

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES**

APRIL 14, 2021

1. CALL TO ORDER

Mayor Paul Knier 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: Ken Halverson, Sam Hanson, Paul Knier, and Paul Seefeld. Also present: City Administrator Clay Wilfahrt, City Clerk Gina Wolbeck, Finance Director Deb Wegeleben, Community Development Director Hanna Klimmek, City Planner Lucinda Meyers, City Engineer Layne Otteson, Acting Police Chief Matt Hayen, Liquor Store Manager Greg Zurbey, Streets/Parks/Fleet Superintendent Norm Michels, Water/Wastewater Superintendent Dan Childs, Fire Chief Seth Hansen, and Big Lake Student Liaison Ella Dotzler.

4. OPEN FORUM

Mayor Knier opened the Open Forum at 6:01 p.m.

Bettina Potter, 120 Edgewater Place - Recognized first responders, public safety officials, and others in the City who work for our protections. Potter reminded Council that there are gaps in our system regarding our lake accesses. We have rental properties on our lakes and we don't do anything to educate our renters and our landlords on lake protection. Potter also discussed the 30% compliance on the lock/sticker program at the Mitchell Launch in early 2020 and acknowledged that the compliancy did improve, but the program started out very rough. Potter stated that she is hopeful that Council takes steps to do something to make sure if there is rough compliance at the start of the 2021 season that we do something about it. Potter also announced that this will be her final Open Forum,

and encouraged residents around the City to go on record, take a stand, and to speak your peace.

No one else spoke at Open Forum. Mayor Knier closed the Open Forum at 6:03 p.m.

5. PROPOSED AGENDA

Council Member Seefeld motioned to adopt the proposed Agenda as presented. Seconded by Council Member Hanson, unanimous ayes, Agenda adopted.

6. CONSENT AGENDA

Council Member Seefeld motioned to approve the Consent Agenda with the removal of item no. 6I for separate consideration. Seconded by Council Member Hanson, unanimous ayes, Consent Agenda approved. The Consent Agenda consisted of: 6A. Approve List of Claims, 6B. Approve Council Workshop Minutes of March 24, 2021, 6C. Approve Council Meeting Minutes of March 24, 2021, 6D. Authorize Disposal of Outdated Equipment from the Water/Wastewater Plant, 6E. Approve Lift Station Upgrades, 6F. Approve Employment Status Change for Part-time Liquor Clerk Mark Boeckman from Probationary to Permanent Status, 6G. Approve 2021 Summer Farmers Market EBT and Market Bucks Agreement, 6H. Approve Ordinance No. 2021-04 amending Chapter 5 of the Big Lake City Code to Add Section 598 to Regulate Targeted Picketing in Residential Neighborhoods and approve a Summary Publication Resolution No. 2021-24, ~~6I. Approve Removal of the Community Service Officer Position, 6J. Approve Brom Park Wetland Delineation Contract,~~ 6K. Approve GIS Contract with Bolton and Menk, 6L. Approve ILID Contract with Environmental Sentry Protection, 6M. Approve Sale of Equipment from Public Works, 6N. Approve Construction Materials Testing Services Contract with Braun Intertec, and 6O. Approve 2021 Big Lake Spud Fest Licensing and Fee Waiver Request.

6I. Approve Removal of the Community Service Officer Position

Ken Halverson asked for further discussion on Staff's recommendation to remove the Community Service Officer position. Halverson discussed the former Reserve Officer program and the duties they covered as well as the CSO officers who have been a great asset to the City. He discussed his concern that the City will need to pay overtime to police officers to address issues at Lakeside Park this summer. Halverson asked why we would choose not to utilize the CSO program to take some of the burden off our board certified officers and use them at community events and at Lakeside Park.

Matt Hayen reviewed the history of the CSO program noting that scheduling has been an issue at times, as they were mainly needed on weekends and holidays. Hayen also discussed that we do not have a designated vehicle for the CSO so the officer would need to take the ATV

even in inclement weather. Hayen indicated that the Department very rarely used the CSO last summer and found that it was beneficial to have an extra officer in attendance at events. The cost to pay an officer overtime for specific events equaled the same amount as it would have been to have a CSO staffed for 12 hours each week through the year. At the end of last year, leadership at the Department decided to eliminate the position and not budget for it in 2021 so the CSO has not worked since October 2020. Halverson asked if there is any consideration to bring back the Reserve Officer Program, noting that we have gotten some good officers from that program. Hayen reviewed issues we had with the program including cadets being unavailable to fill shifts and the cost to outfit and train them. Hayen also stated that the police officers do enjoy working community events as these events provide an opportunity for the officers to engage with community members.

Council Member Hanson motioned to approve the removal of the Community Service Officer Position from the City's Pay Scale, and remove Crystal Gassman from the payroll system. Seconded by Council Member Seefeld, unanimous ayes, motion carried.

Council Member Hanson thanked Crystal Gassman for her years of service with the Police Department.

7. BUSINESS

7A. RECOGNITIONS – Employee Years of Service

Mayor Knier presented years of service certificates to City employees who reached a milestone year of service. Those employees recognized included Matt Hayen (5 years), Dan Childs (10 years), Lisa Miller (10 years), and Chris Hoard (15 years). Council thanked the recognized employees for their years of service.

7B. Sherburne County Annual Update

Sherburne County Commissioner Raeanne Danielowski invited county staff to provide an annual update on county happenings. County Administrator Bruce Messelt and County Assessor Michelle Moen presented an annual update on County happenings and services provided to the City. Messelt provided information on population trends, new home/construction activity, commuting patterns, employment data, the County's 2021 budget and what those dollars fund, broadband infrastructure improvements, transportation/planning partnerships, business relief grants in Big Lake and county-wide, and the Entrepreneur Lab. Michelle Moen discussed the Open Book Board of Appeal that is held for Big Lake, and reviewed qualifying sales and property valuations. Moen also encouraged Council to start holding a Local Board of Appeal. Mayor Knier discussed that Moen had mentioned that the number of apartments county-wide increased 9.65%. Moen confirmed that county-wide the numbers increased but the numbers varied upon location,

style and size of buildings. Danielowski reviewed the history of when the City started doing the Open Book Board of Appeal. Messelt reviewed the County's budget and explained that a County is an arm or agent of the State, noting that counties are always playing defense on unfunded/underfunded mandates. Messelt discussed new Bills put into place that require counties to cover legal fees for citizens that will be evicted from a property, or for child welfare cases. Danielowski stressed that half of the revenue source of a County comes from the local taxpayer, and encouraged citizens to remind our representatives at the State that unfunded mandates have cost.

Mayor Knier asked if anything has changed on solar panel rules at the county level. Danielowski informed Council that they do have a proposal coming in that could be hard for the county to manage. Messelt reviewed that the county amended their solar ordinance about a year ago to improve landscaping requirements and to address setback issues, mainly in the viewshed corridors. The County is only allowed to regulate things that are below a certain size, so anything larger is regulated by the State Public Utilities Commission (PUC) and the County has no say in the application. The concern is that Xcel Energy could potentially be a 440 megawatt solar farm that could also be called a power plant. Messelt indicated that the reality is, is that this type of project would tie up that land for 50+ years and beyond. When this application is brought forward on the docket, Messelt encouraged local officials to submit comments, and to ask Xcel to give a community briefing. Xcel was asked by the PUC to respond to the Federal Cares Act, so this proposal is more about job creation than about their natural resource plan, but they were looking at big solar anyways so this just accelerated it a year or two. Knier reviewed that this proposed 440 megawatt solar farm is proposed to go from the Becker Power Plant along Highway 10 up to CR 8 into Clear Lake City. Messelt reviewed the proposal identified by Xcel Energy. Danielowski stated that she appreciates the partnership between the City and County.

7C. Negotiated Sale for General Obligation Improvement Bonds, Series 2021A for the 2021 Street and Utility Improvement Project No. ST2021-1

Deb Wegeleben discussed the infrastructure improvement program with the 2021 Street and Utility Improvement Project No. ST2021-1 that was approved by Council on March 24, 2021. Wegeleben explained that the ST2021-1 improvements will be funded with General Obligation debt and noted that Tammy Omdahl from Northland Securities is in attendance to answer any questions regarding the finance plan and sale of the Bonds. Omdahl discussed that this is the beginning of the process, noting that the sale date is scheduled for May 12th and is part of the process to get ready to finance the 2021 Street and Utility Improvement Project. Omdahl explained that the project will be issued as General Obligation Bonds which means it is backed by the full faith and credit of the City. The City has a very good rating at AA, and interest rates are estimated to come in between 1.3% to 1.4%, but we won't know the final rate until the bids are received on the morning of May 12th.

Mayor Knier inquired what happens after the bid sale happens. Omdahl explained that there is a final action required from Council, which is to award or reject the bid. Omdahl cautioned that it is very unusual and very limited for a City to reject the bid because City's prepare in advance, and while you absolutely have the right to reject the bid for whatever reason, the challenge becomes that underwriters put that money at stake assuming that the City is ready to issue those bonds to the low bidder so there is a reputation associated with that, that you would want to avoid. Otteson noted that the street project bids are scheduled to be opened on April 26th so we will know a final project cost after the bids are received. Omdahl also reviewed bond rating steps and indicated that the City is well positioned based on the broader economics of the City, and noted that the economy of the last year and COVID could potentially affect the rating call.

Council Member Halverson motioned to approve Resolution No. 2021-25 providing for the competitive negotiated sale of \$3,765,000 General Obligation Improvement Bonds, Series 2021A for the 2021 Street and Utility Improvement Project No. ST2021-1. Seconded by Council Member Seefeld, unanimous ayes, motion carried.

7D. Big Lake Fire Department Brush Rig Equipment Purchase

Seth Hansen discussed that in 2020, Fire Department leadership proposed the need for a replacement Brush Rig. Research was conducted and specifications were determined on what type of equipment was needed. Hansen indicated that the new equipment will replace a 1996 F350 grass truck. The Brush Rig is proposed to be an F550 type 6 engine and will be used as a front-line response vehicle for grass and wildland fires. Hansen discussed that the move from the standard 1-ton vehicle to the F550 is for safety and more effective urban wildland interface firefighting. The current grass vehicles are at maximum weight capacity when filled with water and tools, which can be a safety concern when traveling in emergency response situations. The proposed vehicle is rated to carry more resources in the means of water, tools, and personnel, and will allow a more effective and safe response to grass and wildland fire in our off-road locations. Hansen reviewed the bidding process, noting that one bid was received in the amount of \$128,622 which would be funded 50/50 between the City of Big Lake and Big Lake Township. The City's portion has been funded through CIP Fund 199 with dollars allocated to the Fire Department. Hansen reviewed discussions at the April 9, 2021 Special Fire Board meeting, indicating that the Fire Board unanimously recommended award of the low bid to Heiman Fire in the amount of \$128,622.

Council Member Halverson questioned the purchase of this style of Brush Rig asking how this purchase is fiscally responsible. Halverson reviewed that he believes the vehicle will be hard to maneuver, and due to its weight when the water tank is filled could cause damage

to yards and sewer lines. Halverson also stated that neither the MNDNR or the Forestry Division use this style of wildland fighting vehicle.

Halverson also stated that he feels spending \$130,000 for a 4-man duty truck out is excessive, and the turning radius is terrible on these things. He has a hard time with \$130,000 and the heaviness of the equipment and asked why we can't go with an F450 with an insert in the back for \$60,000 less. Hansen clarified that it wouldn't be \$60,000 less and identified that the proposed vehicle isn't a duty truck design, but is proposed to have oversized tires to get us through the sand and mud better. Hansen discussed the NFPA 1906 standards that other departments have gone to including Elk River, Becker, and Hanover. The NFPA 1906 standards state that the apparatus is designed for off-road use and we shouldn't exceed 80% of the gross vehicle weight, which we are currently over now. We also have to account for over 900 pounds of excess equipment and we have to have the right ground clearance which we won't reach with the F350 pickup. Halverson discussed that he doesn't like all the custom made features and Hansen explained that leadership of the department met and felt this was the best option so we won't be overloaded and we won't open ourselves up to litigation.

Council Member Seefeld asked what the life expectancy is of this new vehicle. Hansen discussed that the old grass truck is a 1996 so we should expect a long lifespan for the vehicle. Seefeld reviewed discussions at the Fire Board Meeting and noted that we always look at ways to save money whenever we can. Supervisor Felber spoke up that he was concerned about the suspension and putting firefighters at risk. Halverson stated that the truck isn't in question, it is the \$80,000 in upgrades and customization. Hansen stated that there aren't unnecessary upgrades. Halverson discussed a program he heard about where the Department could lease out our grass rig during off wildfire season to other communities that have a need year-round. Hansen didn't think it would be a good idea to take one of our trucks out of service and leave the Department shorthanded as we can have dry winters and grass fires throughout the year. Halverson stated that he doesn't understand why it can't be a regular box with a slide-in insert. Hansen discussed how unorganized the back of the truck can be and how dirty and out of place equipment has been. We should have pride in the ownership of our equipment.

Council Member Hanson reviewed that within one week we had six grass fires. Our current tanks are smaller than what this one will be, and running out of water was an issue. Having an upgraded size will be beneficial, and noted that the grass rigs are first line out for helicopter landing zones, and this will allow us to have extra gear to provide a safe landing zone. Hanson also stated that there are benefits to the compartments that are added on.

Mayor Knier reviewed discussions at the Fire Board Meeting and noted that we always look at saving costs wherever we can. Orrock Supervisor Felber spoke up that he was concerned about the safety of the F450's. Knier urged the Fire Department to check into

leasing out the vehicle in our off season. Mayor Knier explained that the potential future leasing of the vehicle has no bearing on tonight's approval for awarding the low bid. Council Member Seefeld motioned to accept the low bid for the purchase of a 2021 Brush Rig for the Big Lake Fire Department from Heiman Fire in the amount of \$128,622. Seconded by Council Member Hanson, unanimous ayes, motion carried.

7E. Resolution Authorizing Temporary Capacity Expansion for Bars and Restaurants

Clay Wilfahrt reviewed current capacity restrictions that continue to be placed on local businesses due to COVID. Staff has received a request to continue the City's waiver of rules regarding outdoor seating to help bars and restaurants maintain profitability during the restrictions. Wilfahrt noted that this same waiver of rules was passed in 2020. Upon Council approval, Staff would work with local businesses to allow them to serve food, beverages, and alcohol on an expanded portion of their premises provided they comply with State and local laws.

Council Member Seefeld asked how many businesses would utilize this. Wilfahrt indicated that six businesses utilized the expansion option last year when there was no indoor dining.

Council Member Hanson motioned to approve Resolution No. 2021-26 to authorize to temporarily permit outdoor customer service areas and outdoor liquor sales through December 31, 2021 in response to COVID-19 State of MN limitations placed on bars and restaurants. Seconded by Council Member Halverson, unanimous ayes, motion carried.

7F. Monthly Department Reports

Fire Department – Fire Chief Seth Hansen provided statistical information on calls for service for the month of March. Hansen also reviewed online training on building construction, how to read a building, and eye safety, and discussed hands on training on ladders and roof operations. Hansen thanked the Becker Fire Department for allowing the Big Lake Fire Department to participate in a live controlled burn. Hansen discussed preventative measures residents should be aware of regarding grass and wildland fire season and noted that the Department has responded to five grass/wildland fires in the last two weeks.

Police Department – Acting Police Chief Matt Hayen updated Council on police statistics, calls for service, and significant arrests, and reviewed community events the Department participated in. Hayen discussed the recent event in the City of Brooklyn Center and reviewed the Department's training on Taser usage. Big Lake's policy states the Taser shall be opposite of the duty weapon, requires yearly training, transitional drills, and annual scenario-based training to put officers in intense and stressful situations. Hayen also

discussed K-9 trials that Officer Chaffee and K-9 Bruno attended. Council Member Seefeld thanked the Big Lake Police Department for their professionalism and always doing a great job. Council Member Halverson discussed the possibility of using DWI forfeiture funds for funding a crosswalk and lighting along CR 5 near Park Avenue where the trail comes down. Hayden indicated that we could partner with the County to look at options in this area.

Engineering Department – Layne Otteson provided an update on engineering projects underway in the City. Otteson reviewed the 2021 Street and Utility Improvement Project, meetings with private developers, the MS4 Permit application, and the Safe Routes to School project. Otteson discussed permit reviews and inspections his office has conducted, discussed the Glenwood Avenue/Birch Avenue tree trimming project, and issues with water services connecting to the water main.

Student Liaison – Ella Dotzler provided an update on Big Lake Schools. Dotzler reviewed discussions at the Big Lake School Board that included discussion of a possible bond referendum for buildings and grounds, and noted that the technology levy and incoming CARES Act funds are being allocated to improving district internet connections for students and families. Dotzler also discussed the status of in-person learning during COVID, noting that it is possible that the schools could return to hybrid or distance learning if school cases continue to increase. Dotzler also provided an update on plans underway for Prom and Graduation.

8. ADMINISTRATOR'S REPORT

Clay Wilfahrt provided a status update on the CMRP group. Wilfahrt also reviewed that the Public Works Department will be removing debris from the hazardous property at 4303 Ridge Drive the week of April 26th. Costs will be assessed back to the homeowner upon approval of the courts. Staff will also petition the courts to cover all City costs to bring the property into compliance. Wilfahrt discussed yesterday's Special Election noting that unofficial results are available from the City Website, and reviewed that Council will be canvassing the results at a special meeting at 1:30 p.m. on Friday, April 16 in the City Council Chambers. Mayor Knier stated that he is happy the CMRP group isn't trying to usurp the sovereignty of the local entities.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Mayor Knier: reviewed the Special Fire Board Meeting, and the April BLEDA Meeting. Mayor Knier also reviewed the Special City Election and thanked candidates, voters, City Staff, and Election Judges who worked hard to make the election run smoothly. Knier stated that it would have been easier to just appoint to fill the vacancy, but he is a firm believer that the right of the citizens to elect their representation is a rock solid core principal. He is very happy with the turnout of 516 people who came out to exercise their

constitutional right. 6,840 voters had the right to vote and nobody took that right away. Knier congratulated Kim Noding and stated that he is looking forward to serving with her.

Council Member Halverson: reviewed the April BLEDA Meeting.

Council Member Hanson: discussed the recent Big Lake Community Education Meeting and the Big Lake Community Lakes Association Meeting.

Council Member Seefeld: reviewed the Planning Commission Meeting held in April. Seefeld asked what we do if a resident calls about a lost dog. Matt Hayen reviewed the procedure the Department follows when they locate a loose animal.

10. **OTHER** – No other.

11. **ADJOURN**

Council Member Seefeld motioned to adjourn at 7:38 p.m. Seconded by Council Member Hanson, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council _____ 04/28/21