

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
MAY 22, 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, Community Development Director Hanna Klimmek, Public Works Director Mike Goebel, City Engineer Layne Otteson, Police Chief Joel Scharf, City Clerk Gina Wolbeck, City Planner Michael Healy, and Liquor Store Manager Greg Zurbey.

4. OPEN FORUM

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

Bettina Potter, 120 Edgewater Place – Encouraged the newly formed Lake Mitchell Closure Taskforce members to consider liability versus asset relationships and the potential cost to City residents should any unforeseen situation come about. Potter stated that she is not personally willing to increase her City taxes to pay for an invasive species infestation that we may be able to mitigate by taking action that is uncomfortable, emotional, and plays into the hands of people that do not reside in the City.

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 removal of item no. 7A. Seconded by Council Member Knier, unanimous ayes, Agenda adopted.

6. CONSENT AGENDA

Council Member Hansen motioned to approve the Consent Agenda with the removal of item no. 6H. Seconded by Council Member Johnson, unanimous ayes, Consent Agenda approved. The Consent Agenda consists of: 6A. Approve Joint Powers Board Meeting Minutes of May 8, 2019, 6B. Approve Council Workshop Minutes of May 8, 2019, 6C. Approve Regular Council Meeting Minutes of May 8, 2019, 6D. Approve Employment Status Change for Part-time Liquor Clerk Jodie Audette, 6E. Approve Hire of Part-time Liquor Clerk Joseph Brommett, 6F. Approve Lawn Maintenance / Snow and Ice Removal Contract with Sharpline Lawn Care, LLC, 6G. Approve Resolution No. 2019-36 Releasing the Big Lake Industrial Park Phase II Land from the Terms and Conditions of Resolution No. 2003-07, ~~6H. Approve Resolution Ordering Advertisement for Bids for the 2019 Wastewater Treatment Facility Improvements~~, 6I. Accept Resignation from CSO Jamie Shores, and 6J. Approve Third Amendment to Tower Lease Agreement with T-Mobile.

7. BUSINESS

7A. ~~Presentation – Independence Elementary STEM Update~~

Item was removed from Agenda at the request of Independence Elementary School Principal Darren Kern.

7B. Concept Plan Review – LGL Real Estate Investments

Michael Healy reviewed the planners report for the Concept Plan Review submitted by LGL Real Estate Investments for a proposed plat that would create a 40-acre industrial park on Outlot F and G of Big Lake Marketplace Third Addition. Healy noted that this project site is located in the City's newest zoning district, the I-4 Innovation Industrial District. The new district was designed to create a space within the City with reduced design standards and allowances for outdoor storage where startups and other small industrial businesses could locate. Healy reviewed comprehensive plan goals for the I-4 zoning district, sidewalk requirements, street and cul-de-sac design, the preservation of existing trees, delineated wetland areas, buffer and transition requirements, lot size/layout design, and park dedication requirements. Healy noted that the Applicant is not planning to final plat the entire development into buildable lots within the Big Lake Marketplace Ninth Addition Plat. Part of the property will be left as unbuildable outlots which will need to be turned into buildable lots through future plats. Healy discussed the Planning Commission's review that

was done on May 1, 2019. The Commission's general consensus was support for the concept plan with the understanding that the Applicant would need to obtain a variance and an ordinance amendment in order to implement his vision for the development. Healy also discussed staff review of the sidewalk requirements and the City's Complete Streets Policy.

Council Member Knier asked for clarification on how cul-de-sacs can affect water quality. Layne Otteson explained that water can get stagnant if it's not moving continuously through the pipes. Otteson also noted that fire protection from longer cul-de-sacs could be an issue if not designed properly. Mike Goebel discussed chlorine residual levels, noting that this area will require increased monitoring. Council Member Johnson stated that she feels sidewalks would not be necessary in this area. Council advised that they are in favor of the Applicant moving forward with the application process.

7C. Variance – McDonalds Corporation (330 Jefferson Blvd)

Michael Healy reviewed the planners report for the Variance application submitted by McDonalds Corporation for their commercial property located at 330 Jefferson Boulevard. The Applicant has requested variances to allow four menu board signs, and to allow 60 square feet of new electronic changeable menu board signage. Healy noted that the site currently holds a Conditional Use Permit and Variance allowing for two menu board signs and a 42.44 square foot electronic changeable menu board sign. Healy reviewed that electronic changeable copy menu board signs are now considered the norm due to technology advancements and that the City should consider updating the sign regulations to distinguish between types of electronic changeable copy signs. The Planning Commission held a public hearing on May 1, 2019. No public comment was received at the hearing. The consensus of Planning Commission was that the 16-square foot allowance for electronic changeable copy signage was intended to limit the amount of electronic signage that would be visible to passing drivers and was not intended to regulate menu board signage. The Commission unanimously recommended approval of the Variances and indicated that they would support an amendment to the sign ordinance.

Council Member Backlund motioned to approve Resolution No. 2019-37 approving a variance to allow electronic changeable copy signage to exceed the maximum square footage of sixteen square feet and to allow four menu board signs which exceeds the maximum of two menu board signs at McDonalds located at 330 Jefferson Boulevard. Seconded by Council Member Knier, unanimous ayes, motion carried.

7D. Ordinance – Transit-Oriented Development (TOD) Revisions

Michael Healy reviewed the planners report for the amendments to the Transit-Oriented Development Zoning District. Healy noted that the amendments are an attempt to better

align Big Lake's station area development rules with what the free market will support. The existing ordinance is severely out-of-touch with market realities which has been confirmed by numerous market studies and staff research. Proposed amendments would allow stand-alone residential buildings near the train station, revises design standards, parking rules, and allows residential developments with reduced parking near the station. The Planning Commission held a public hearing on May 1, 2019, where comment was taken from Bettina Potter. Potter stated that she would like to see an allowance made for 15-foot setbacks for residential buildings and believes that most residents want underground parking, not surface parking. Potter also noted that she has concerns about the station area being developed primarily with apartment buildings. Potter did not have any strong objections to the proposed amendments. The Planning Commission unanimously recommended approval of the draft ordinance with a modification that the maximum setback for residential project be changed to 15-feet versus 10-feet. Healy also noted that staff is recommending an additional amendment to the off-street parking and loading section to ensure that various parts of the code are in alignment. Healy also recommended adding ramps and similar features to be listed on items that are allowed to be encroached in apartment setbacks.

Council Member Johnson motioned to approve Ordinance No. 2019-08 revising the TOD District code and related code sections and approve Resolution No. 2019-38 authorizing a summary publication. Seconded by Council Member Hansen, unanimous ayes, motion carried.

7E. Ordinance Repealing the Animal Licensing Program

Joel Scharf reviewed discussions held at the May 8, 2019 Council Workshop regarding eliminating the City's animal licensing program. Scharf discussed changes made to the City's dog licensing program in January 2016 which resulted in going from a "lifetime" license to a biannual licensing of all dogs in the City. It was anticipated that this process would bring together a more robust database of dogs in our City, at the same time allowing for the verification of rabies vaccination at the time of licensure. Scharf noted that in review of the success of the change for the past two years, it has been determined to not have had the desired effect. The volume of staff time spent in the licensing process, along with weak revenues from license sales were determining factors in Council directing staff to proceed with eliminating the program. Scharf noted that several communities are electing to end the practice of dog licensure and are replacing this practice with encouragement to dog owners to microchip their dogs, or to purchase customized tags which identify the owners and addresses.

Council Member Johnson discussed costs associated with the City picking up loose dogs if we are unable to find the dog's owner. Johnson discussed the need for the City to encourage dog owners to be responsible pet owners, and asked how we can pass the

animal cost on to the pet owner. Scharf noted that the Police Department will be documenting issues to help curtail repeat offenders. Discussion was also held on the possibility of installing animal waste stations that would offer literature explaining animal rules and expectations. Scharf noted that he will put together a strategy to address animal issues. Council Member Knier clarified that the City will only be encouraging chipping, not requiring it. Scharf noted that we will work with a vet clinic to offer microchipping, and will push out information to residents.

Council Member Knier motioned to approve Ordinance No. 2019-09 repealing the City's Animal Licensing Program, and approve Resolution No. 2019-39 authorizing summary publication. Seconded by Council Member Hansen, unanimous ayes, motion carried.

7G. Monthly Department Reports

Greg Zurbey provided a liquor store year-to-date financial review, discussed in-store tastings, noted that members from the Big Lake Fire Department sold dance tickets at the store, the Knights of Columbus conducted their tootsie roll drive, and Sherburne County's "Sticker Shock" program was conducted the week of Prom. Zurbey also reviewed the Spring Wine Sale, and attendance at the MMBA conference.

Hanna Klimmek provided an update on activities in the Community Development Department. Klimmek reviewed housing/commercial development statistics/projects, and redevelopment projects. Klimmek also discussed BR&E visits, noted that the new summer Code Enforcement Intern started employment recently, and reviewed upcoming City hosted community events.

8. LIST OF CLAIMS

8A. Consider List of Claims

Council Member Hansen motioned to approve the List of Claims dated 05/03/19 through 05/14/19 with the removal of Check No. 79873 and 79951 for separate consideration, and approve payroll no. 10. Seconded by Council Member Johnson, unanimous ayes, motion carried.

8B. Consider Inspectron, Inc. Payment

Council Member Hansen motioned to approve payment of Check No. 79951 in the amount of \$480.00 payable to Inspectron, Inc. for services rendered. Seconded by Council Member Johnson, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Backlund, Hansen, Johnson, and Knier voting aye, and Council Member Wallen abstaining. Motion carried.

Mayor Wallen discussed his labor contract with Inspectron, Inc. for work he does in the St. Joseph, MN area, and reviewed laws that regulate when an elected official should abstain from voting on payments made by the City. Wallen indicated that the City Attorney has reviewed these payments and advised that while not necessarily required, he is choosing to abstain on this payment.

8C. Consider Audio Communications Payment

Council Member Hansen motioned to approve payment of Check No. 79873 in the amount of \$100.00 payable to Audio Communications for the return of a sign escrow deposit. 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 discussed the Highway 25 Coalition noting that the staff group continues to meet and will be recommending the Coalition work on a Comprehensive Land Use Plan. The Plan would look at all the different options and how they will impact land use and benefit each community so we can negotiate how many options to move forward and present to the federal government for approval and funding. Wilfahrt also informed Council that the owner of the fire damaged structure located at 530 Westwood has been court ordered to remove the structure. If the owner doesn't remove in the court determined timeframe, the City will hire a contractor and assess the costs to the property.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Backlund: Reviewed the May Parks Advisory Board Meeting.

Council Member Johnson: Reviewed the May BLEDA Meeting.

Council Member Knier: Discussed the Recycling Day event held on May 18, and reviewed the May Big Lake Beyond the Yellow Ribbon Meeting. Knier also reviewed Memorial Day events scheduled that will include a service at the Big Lake Cemetery, a luncheon at Lions Park, and the annual wreath laying ceremony at the Veteran's Memorial.

11. OTHER – No other.

12. ADJOURN

Council Member Hansen motioned to adjourn at 7:13 p.m. Seconded by Council Member Knier, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council _____ 06/12/19