

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
AUGUST 22, 2007**

1. CALL TO ORDER

Mayor Don Orrock called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Council Members present: Dick Backlund, Chuck Heitz, Lori Kampa, Patricia May, and Don Orrock. Also present: City Administrator Scott Johnson, Finance Director Corey Boyer, City Clerk Gina Wolbeck, Public Works Director Mike Goebel, Building Official Sam Rudd, City Attorney Soren Mattick of Campbell Knutson, City Engineer Brad DeWolf and Jared Voge of Bolton & Menk, Inc., and City Planner Nate Sparks of Northwest Associated Consultants, Inc. (NAC).

4. OPEN FORUM

Mayor Orrock opened the Open Forum at 7:01 p.m.

Bruce Pfeffer, 1351 Isanti Street; Addressed Council with concerns relating to the quality of the lakes, code enforcement, and police department issues.

Pete Adams, 201 Shoreview Estates; Discussed train whistle complaints and offered to serve on a committee or provide citizen help in any manner that Council could utilize him.

Mayor Orrock closed the Open Forum at 7:11 p.m.

5. PROPOSED AGENDA

Council Member Kampa motioned to adopt the proposed Agenda with an additional Closed Session item to be listed as item 12A – Attorney/Client Privilege. Seconded by Council Member May, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Heitz motioned to approve the Consent Agenda with the removal of item 6F. Seconded by Council Member Kampa, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Council Meeting Minutes of August 8, 2007, 6B) Approve Hiring of Senior Planner, 6C) Reset Council Gathering Date for the Northstar Maintenance Facility Ground Breaking Ceremony on September 6, 2007, 6D) Approve Park Advisory Committee Recommendations, 6E) Approve Revised Purchase Amount for V-Plow Holder Equipment, 6F) ITEM REMOVED [Approve Transfers Out of the Street Improvement Capital Project Fund into the G.O. Improvement Bond] and 6G) Approve the Request for Proposals Regarding Auditing Services.

7. BUSINESS

7A. Award Sale of G.O. Improvement Bond Series 2007E

Shelly Eldridge presented the bond sale report for the \$900,000.00 General Obligation Improvement Bond, Series 2007E for the 100% assessed Marketplace Eastern Industrial Park project which will allow for the extension of 197th Avenue. Ms. Eldridge informed Council that the low bid was received from Wells Fargo Brokerage Services, LLC from Minneapolis, MN at a rate of 4.0625%. Ms. Eldridge also informed Council that the City's Moody rating was reaffirmed at A2.

Council Member Heitz motioned to accept the low bid from Wells Fargo Brokerage Services, LLC from Minneapolis, MN, and to approve Resolution #2007-85 providing for the issuance and sale of \$900,000.00 General Obligation Improvement Bonds, Series 2007E, pledging for the security thereof special assessments and levying a tax for the payment thereof. Seconded by Council Member Kampa, unanimous ayes, motion carried.

7B. Award Sale of G.O. Utility Revenue Improvement Bond Series 2007F

Shelly Eldridge presented the bond sale report for the \$1,325,000.00 General Obligation Utility Revenue Bond, Series 2007F to partially fund construction of Water Tower #4, the Fire Hall Utility Extension project, and the County Road 81 Utility Extension project. Ms. Eldridge informed Council that the low bid was received from Wells Fargo Brokerage Services, LLC from Minneapolis, MN at a rate of 4.3639%.

Council Member Kampa motioned to accept the low bid from Wells Fargo Brokerage Services, LLC from Minneapolis, MN, and to approve Resolution #2007-86 providing for the issuance and sale of \$1,325,000.00 General Obligation Utility Revenue Bond, Series 2007F, pledging for the security thereof special assessments and levying a tax for the payment thereof. Seconded by Council Member May, unanimous ayes, motion carried.

7C. Lake Improvement District Discussion

Soren Mattick reviewed the Lake Improvement District report which included information on purpose and powers, establishment, financing methods, and requirements of a Lake Improvement District. Mr. Mattick encouraged the Council to contact other communities that have this type of district to help identify any issues or benefits those communities have found when their districts were established. Specific properties will also need to be identified and the Council will need to consider how the district will be taxed.

Dave Reines, Big Lake resident; Discussed the status of the Lake Association and indicated that he likes the "city-wide" approach to the taxing district.

Pat Adams, 201 Shoreview Estates; Suggested that the City utilize State and Federal funds that could be available for this type of district.

Council directed staff to add this item to the September 5, 2007 Council Workshop agenda for further discussion.

7D. MN Department of Transportation "Limited Use Permit" for the Esplanade Project

Brad DeWolf discussed the MnDOT required "Limited Use Permit" for the construction of the Esplanade within MnDOT Right-of-Way. Council directed staff to provide an update of the esplanade project at the September 12, 2007 meeting.

Council Member Heitz motioned to approve Resolution No. 2007-87 approving a Minnesota Department of Transportation Limited Use Permit to construct a non-motorized trail within MnDOT's U.S. Highway 10 Right of Way for the Esplanade Project and to authorize the Mayor and Administrator to execute the permit. Seconded by Council Member Kampa, unanimous ayes, motion carried.

7E. Project Status Report – City Engineer

Brad DeWolf reviewed the August 2007 Engineers Report and answered questions from Council.

8. LIST OF CLAIMS

8A. Consider List of Claims

Council Member May motioned to approve the List of Claims ranging from Check No. 51620 through Check No. 51731 with the exception of Check No. 51628. Seconded by Council Member Kampa, unanimous ayes, motion carried.

8B. Consider Audio Communications Payment in the Amount of \$293.23
Council Member Heitz motioned to approve payment of Check No. 51628 payable to Audio Communications. Seconded by Council Member Kampa, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Heitz, Kampa, May, and Orrock voting aye and Council Member Backlund abstaining. Motion carried.

9. ADMINISTRATOR'S REPORT

Scott Johnson updated Council on the hiring status of vacant City positions.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Backlund: Reviewed the August 15th Planning Commission Meeting.

Council Member Heitz: Provided an update on the August EDA and Transit Oriented Development meetings. Council Member Heitz also reminded Council of the upcoming Northstar Corridor Groundbreaking Ceremony on September 6, 2007.

Council Member Kampa: Reminded Council of the upcoming City employee picnic scheduled on August 30, 2007 at Lakeside Park.

Council Member May: Updated Council on the August Park Advisory Board Meeting and discussed additional funds that they will be seeking for needed park equipment. Mike Goebel gave an update on the Gallus Park equipment needs.

11. OTHER

Council Member Kampa motioned to recess the regular session at 7:50 p.m. to go to Closed Session for attorney/client privilege allowed under MN Statute 13D.05, subd. 3b, Negotiation of Land Purchase for parcel numbers 65-401-0021, 65-420-0030, and 65-120-1400 allowed under MN Statute 13D.05, subd. 3c.3, and to discuss an internal investigation allowed under MN Statute 13D.05, subd. 2. Seconded by Council Member Heitz, unanimous ayes, motion carried.

12. CLOSED SESSION

Mayor Orrock opened the Closed Session at 8:02 p.m. Council Members present: Dick Backlund, Chuck Heitz, Lori Kampa, Patricia May, and Don Orrock. Also present: City Administrator Scott Johnson, Finance Director Corey Boyer (during 12B only), City Clerk Gina Wolbeck, City Attorney Soren Mattick of Campbell Knutson, William Everett and Dan Kurtz from Everett Law, LLC (during 12A only), and City Engineer Brad DeWolf (during 12B only).

12A. Attorney/Client Privilege

League appointed attorney William Everett from Everett Law, LLC reviewed documents that were served to the City in relation to a complaint filed by an employee. No action was taken by Council.

12B. Negotiation of Land Purchases

Soren Mattick discussed the potential purchase of parcel numbers 65-401-0021, and 65-420-0030, and Brad DeWolf discussed the potential purchase of parcel number 65-120-1400. No action was taken by Council.

12C. Internal Investigation

Soren Mattick discussed the status of an internal investigation currently underway relating to complaints filed on the Police Chief. No action was taken by Council.

Council Member Heitz motioned to close the Closed Session and reconvene the regular meeting at 9:16 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Kampa motioned to authorize staff to offer Option A for the purchase of parcel number 65-401-0021. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Heitz motioned to authorize staff to offer Option A for the purchase of parcel number 65-420-0030. Seconded by Council Member May, vote passed with a vote of 4:1 with Council Members Backlund, Heitz, May, and Orrock voting aye, and Council Member Kampa voting nay, motion carried.

Council directed staff to place the Martin Avenue Phase III project on the September 12, 2007 agenda for a formal vote.

13. ADJOURN

Council Member May motioned to adjourn at 9:18 p.m. Seconded by Council Member Heitz, unanimous ayes, motion carried.

Clerk

Date Approved By Council _____