

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
MAY 24, 2006**

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: Chuck Heitz, Lori Kampa (arrived at 7:02 p.m.), Duane Langsdorf (arrived at 7:02 p.m.), Patricia May, and Don Orrock. Also present: Assistant City Administrator Scott Johnson, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, City Clerk Gina Wolbeck, Public Works Director Mike Goebel, City Planner Annie Deckert, City Attorney Matthew Brokl 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.

Jim Feld; 290 Shoreview Estates – Presented Council with pictures of the city owned pond area located by Shoreview Estates. Mr. Feld notified Council that this pond area is causing damage to their properties.

Council directed staff to investigate this site and report back at the June 14th Meeting.

Mayor Orrock closed the Open Forum at 7:03 p.m.

5. PROPOSED AGENDA

Council Member Heitz motioned to adopt the proposed Agenda as presented. Seconded by Council Member Langsdorf, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Kampa motioned to approve the Consent Agenda with the removal of item 6D for separate consideration. Seconded by Council Member Langsdorf, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Meeting Minutes of May 10, 2006; 6B) Approve List of Claims; 6C) Approve Police Department Donation Resolution No. 2006-68; 6E) Approve Over-sizing Credit for the Hidden River Estates Development; 6F) Approve Appointment of Volunteer Reserve Officer; 6G) Approve Park Advisory Recommendations and Donation Resolution No. 2006-69, and 6H) Approve Lawful Gambling Resolution No. 2006-70 at Victory Sports Grill & Bar for the Becker – Big Lake Ice Association.

6D) Approve Assessment Policy Amendment

Council Member Heitz asked that the Policy clearly identify that corner lot property owners will only be assessed on one improvement project.

Council Member Heitz motioned to approve the Assessment Policy Amendments and to identify that corner lot property owners will only be assessed on one improvement project. Seconded by Council Member May, unanimous ayes, motion carried.

7. BUSINESS

7N. Presentation – Representative Mark Olson (Mayor Orrock moved item to the beginning of the Agenda)

Representative Mark Olson presented a Legislative Update including information on recently approved laws relating to annexation, eminent domain, and precinct boundary notification changes. Representative Olson also answered questions of Council.

7A. PUBLIC HEARING – Martin Avenue Phase II Improvement Project

Brad DeWolf reviewed the plans for the Martin Avenue Phase II Improvement Project. Mr. DeWolf identified that the scope of the original Martin Avenue project has been reduced to include the extension of Martin Avenue only from Fern Street to Phyllis Street north of the Plaza Mall.

Mayor Orrock opened the public hearing at 7:23 p.m. No one came forward. Mayor Orrock

closed the public hearing at 7:24 p.m.

Council Member Heitz motioned to approve Resolution No. 2006-71 authorizing ordering improvements and directing preparation of Final Plans and Specifications for the Martin Avenue Phase II Improvements. Seconded by Council Member Langsdorf, motion passed with a vote of 4:1 with Council Members Heitz, Kampa, Langsdorf, and Orrock voting aye, and Council Member May voting nay, motion carried.

7B. Award of Sale of G.O. Improvement Bonds and Capital Improvement Bonds

Shelly Eldridge presented the bond sale report for the \$2,425,000 General Obligation Improvement Bonds, Series 2006A for the 2006 street improvement projects, and the Martin Avenue Phase II Project. Ms. Eldridge informed Council that the low bid was received from Wells Fargo Brokerage Services, LLC from Minneapolis, MN at a rate of 4.1561%. Ms. Eldridge also informed Council that the City's Moody rating was reaffirmed at A2.

Council Member Langsdorf motioned to accept the low bid from Wells Fargo Brokerage Services, LLC of Minneapolis, MN, and to approve Resolution #2006-72 providing for the issuance and sale of \$2,425,000 General Obligation Improvement Bonds, Series 2006A, pledging for the security thereof special assessments and levying a tax for the payment thereof. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Ms. Eldridge also presented the bond sale report for the \$1,135,000 General Obligation Capital Improvement Plan Bonds, Series 2006B for the fire hall expansion Project. Ms. Eldridge informed Council that the low bid was received from Northland Securities, Inc. from Minneapolis, MN at a rate of 4.2969%.

Council Member Langsdorf motioned to approve Resolution No. 2006-73 providing for the issuance and sale of \$1,135,000.00 General Obligation Capital Improvement Plan Bonds, Series 2006B and levying a tax for the payment thereof. Seconded by Council Member Heitz, unanimous ayes, motion carried.

7C. PUBLIC HEARING – TIF District 1-4 Modification

Shelly Eldridge reviewed the original creation of TIF District 1-4 and identified that a single parcel was inadvertently left off of the parcel list for that District. Ms. Eldridge presented a general summary of the TIF Plan modification along with a map showing the parcel that is being added.

Mayor Orrock opened the public hearing at 7:37 p.m. No one came forward. Council Member Langsdorf motioned to close the public hearing at 7:38 p.m. Seconded by

Council Member May, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve Resolution No. 2006-74 approving the elimination of a parcel from Tax Increment Financing District No. 1-1 within Municipal Development District No. 1. Seconded by Council Member Heitz, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Resolution No. 2006-75 adopting a modification to the development program for Municipal Development District No. 1; and a modification to the Tax Increment Financing Plan for Tax Increment Financing District No. 1-4. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7D. Remmele Addition Final Plat Application

Nate Sparks reviewed the planners report for the Remmele Addition Final Plat Application. The proposed 68 acre site is located at Industrial Drive and 198th Avenue NW south of US Highway 10. Remmele Engineering is proposing to plat the site into five parcels

Council Member Heitz motioned to approve Resolution No. 2006-76 approving the Final Plat of the Remmele Addition and setting forth conditions to be met prior to release of the final plat. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7E. Fire Hall Expansion Award of Contract

Scott Johnson reviewed the bids received on the Fire Hall Expansion project and indicated that eight sealed bids were received with the low bid submitted from Greystone Construction from Shakopee, MN in the amount of \$999,300.00. Mr. Johnson also identified that the project manager, Fred Patch has requested Council approval on an additional \$40,000 to include corrections to the original architectural plans. City Attorney Matt Brokl identified that proper procedure for these types of changes should be approved through a change order process.

Council Member Kampa motioned to accept the results of the public bidding and authorize the Mayor and Interim City Administrator, in cooperation with Big Lake Township, to enter into a contract with Greystone Construction Company for the 2006 Big Lake Fire Station Building Expansion Project in the amount of \$999,300.00 with an additional \$40,000 to correct identified errors in the architectural drawings. Council Member Heitz offered a Friendly Amendment to the motion to remove the \$40,000 additional expense. Friendly Amendment accepted by Council Member Kampa. Amended Motion Seconded by Council Member May, unanimous ayes, motion carried.

7F. Code Enforcement – Yard Parking Discussion

Annie Deckert reviewed possible amendments to the current city code relating to yard parking. Staff is seeking Council direction on holding a public hearing either at Council or Planning Commission level to give the public an opportunity to voice their concerns on the proposed changes to the code. Matt Brokl discussed Council's option of holding the hearing only on amending the definition of "vehicle", number of vehicles allowed, and defining "hard surface".

Council directed staff to hold a public hearing at an upcoming Planning Commission meeting to seek public feedback on yard parking amendments to include the definition of "vehicle", number of vehicles allowed, and defining "hard surface".

7G. Sewer Access Charge Policy

Corey Boyer reviewed the proposed sewer availability charge (SAC) manual that identifies the City's policy on SAC credits. Mr. Boyer identified that the initial SAC determination would be based on actual usage versus the Met Council formula, as has been past practice. The policy also details how SAC credits would be calculated through a re-determination process.

Council Member Langsdorf motioned to approve the Sewer Availability Charge Manual as presented. Seconded by Council Member Kampa, unanimous ayes, motion carried.

7H. Septic System Regulations

Mike Goebel reviewed the process staff follows in regard to septic system inspections, installations, and design. Mr. Goebel identified that there are currently 51 residential properties and 2 commercial properties that have individual septic systems in the City. The residential properties are located in an area where municipal sewer is not available.

Council directed staff to notify the Public Works Director when a building permit application is submitted for a property known to have a private septic system to ensure that proper inspections are conducted.

7I. Crosswalk Signage Discussion

Brad DeWolf reviewed comments received from MNDOT relating to the City's request for an inspection of the crosswalk areas on Highway 10. Staff is recommending Council invite Tom DuMont, District 3 MNDOT Traffic Engineer, to provide further information to Council and to attend a future meeting to discuss the City's concerns with these intersections.

Council directed staff to invite Tom DuMont, District 3 MNDOT Traffic Engineer, to provide

further information to Council to discuss the City's concerns with these intersections at a future meeting. Council also directed staff to provide additional enforcement in these areas.

7J. Project Status Report – City Engineer

Brad DeWolf reviewed the May 16, 2006 Engineers Report and answered questions of Council.

7K. Recruitment for 2006 Positions

Scott Johnson reviewed the proposed recruitment process for the Waste Water Treatment Plant position, Police Secretary/Records Clerk, Accountant, and Part-time Police Officer positions identified in the 5-year staffing plan. Mr. Johnson identified that staff has agreed to move the Accountant position in front of the Senior Planner position as there is an immediate need in the finance department for additional staff at this time. Council reviewed the initial reasons for the hiring freeze. Council Member Heitz addressed his concerns with the current housing market and indicated that he would be in favor of hiring for the Accountant and Police Department Secretary positions but to hold off on the remaining positions. Staff identified that the Waste Water Treatment Plant position would be funded through the Sanitary Sewer Enterprise fund. Council Member Kampa discussed the necessity of hiring for all four of the positions. Mayor Orrock identified that the need for all the positions should not be based on building permit revenue.

Council Member Kampa motioned to authorize the recruitment of all four positions. Motion failed for a lack of a Second.

Mayor Orrock motioned to authorize the recruitment of the top three positions which consist of the Waste Water Treatment Plant position, the Police Secretary/Records Clerk, and the Accountant position. Seconded by Council Member Langsdorf, motion passed with a vote of 4:1 with Council Members Heitz, Langsdorf, May, and Orrock voting aye, and Council Member Kampa voting nay.

Council Member Heitz left the meeting at 8:30 p.m.

7L. Joint Library Subcommittee

Council discussed which members would be willing to serve on the Joint Library Subcommittee with two members from the Town Board and representatives from the Friends of the Big Lake Library. Council Members Heitz and Kampa volunteered to serve on this committee.

7M. Bus Tour Discussion

Scott Johnson reviewed Council's direction to set up a bus tour to view the condition of various areas in the City and Township. Council Members identified that holding a working dinner after the bus tour would provide an opportunity to review comments taken during the tour.

Council Member Kampa motioned to call for a Special Meeting for the "Tour of the Community" Bus Tour on Tuesday, July 18, 2006 at 5:00 p.m. to view the condition of various areas in the City of Big Lake and Big Lake Township, and to hold a working dinner after the tour in the Big Lake City Council Chambers. Seconded by Council Member May, unanimous ayes, motion carried.

8. ADMINISTRATOR'S REPORT

Assistant City Administrator Johnson reviewed the proposed bidding timeline for the alternate portion of the Lake Plaza Mall façade improvements.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Kampa: Discussed the need for continued street maintenance on various City streets.

Mayor Orrock: Discussed the intersection at Park Avenue East and Powell needing repair.

10. OTHER

No other.

Mayor Orrock closed the regular session at 8:40 p.m. to go to Closed Session per MN Statute 13D, subd. 5. Closed Session started at 8:47 p.m.

11. CLOSED SESSION

11A. Acquisition of Property for Putnam Avenue Entrance

Brad DeWolf discussed the potential purchase of parcel 65-403-0370.

11B. Acquisition of Property for WWTP

Matt Brokl discussed the status of negotiations with the property owner of parcels 10-006-1200, 10-131-3410, and 10-131-4300 for the expansion of the Waste Water Treatment Plant.

Council Member Kampa motioned to close the Closed Session and reopen the regular meeting at 9:09 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

12. ADJOURN

Council Member Langsdorf motioned to adjourn at 9:10 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

Clerk

Date Approved By Council _____