

**BIG LAKE CITY COUNCIL  
REGULAR MEETING MINUTES  
MARCH 28, 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, Community Economic Development Director Jim Thares, City Clerk Gina Wolbeck, Public Works Director Mike Goebel, Police Chief Sean Rifenberick, City Attorney Matthew Brokl of Campbell Knutson, City Engineer Brad DeWolf and Jared Voge of Bolton & Menk, Inc. and Fred Patch of Northwest Inspection Services.

**4. OPEN FORUM**

Mayor Orrock opened the Open Forum at 7:01 p.m. No one came forward. Mayor Orrock closed the Open Forum at 7:02 p.m.

**5. PROPOSED AGENDA**

Council Member Kampa motioned to adopt the proposed Agenda with the removal of items B and D. Seconded by Council Member May, unanimous ayes, agenda adopted.

**6. CONSENT AGENDA**

Council Member Heitz motioned to approve the Consent Agenda as presented. Seconded by Council Member May, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Council Meeting Minutes of March 14, 2007, 6B) Approve Resolution No. 2007-29 Accepting \$250.00 Donation from the Monticello Lions Club, 6C) Approve Public Works Employee Waldbillig be put on Regular Employee Status, 6D) Approve Public Works Employee Kollar be put on Regular Employee Status, 6E) Approve Expanding Legal Contract with Campbell Knutson to include City Representation during Interest Arbitration, 6F) Approve Quit Claim Deed for Former City Dump Site Easement, and 6G) Approve Transfers Between Funds for Financial Reporting Purposes.

**7. BUSINESS**

**7A. Orderly Annexation of Urwin/NCDA Property**

Jim Thares reviewed the annexation request submitted by Larry and Barbara Urwin for a 37.90 acre site located south of Highway 10 east of CR 43. This area is the site of the future Northstar Commuter Train maintenance facility. Mr. Thares explained that the required Joint Public Informational Meeting was held at Town Hall on March 28, 2007 and that no one from the public commented on the proposed annexation.

Council Member Heitz motioned to approve Joint City/Township Resolution No. 2007-02 designating parcels 10-120-4410 and portions of parcels 10-129-1000 and 10-128-2200 in an Orderly Annexation Area and immediately annexing the parcels. Seconded by Council Member Kampa, unanimous ayes, motion carried.

**7B. Designation of Orderly Annexation Area for Proposed Cobblestone Crossing**

Item was pulled from the Agenda. No discussion held.

**7C. Marketplace Eastern Industrial Park Feasibility Report and 429 Agreement Discussion**

Brad DeWolf reviewed the draft preliminary engineering report for the Marketplace Eastern Industrial Park project. Mr. DeWolf explained that a 429 Agreement would be required to construct the extension of 197<sup>th</sup> Avenue and asked for Council feedback on staff proceeding with negotiations with the adjacent property owners. Council and staff reviewed the process for setting up a 429 agreement and how the City will recoup the money invested in the improvements. Council also discussed the importance of ensuring that all property owners in the project area are committed participants prior to Council action.

Council Member Backlund motioned to accept the draft Feasibility Report and directed staff to continue negotiations with property owners in the Marketplace Eastern Industrial Park project. Seconded by Council Member Heitz, unanimous ayes, motion carried.

**7D. Vision Bus Company Project (Big Lake Marketplace Sixth Addition Final Plat, Rezoning & Conditional Use Permit)**

Item was pulled from the Agenda. No discussion held.

**7E. Award Bid for Public Works Expansion Project**

Fred Patch reviewed the bids received on the public works expansion and remodeling project. Ten bids were submitted with the low bid submitted by KUE Contractors, Inc. from Watkins, MN. Staff is recommending Council approve the base bid and Alternate 2 to provide standard block colors in place of custom matched block colors, and Alternate 3 to eliminate anti-graffiti coating and block sealant on the existing building. Council discussed the block color and explained the importance that the expansion and current structure block colors match.

Council Member Kampa motioned to accept the results of public bidding with the selection of alternate 2 & alternate 3 and authorize the Mayor and City Administrator to enter into a contract with KUE Contractors, Inc. of Watkins, MN for the 2007 Big Lake Public Works Building expansion and remodeling project. Seconded by Council Member May, unanimous ayes, motion carried.

#### **7F. CR 43 Speed Zone Study**

Brad DeWolf reviewed the memo from MNDOT's District Traffic Engineer, Tom DuMont relating to a speed study that was conducted along CR 43 in June 2006. The speed study indicates that approximately 75% of vehicles traveling County Road 43 travel at speeds less than the existing 45 mile per hour posted speed limit. The MNDOT is recommending that the existing speed zone be replaced with a 40 mile per hour speed zone. Mr. DeWolf also reviewed the potential for establishing a school zone speed limit of 20 miles per hour when children are present, going to or from school during opening or closing hours, and during school recess periods, and that the installation of flashing school crosswalk signage will be required at the County's expense to alert motorists of the school speed zone. Staff is recommending Council accept and adopt the recommendations of the MNDOT Speed Zone Study and authorize staff to coordinate efforts regarding the establishment of a School Speed Zone as well as the enforcement of the School Speed Zone speed limit with Sherburne County, Big Lake Township, and the Big Lake School District. Council Member Kampa informed Council that Brad Schnitzler, the District Health and Safety Director for Big Lake Public Schools, is in favor of the MNDOT findings and encourages Council support on this item.

Council Member Heitz motioned to accept and adopt the recommendations of the MNDOT Speed Zone Study, and to authorize staff to coordinate efforts regarding the establishment of a School Speed Zone and the enforcement of the School Speed Zone speed limit with Sherburne County, Big Lake Township, and the Big Lake School District. Seconded by Council Member Kampa, vote passed with a vote of 4:1 with Council Members Backlund, Heitz, Kampa, and May voting aye, and Mayor Orrock voting nay. Motion carried.

#### **7G. Hwy 10/CR 5 Intersection Improvements – Discuss Condemnation**

Brad DeWolf discussed the status of the Highway 10/CR 5 Intersection Improvement project and explained that total funding awarded by MNDOT is approximately \$1.28 million. In order to secure the funding provided by MNDOT, the City must provide plans and specifications for their review prior to April 1, 2007. As part of the plan review process, right-of-way is required to be in the process of being acquired. Staff is recommending Council authorize condemnation proceedings on necessary parcels in the project area for the public road purposes. Mr. DeWolf indicated that construction should begin on this project in 2008.

Council Member Heitz motioned to approve Resolution No. 2007-30 authorizing condemnation of land for public purposes for the Highway 10/CR 5 Intersection Improvement Project and authorized staff to continue negotiations with affected property owners. Seconded by Mayor Orrock, vote passed with a vote of 3:2 with Council Members Heitz, May, and Orrock voting aye, and Council Members Backlund and Kampa voting nay. Motion carried.

#### **7H. Project Status Report – City Engineer**

Brad DeWolf reviewed the March 20, 2007 Engineers Report and answered questions from Council. Council directed staff to check into scheduling a “Tour of the Lakes” in 2007.

#### **7I. TOD Committee Appointments**

Jim Thares reviewed the potential committee appointments to the Transit Oriented Committee and requested that Council appoint two representatives from the City Council to this committee. The appointed Council Members will work with other members from the Planning Commission, Economic Development Authority, School Board, Chamber of Commerce, and a local bank representative. To avoid possible quorum conflicts, staff is recommending an eight member committee versus the original plan for a nine member committee.

Council Member May motioned to approve the creation of the eight member Transit Oriented Committee (TOD Committee) consisting of two representatives each from the City Council and Planning Commission, and one representative each from the Economic Development Authority, School Board, Chamber of Commerce, and a local bank. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Mayor Orrock motioned to appoint Council Members Heitz and Kampa to the TOD Committee. Seconded by Council Member May, unanimous ayes, motion carried.

#### **8. LIST OF CLAIMS**

8A. Consider List of Claims

Council Member Heitz motioned to approve the List of Claims ranging from Check No. 50412 through Check No. 50528 with the exception of Check No. 50422. Seconded by Council Member Backlund, unanimous ayes, motion carried.

8B. Consider Audio Communications Payment in the Amount of \$409.91

Council Member Kampa motioned to approve payment of Check No. 50422 payable to Audio Communications in the amount of \$409.91 for security equipment, monitoring, and supplies. Seconded by Council Member Heitz, 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**

Administrator Johnson informed Council that the annual Clean-up Day event will be held on May 5, 2007 and that the Sherburne County Sentence to Serve crew will be able to assist the City and Township with that event.

Administrator Johnson also informed Council that City Attorney Matt Brokl has accepted new employment and will no longer serve as the City Attorney with Campbell Knutson. Council thanked Mr. Brokl for his eight years of service and commitment to the City.

**10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS**

Council Member Backlund: Reviewed the March Planning Commission Meeting and explained the Planning Commission's concerns with the City's restrictive building standards in the industrial zoning districts. Council Member Backlund also informed Council that Bob's Towing has secured a location in the City and would like to have this item discussed again.

Administrator Johnson informed Council that this item is scheduled for the April Workshop. Council Member Backlund discussed inviting the County Sheriff to an upcoming Council Workshop to receive information on contracting with the Sheriff's Office for police services.

Council Member Heitz stated his concern with holding this discussion in a Workshop setting and felt that residents should have input prior to a decision being made. Council directed staff to invite the Sherburne County Sheriff to provide information to Council at a future Workshop date to be set at the next Council Meeting, and if Council chooses to further discuss this item, it would be done at a regular Council Meeting.

Council Member Heitz: Asked Council to set a Joint Planning Meeting on April 25, 2007.

Council Member Heitz motioned to set a Joint Planning Meeting on April 25, 2007 at 5:00 p.m. at Big Lake City Hall to discuss the Visions Bus Company applications, Cobblestone Crossing Annexation, and any other City/Township business deemed necessary. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Mayor Orrock: Informed Council of the status of the FCC Cable Franchising proposed legislation and also provided an update on the recent Industrial Park Expansion Committee meeting.

**11. OTHER**

No other.

**12. ADJOURN**

Council Member May motioned to adjourn at 7:57 p.m. Seconded by Council Member Backlund, unanimous ayes, motion carried.

Gina Wolbeck \_\_\_\_\_  
Clerk

Date Approved By Council 04-11-07