watercraft inspections at boat launches throughout Sherburne County. In 2018, Big Lake received 100 inspection hours through this program, and entered into a sub-contract with SCSWCD to purchase an additional 400 hours. The SCSWCD has again contracted with WaterGuard Company to

provide these watercraft inspections county-wide. For 2019, Big Lake has again been allocated 100 inspection hours at the Big Lake boat launch, and Staff and the BLCLA feel that there is a continued need for additional inspection hours to assist in preventing Aquatic Invasive Species from entering Big Lake and Mitchell Lake. Goebel reviewed that the Agreement would add 400 additional inspection hours at a cost of \$7,600 which would be funded through the Michelob Celebrate Your Lake grant dollars. Council questioned funding options for future costs. Staff indicated that the City has been setting aside dollars for future costs, and continue to look at volunteer programs.

Council Member Johnson motioned to approve entering into an Agreement with the Sherburne County Soil and Water Conservation District to provide an additional 400 watercraft inspection hours at the Big Lake boat launch. Seconded by Council Member Backlund, unanimous ayes, motion carried.

7D. Monthly Department Reports

Deb Wegeleben discussed the Laserfiche kick off meeting held this week noting that staff is working on establishing procedures and guidelines for this project, discussed the Remote Desktop Deposit equipment that will be installed and operational by April 2019, and informed Council that the annual audit is scheduled for March 4 to 6 with the final 2018 Financial Statements to be presented to Council on April 14, 2019.

Greg Zurbey provided a liquor store year-end review including financial information, recent beverage and alcohol training attended by staff, staff's attendance at the St. Cloud Craft Beer event, reviewed in-store tastings, reviewed issues the store experienced during the extremely cold weather at the end of January, and noted that staff has been cleaning up old documents, working with vendors to develop plans to close-out slow moving inventory, and working on cleaning up the store. Zurbey also discussed the new pricing strategy based on surveying neighboring competition and the re-evaluation of beer pricing and other products. The new pricing will be based on industry standard pricing and will help us to sustain in this industry, and increase incremental sales. The City will take the financial pinch upfront but the new pricing will help develop a good everyday value. Zurbey discussed new advertising campaigns including a "beer of the month" promotion and limited other sales. Zurbey reviewed rebranding efforts at the store and will present the new store logo at his next monthly update. Zurbey informed Council that starting March 1, the Lake Liquor Loyalty Club will start and is open to the public. Council encouraged the store to publicize the new lower price structure and the new loyalty club.

Hanna Klimmek provided an update on activities in the Community Development Department. Klimmek reviewed housing/commercial development statistics/projects, and redevelopment projects. Klimmek also reviewed economic development activities noting that BLEDA applications are due on March 1 for the board vacancy, reviewed the Minnco

Credit Union Contract for Private Development and land sale recently approved by BLEDA, and reviewed Big Lake's representation at the Economic Development Day at the Capitol event. Klimmek also reviewed Planning Department activities including advertising for a seasonal full-time employee who will handle all complaint based code enforcement issues from May through August, and reviewed implementation of the Comprehensive Plan's goal of revising Downtown Design Standards map boundaries which will be reviewed at a public hearing scheduled on March 6.

Council Member Knier inquired about BLEDA's revenue sources that would fund the proposed Economic Development Fund. Klimmek reviewed that Sherburne County has a Revolving Loan Fund program that can be utilized to fund qualifying economic development projects and is based mainly on job creation. Klimmek noted that the EDA has already created a local Revolving Loan Fund Policy, but still needs to fund it. Wilfahrt reviewed funding options including the MN Investment Fund through the State of MN, available grant programs, BLEDA land sale proceeds, and possibly levying if needed.

7E. 2019 Street Resurfacing Project No. ST2019-1 – Addition of Pond View Drive to the Public Hearing

Layne Otteson informed Council that Pond View Drive resurfacing improvements were inadvertently left off the Resolution approved on February 13, 2019. Otteson presented a Resolution that would include this street section in the public hearing scheduled for March 13, 2019.

Council Member Knier motioned to approve Resolution No. 2019-15 adding Pond View Drive to the Street Resurfacing Public Hearing scheduled on March 13, 2019 for Project No. ST2019-1. Seconded by Council Member Hansen, unanimous ayes, motion carried.

7F. Personnel Policy Amendment

Clay Wilfahrt reviewed the proposed amendment to the City's Personnel Policy that would help clarify language relating to extensions of staff probationary periods. A probation period extension allows the City more time to evaluate an employee's performance before offering them permanent employment. Wilfahrt noted that the proposed amendment language was reviewed and approved by the City Attorney and the Personnel Committee.

Council Member Johnson motioned to approve an amendment to the Personnel Policy to clarify extensions of training and probationary periods. Seconded by Council Member Hansen, unanimous ayes, motion carried.

8. LIST OF CLAIMS

8A. Consider List of Claims

Council Member Hansen motioned to approve the List of Claims dated February 8, 2019 through February 21, 2019 with the removal of Check No. 79299 for separate consideration, and approve payroll no. 4. Seconded by Council Member Knier, unanimous ayes, motion carried.

8B. Consider Audio Communications Payment

Council Member Hansen motioned to approve payment of Check No. 79299 in the amount of \$6,975.50 payable to Audio Communications for services rendered. Seconded by Council Member Knier, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Hansen, Johnson, Knier and Wallen voting aye and Council Member Backlund abstaining. Motion carried.

9. ADMINISTRATOR'S REPORT

Clay Wilfahrt reviewed the City's attendance at the recent Legislative Conference held at the Capitol, reviewed the City's involvement in Big Lake School's Kindergarten Round-Up program, and reminded Council that the Chamber of Commerce Community Fair is scheduled on Sunday, March 3 and encouraged council to fill-in at the City's booth.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Mayor Wallen: Informed Council that the City of Big Lake has placed first in the National Council for Home Safety and Security's "Safest Cities in Minnesota" for 2019 for cities with population totals of 10,000 to 25,000. Council thanked the Police Department for their enforcement efforts.

Council Member Knier: Reviewed the recent Finance Committee Meeting, and the February BLBTYR Meeting.

11. OTHER No other.

12. ADJOURN

Council Member Hansen motioned to adjourn at 7:09 p.m. Seconded by Council Member Knier, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council _____ 03/13/19