

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES**

APRIL 13, 2005

1. CALL TO ORDER

Acting Mayor Duane Langsdorf 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, Duane Langsdorf, and Patricia May. Council Member absent: Mayor Don Orrock. Also present: City Administrator Patrick Wussow, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, City Clerk Gina Wolbeck, City Planner Ned Noel, Police Chief Sean Rifenberick, City Attorney Matthew Brokl of Campbell Knutson, City Engineer Brad DeWolf and Jared Voge of Bolton & Menk, Inc. and City Planner Al Brixius of Northwest Associated Consultants, Inc. (NAC).

Acting Mayor Langsdorf welcomed the 9th Grade Big Lake High School Civics class.

4. OPEN FORUM

Acting Mayor Langsdorf opened the Open Forum at 7:02 p.m. No one came forward. Mayor Orrock closed the Open Forum at 7:03 p.m.

5. PROPOSED AGENDA

Council Member Heitz motioned to adopt the proposed Agenda with placing item 7C at the beginning of the Regular Agenda under Business items. Seconded by Council Member Kampa, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Heitz motioned to approve the Consent Agenda with the removal of item 6H for separate consideration. Seconded by Council Member Kampa, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve 5:00 p.m. Workshop Meeting Minutes of March 23, 2005; 6B) Approve Regular Meeting Minutes of March 23, 2005; 6C) Approve List of Claims; 6D) Approve Declarations of Official Intent; 6E) Approve Resolution #2005-36 Authorizing a One-Day Exempt Raffle Permit to Our Lady of the Lake Catholic Church on August 14, 2005 at 440 Lake Street North; 6F) Approve Hiring of Police Officer; 6G) Approve Police Officer Employment Status Change; 6I) Approve Variance Resolution #2005-37 for 17075 Trillium Lane; 6J) Approve Variance Resolution #2005-38 for 107 Aspen Lane; 6K) Accept Big Lake Spud Fest Applications for Excluded Bingo and Raffle for the Spud Fest Event Scheduled June 23 - 26, 2005; 6L) Approve EDA Member Compensation; 6M) Accept Demolition Report and Approve Demolition Bid for 170 Lake Street South; 6N) Approve Resolution #2005-39 Establishing Municipal State Aid Highways; 6O) Approve Parking Resolution #2005-40 for the Glenwood Avenue Improvement Project, and 6P) Approve Resolution #2005-41 authorizing MNDOT Cooperative Construction Agreement for the South Highway 10 Frontage Road Improvement Project.

6H) Approve Tom's Small Engine Payment

Council Member Heitz motioned to approve the Tom's Small Engine payment in the amount of \$161.39 for Fire Maintenance Equipment. Motion seconded by Council Member May, motion carried with a vote of 3 to 0 with 1 abstention with Council Members Heitz, May, and Langsdorf voting aye and Council Member Kampa abstaining, motion carried.

7. BUSINESS

7C. Big Lake Spud Fest Donation to the Big Lake Police Department

Kevin Thompson, representing the Big Lake Spud Fest Committee, presented the Big Lake Police Department with a \$400.00 donation to be used towards the purchase of Opticon equipment. Mr. Thompson also updated Council on the progress of the 2005 Spud Fest event scheduled on June 23 – 26, 2005.

Council thanked the Spud Fest organization for their donation.

7A. PUBLIC HEARING – Mount Curve Avenue Improvements

Brad DeWolf discussed the publication error on the first public hearing held for the Hudson Street/Mount Curve Avenue Improvement project. Mr. DeWolf reviewed the proposed project.

Acting Mayor Langsdorf opened the public hearing at 7:13 p.m.

Jane Ramona; 151 Mount Curve Avenue – Asked for clarification on how the storm water runoff will affect the lakes and also questioned parking restrictions.

Brad DeWolf stated the proposed Storm Sewer runoff construction for this project exceeds requirements, and clarified that this street will remain a No-Parking zone.

Susie Payne; 200 Mount Curve Avenue – Stated her opposition to the project and that the storm sewer location doesn't make sense.

Brad DeWolf clarified that discharge will be at lake elevation and will be constructed with an underground piping system located at the greenway area.

Dick Erickson; 219 Mount Curve Avenue – Asked Council to consider using the same type of curbing that was used on the Lake Street Improvement Project.

Mr. DeWolf reviewed that Council previously asked that B Curbing be used as the standard type of curbing due to issues on Lake Street with parking on the sidewalks, although the City can consider surmountable curbing instead of B curbing on Mount Curve Avenue as there are not plans for a sidewalk to be constructed in this area.

Lori Peterson; 140 Mount Curve Avenue – Asked if the DNR has been notified that the City plans on putting more water into the lakes.

Mr. DeWolf addressed Ms. Peterson's lake preservation concerns and informed Council that the City will be exceeding all DNR requirements as with all improvement projects the City has done.

Sandy Haberman; 148 Mount Curve Avenue – Asked for more explanation on the construction of the road, the concrete driveway aprons, and the proposed speed limit.

Mr. DeWolf clarified that the curved portion of Mount Curve Avenue will be a 20 mile per hour speed limit, and that concrete driveway aprons protect the integrity of the concrete curbing.

Hugh Lamberdt; 221 Mount Curve Avenue – Questioned why the catch basin can't be hooked up to the current drain.

Mr. DeWolf indicated that the current drain does not meet current design standards.

Teresa Klatt; 243 Mount Curve Avenue – Stated her opposition to the road improvements

as the current storm sewer system has been working adequately.

Mr. DeWolf reviewed drainage issues and that the storm sewer improvements are being done to protect the integrity of the road system.

Council Member Heitz reviewed the City's goal to implement a road reconstruction program and that all streets in the City will be improved to meet a certain standard.

Acting Mayor Langsdorf closed the public hearing at 7:35 p.m.

Council Member Heitz motioned to approve Resolution #2005-42 approving plans and specifications with changes to the curbing style to include surmountable curbing, and ordering advertisement for bids for the Hudson Street/Mount Curve Avenue Improvements. Seconded by Council Member May, unanimous ayes, motion carried.

7B. Big Lake Area Jaycee's Fishing Tournament Request

Kettie Green, representing the Big Lake Area Jaycee's addressed Council with a request to use Lakeside Park as the site for a fishing tournament benefit in memory of Chad Judge. The benefit is planned on August 27, 2005 from 8:00 am. to 11:00 a.m. The Jaycee's are also asking for Council authorization to waive the parking fees for tournament participants and volunteers and to limit the vehicle/trailers allowed into the park to the event participants to ensure for adequate parking.

Administrator Wussow indicated that Public Works Director Mike Goebel has requested that the Jaycee's contact his department prior to the event to discuss requirements expected of the tournament participants and volunteers.

Council Member Kampa motioned to approve the request of the Big Lake Area Jaycee's for the use of Lakeside Park and waived parking fees on August 27, 2005 for a fishing tournament benefit in memory of Chad Judge, upon discussions held with the Public Works Director. Seconded by Council Member May, unanimous ayes, motion carried.

7D. Park and Trail Plan – Comprehensive Plan Amendment

Al Brixius discussed the planner's report prepared for the amendment to the Big Lake Comprehensive Plan to incorporate the 2005 Park and Trail Plan as an addendum. Mr. Brixius indicated that since July 2004, the Park Committee has been working to develop a more detailed plan for park and trails within the City limits and have analyzed park dedication fees to ensure that adequate funds will exist to implement the proposed plan.

Council Member Kampa thanked the Parks Advisory Committee for the work done on the

Park and Trail Plan.

Council Member Kampa motioned to approve Resolution #2005-43 approving an amendment to the Big Lake Comprehensive Plan to incorporate the 2005 Park and Trail Plan as an addendum. Seconded by Council Member Heitz, unanimous ayes, motion carried.

7E. Hudson Woods – Comprehensive Plan Amendment, Rezoning, and Preliminary Plat

Al Brixius discussed the City Administrators memo included in the packet referring to lack of information received from the Developer to process and negotiate the required Development Contract for the Hudson Woods Development. Mr. Brixius also reviewed the planner's report for the proposed 181 acre development located north of Highway 10 between 172nd Street and 166th Street. The Preliminary Plat would include 219 single family residential lots and 24 commercial lots.

Jim Brown, representing Dynamic's Design and Land Company, reviewed their proposed project indicating that they have done a traffic study in this area and feel that the R1, R1-E, and B-3 districts would provide good land uses. Mr. Brown indicated that they have been working with staff this week to provide the necessary information for the Developers Agreement and would prefer not to wait until the next meeting for approval on the Preliminary Plat, Comprehensive Plan Amendment, and Rezoning.

Council Kampa questioned why the development is proposed as mixed use. Administrator Wussow informed Council that this area is located outside the City's Comprehensive Plan area, and that the residential area would preserve the large oak trees located at this site. Council Member Kampa also stated that she is not in support of putting residential housing in this area.

Council Member Heitz asked for clarification on the location of the collector street along Highway 10. Brad DeWolf informed Council that the driving lane separation will be approximately 80 feet and will have elevation variations to separate Highway 10 and the collector road.

Matt Brokl informed Council that they have been diligently working to complete the Developers Agreement, but that it is not at a point of completion yet. Mr. Brokl also advised Council that the Comprehensive Plan Amendment does require a 4/5 vote to be approved.

Council Member Heitz motioned to table this item until the required information to finalize the Development Agreement is submitted by the Developer and reviewed by staff.

Seconded by Council Member May, unanimous ayes, motion carried.

7F. Proclamation for National Library Week

Acting Mayor Langsdorf read the Proclamation proclaiming April 10 – 16, 2005 as National Library Week.

8. ADMINISTRATOR'S REPORT

Administrator Wussow presented Council with a Final Plat Extension request from the Developer of the Abdo Addition.

Council Member Heitz motioned to approve Resolution #2005-44 approving a filing extension for the Final Plat of Abdo Addition. Seconded by Council Member Kampa, unanimous ayes, motion carried.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Heitz:

Council Member Heitz motioned to approve Resolution #2005-45 accepting a donation from the Spud Fest Committee that has been made to the City of Big Lake towards the Big Lake Police Department for the purchase of Opticon equipment. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Kampa: Informed staff that there has been activity going on in the proposed Hidden River Estates Development area.

Brad DeWolf indicated that the developer has cut a large amount of trees in this area which is a violation of the City's Tree Preservation Ordinance. Staff has contacted the developer and has ordered that no further action be taken on the site. Mr. DeWolf indicated that the developer will be required to comply with the Tree Preservation Ordinance.

Mr. DeWolf also informed Council of the open house scheduled on April 14, 2005 from 6:00 p.m. to 8:00 p.m. for the Putnam Avenue Improvement project.

Council Member Langsdorf: Reviewed the Fire Board Meeting and indicated that they have received favorable feedback regarding a joint facility for the Fire and Police Departments.

Council Member May: Reviewed the status of the Northstar Corridor funding. Administrator Wussow discussed the possible relocation of the Park and Ride lot currently located south

of Highway 10 and west of County Road 43. Representatives from the Northstar Corridor have indicated a desire to relocate the Park and Ride lot next to the proposed maintenance facility in the future.

10. OTHER

No other.

Acting Mayor Langsdorf convened the regular meeting to go to Closed Session at 8:46 p.m.

11. CLOSED SESSION – Discuss Pending Litigation on Parcel No. 65-019-4416

Matt Brokl discussed the settlement offer from the owners of Parcel No. 65-019-4416.

Administrator Wussow also updated Council on the status of the possible purchase of Parcel No's. 65-420-0110, 65-420-0115, and 65-420-0120.

Council Member Kampa motioned to reconvene the regular meeting at 9:05 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Heitz motioned to accept the settlement offer as agreed upon for the purchase of Parcel No. 65-019-4416. Seconded by Council Member Kampa, unanimous ayes, motion carried.

12. ADJOURN

Council Member Heitz motioned to adjourn at 9:06 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council _____ 04/27/05