

**BIG LAKE CITY COUNCIL  
REGULAR MEETING MINUTES  
MAY 13, 2009**

**1. CALL TO ORDER**

Mayor Lori Kampa 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: Raeanne Danielowski, Chuck Heitz, Lori Kampa, and Duane Langsdorf. Council Member absent: Dick Backlund. Also present: City Administrator Scott Johnson, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, Senior Planner Katie Larsen, City Clerk Gina Wolbeck, Public Works Director Mike Goebel, Police Chief Sean Rifenberick, City Attorney Soren Mattick of Campbell Knutson, City Engineer Brad DeWolf and Jared Voge of Bolton & Menk, Inc.

**4. OPEN FORUM**

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

**5. PROPOSED AGENDA**

Council Member Danielowski motioned to adopt the proposed Agenda with the addition of item no. 7J – Park Advisory Committee Recommendations. Seconded by Council Member Langsdorf, unanimous ayes, agenda adopted.

**6. CONSENT AGENDA**

Council Member Heitz motioned to approve the Consent Agenda as presented. Seconded by Council Member Danielowski, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Council Meeting Minutes of April 22, 2009, 6B) Accept Police Reserve Officer Resignation, 6C) Approve

Donation Resolution No. 2009-38, 6D) Set Council Gatherings: 6D.i.) May 15, 2009 at 12pm at the Police Department for the Law Enforcement Appreciation Week Celebration, 6D.ii.) May 27, 2009 from 3:30 pm to 6:00 pm at Coon Rapids City Hall for the Northstar TOD Workshop, 6D.iii.) June 26, 2009 from 5 pm to 8 pm for the Council/Staff Volunteer Commitment at the Big Lake Spud Fest Bingo Tent, 6D.iv.) August 6, 2009 at 5pm at Lakeside Park for the Employee Appreciation Picnic, and 6D.v.) August 7, 2009 from 7pm to 10pm at the City Hall Parking Lot for the Big Lake Night Out Event, 6E) Approve ADA Policy, 6F) Approve Waiver of Spud Fest Temporary Use Permit and Building Permit Fees, 6G) Approve Recalculation of Assessment for the 166<sup>th</sup> Street and 197<sup>th</sup> Avenue Street Improvement Projects, and 6H) Approve Changes to Existing Assessment for Parcel No. 65-020-2201.

## **7. BUSINESS**

### **7A. PRESENTATION – Monticello/Big Lake Hospital Update**

Marshall Smith, CEO from the Monticello/Big Lake Hospital, updated Council on the hospitals year-end financials, patient service statistics, quality care initiatives and new service offerings.

### **7B. Hwy 10/25 Project Update**

Brad DeWolf discussed the possible use of MN State Aid Funds for the Trunk Highway 10 and Trunk Highway 25 Intersection Improvement Project. The State Aid Engineer has indicated that the use of State Aid Funds for construction and right-of-way acquisition would be acceptable. DeWolf reviewed requirements for State Aid designation on specific road ways and noted that State Aid funds are constitutionally dedicated so the State does not have the option to reduce the amounts that are allocated to the City. Discussion was also held on the amount of federal dollars that could be accessible for the project and that the City probably wouldn't want to Bond for the project if we will be able to utilize federal funds. Council discussed the high priority status of the project and reviewed if they wanted to tie up all the State Aid Funds in one project. Council also questioned the potential cost of the project. DeWolf noted that the appraisal has been completed and staff will report back to Council on the findings. A preliminary layout of the proposed project will also be presented. Council directed staff to draft a Resolution prioritizing the project for future Council consideration.

### **7C. PUBLIC HEARING – 2009 Street and Utility Improvement Project**

Brad DeWolf reviewed the Preliminary Assessment Roll and Project Summary for the 2009 Street and Utility Improvement Project which consists of improvements to Rose Drive. The proposed improvements include a 32-foot wide bituminous street along Rose Drive, a 6-foot wide concrete sidewalk, concrete curb and gutter, concrete

driveway aprons, storm water quality improvements, and a hydrant relocation. The preliminary assessment roll indicates a total project cost of \$621,709.80 with an \$85.70 per foot assessment to all adjacent parcels. Council questioned the timeframe of the project from start to finish. DeWolf noted that the project could possibly be completed within eight weeks.

DeWolf provided written comments in opposition of the project submitted by Richard and Mona Backlund and Daniel and Stacy Minor.

Mayor Kampa opened the Public Hearing at 7:38 p.m.

Chuck Hultman from Big Lake Hardware Hank discussed his concern with starting another street project with the amount of construction that has occurred in the last several years. Hultman stated that he feels the west end of Rose Drive is not highly traveled since the access was reconfigured. Hultman also discussed the negative impact the access modifications have had on highway 10 businesses and noted that the Martin Avenue Extension does provide good local access points. Hultman noted that the project would help control the mall parking lot, but that he would like the project held off short term.

Mayor Kampa closed the public hearing at 7:43 p.m.

Council discussed the current state of the economy and the potential option of holding off on this project until the market turns around. Council Member Danielowski stated that she would like to hold off the project, Council Member Heitz stated that he is in favor of holding off on the project if the State Aid Funds can be used for the Hwy 10/25 intersection improvements, and Council Member Langsdorf stated that he is in favor of holding off on the project as improvements to Rose Drive are not a priority at this time.

Council Member Langsdorf motioned to delay the improvements to Rose Drive until a future date. Seconded by Council Member Danielowski, unanimous ayes, motion carried.

#### **7D. Shared Dock Site Discussion**

Corey Boyer reviewed the letter submitted by Sheri Stone who resides at 341 Lake Avenue. Boyer also reviewed the Ordinance relating to shared dock sites and the history of how the dock site B3 license has been structured.

Sheri Stone, 341 Lake Avenue - addressed Council with her request to have shared dock site B3 reverted back to a single lease. Ms. Stone also feels that the secondary lessee should have been removed from the lease when the property was rented out.

Ms. Stone also stated her concern with potential liability issues.

Corey Boyer noted that the secondary lessee who resides at 337 Lake Avenue has indicated that they purchased the property on a Contract for Deed. Soren Mattick discussed the legal rights a Contract for Deed provides and identified that it is considered a legal sale of the property. Council discussed assignment of the dock licenses and the original shared lease agreement which was signed by relatives. Council also clarified that it is their understanding that a lease violation has not occurred at this time. Mattick further discussed the lack of a provision in our current Ordinance identifying guidelines for removal of one of the co-lessees in a shared dock situation. Mattick also noted that the City authorizes and mandates that the lease agreements are signed allowing both parties access to the dock site. The co-lessees are responsible to determine how the site is used, and to resolve any liability and other concerns to the use of the site. Council questioned if there is a potential for assigning another vacant dock site to one of the parties. Boyer noted that there is one site that has not yet renewed. Staff will check into any other potential sites. Council Member Heitz discussed the need for the City to eliminate the shared dock site wording in the Ordinance. Council Member Heitz did clarify that the current shared lease would be grandfathered in. Council directed staff to verify the Contract for Deed and to draft an Ordinance amendment deleting the shared dock wording from the code.

#### **7E. 2009 Senior Facility and Food Shelf Renovation Update**

Jim Thares discussed the status of the Senior Facility and Food Shelf renovation project. Thares reviewed the quotes received from various trade contractors needed to accomplish the remodeling project. Thares also reviewed discussions held at the May 11<sup>th</sup> Big Lake Economic Development Authority (BLEDA) meeting relating to funding for this project. The BLEDA approved a recommendation to the City Council to consider supporting a food shelf expansion contingent upon food shelf participation and to put a hold on the senior facility improvements using BLEDA funds until members from that organization prove community support for the project.

Council discussed whether or not the senior group was notified that they would be required to contribute financially to the project, and if the City spoke before receiving confirmation of the BLEDA funds. Thares noted that staff was surprised by BLEDA's recommendation and that it had been the general thought that proceeds of the sale of the east end of the mall would be used to expand the food shelf and renovate a new space for the seniors. Council also discussed possible usage of the site by other groups in addition to the senior group. It was noted that there are other senior groups that meet at various locations in the city, and questioned if the city should be designating funds to a small group that meets only once a week currently.

Mona Backlund, 5592 Aberdeen Way – informed Council that no one has communicated with the senior group that they would be required to raise funds for the project. Backlund discussed the need for this group to have a stable location to hold their meetings and that their membership has grown since the City promised them a space.

Council questioned what the food shelf's participation is expected to be. Staff noted that the food shelf board met recently, but that a specific amount has not been provided to the City. It is staffs understanding that the food shelf has been setting aside funds for a future expansion. Council discussed the need to find out exactly how much BLEDA funds are available for the project, the anticipated food shelf participation, and how much the senior group is proposing to use the site before a final Council decision is made. Discussion was also held on allowing different organizations to use the space and potential conflicts that could arise with the senior group owning all the furnishings. Council also discussed the need for food shelf dollars to be used to purchase food.

Council Member Langsdorf motioned to send the food shelf expansion/senior facility renovation project discussion back to the BLEDA. Motion was seconded by Council Member Heitz with further discussion.

Council Member Heitz requested that additional information be provided to the BLEDA relating to each group's budgets, possible participation amounts, and potential usage. Council also requested that both groups be invited to attend the meeting. Council also discussed the funds that are available for the entire project and other projects that the BLEDA has committed to.

Vote passed with a unanimous vote. Motion carried.

#### **7F. NSP Grant Contract**

Jim Thares discussed the MN Housing Neighborhood Stabilization Program (NSP) Grant Agreement and budget. The MN Housing Finance Agency has been allocated federal funds for local units of government to purchase, manage, and resell foreclosed and abandoned properties. The City of Big Lake has been awarded \$940,676 through the NSP Grant. Those funds are proposed to provide approximately 17 down payment loans in the amount of \$7,500, approximately 7 down payment loans in the amount of \$15,000, 6 to 8 acquisition rehabs over 45 months, and 2 proposed demolitions with resale or rehab to follow.

Council Member Langsdorf motioned to approve the MN Housing Neighborhood Stabilization Program (NSP) Grant Agreement and authorization for the Mayor and Administrator to enter into the Agreement. Seconded by Council Member Danielowski,

unanimous ayes, motion carried.

#### **7G. Portable Sign Update**

Katie Larsen discussed staff's review of the City's current policy on permitting Portable Signs. In 2005, the fee schedule was amended to allow commercial and industrial properties to apply for an Annual Sign Permit. The intent for this type of permitting was for businesses who wanted to put up portable signs at different times throughout the year not to exceed 60 days in a calendar year without having to submit a sign permit application each time. Larsen also informed Council that staff will be sending out sign reminder letters to all City businesses so they have a full understanding of the City's Sign Ordinance.

#### **7H. K-9 Officer Update**

Sean Rifenberick introduced K-9 Officer Cullen Czech and his partner Major. Rifenberick informed Council of Czech's and Major's recent certification as a Regional Certified Narcotic Detection Dog issued through the United States Police Canine Association. Officer Czech introduced Major to the Council and reviewed the training they recently participated in. Council congratulated them on their accomplishment.

#### **7I. PROCLAMATION – 2009 Law Enforcement Week**

Mayor Kampa read aloud a Proclamation proclaiming May 10<sup>th</sup> – 16<sup>th</sup>, 2009 as Police Week in the City of Big Lake.

Council thanked the police department for their hard work and dedication to the residents and businesses in the City of Big Lake.

Council Member Heitz motioned to approve Resolution No. 2009-39 proclaiming May 10<sup>th</sup> – 16<sup>th</sup>, 2009 as Police Week in the City of Big Lake. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

#### **7J. Parks Advisory Committee Recommendations**

Mike Goebel discussed the Parks Advisory Committee recommendations that were approved at their May 11<sup>th</sup> meeting. The Board recommended the installation of a volleyball court in the Wrights Crossing Park at an approximate cost of \$1,725.60 coming from Park Dedication Funds. The Board also recommended the appointment of Debbie Kelly and Renee Rossman to the two vacant positions on the Parks Advisory Committee.

Council Member Danielowski motioned to approve the installation of a volleyball court in the Wrights Crossing Park at an approximate cost of \$1,725.60 coming from Park Dedication Funds. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Heitz motioned to approve the appointment of Debbie Kelly and Renee Rossman to the Parks Advisory Committee. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

## **8. LIST OF CLAIMS**

### **8A. Consider List of Claims**

Council Member Langsdorf motioned to approve the List of Claims Check Payments ranging from Check No. 55995 through Check No. 56146 with the exception of Check #56012 and #56011, and Electronic Payments #745E to #758E. Seconded by Council Member Heitz, unanimous ayes, motion carried.

### **8B. Consider Audio Communications Payment in the Amount of \$140.64**

Council Member Heitz motioned to approve payment of Check No. 56011 in the amount of \$140.64 payable to Audio Communications. Seconded by Council Member Danielowski, vote passed with a vote of 4 to 0 with Council Members Danielowski, Heitz, Kampa, and Langsdorf voting aye. Motion carried.

### **8B. Consider AutoStop Payment in the Amount of \$3,348.42**

Council Member Danielowski motioned to approve payment of Check No. 56012 in the amount of \$3,348.42 payable to AutoStop, Inc. with a credit in the amount of \$40.23 for a double payment of invoice number 0035231. Seconded by Council Member Heitz, vote passed with a vote of 3 to 0 with 1 abstention with Council Members Heitz, Kampa, and Danielowski, voting aye and Council Member Langsdorf abstaining. Motion carried.

## **9. ADMINISTRATOR'S REPORT**

Scott Johnson informed Council that the Ice Arena State Funding Request has been removed by the Conference Committee from the 2009 State Bonding Bill.

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

Council Member Danielowski: Reviewed the May Community Education Advisory Meeting.

Council Member Heitz: Reviewed the May EDA, NCDA, and Northstar Marketing Committee Meetings. Council Member Heitz also informed staff that the irrigation system is not operational yet at the station site, and requested that staff look into removing the concrete median by the Dairy Queen.

Mayor Kampa: Questioned staff about the outdoor dining project at Trials. Katie Larsen explained that the applicant has received an administrative permit for the project and a building permit is currently under review. Mayor Kampa also inquired about the status of a potential Laundromat in the City of Big Lake. Jim Thares indicated that John Weicht is in negotiations with a potential client. Mike Goebel also updated Council on the Washington Greenway plantings and the repair work being done by the esplanade and on the north side of Lake Mitchell.

Council Member Langsdorf: Discussed the 2009 Clean Up Day Event and the May Planning Commission Meeting.

**11. OTHER** – No other.

**12. ADJOURN**

Council Member Heitz motioned to adjourn at 9:11 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Gina Wolbeck  
Clerk

Date Approved By Council 05/27/09