

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
JULY 12, 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, Duane Langsdorf, Patricia May, and Don Orrock. Also present: Assistant City Administrator Scott Johnson, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, Public Works Director Mike Goebel, Secretary Cathy Lindberg, City Attorney Matthew Brokl of Campbell Knutson, City Engineer Brad DeWolf and Jared Voge of Bolton & Menk, Inc.

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. Seconded by Council Member Langsdorf, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Heitz motioned to approve the Consent Agenda with the removal of item 6K for separate consideration. Seconded by Council Member Langsdorf, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Meeting

Minutes of June 28, 2006, 6B) Approve List of Claims, 6C) Approve Employment Reclassification, 6D) Approve Change Order No. 1 for Lake Center Liquor Interior Renovations, 6E) Approve Change Order No. 1 for Lake Plaza Mall Façade Base Bid Improvements, 6F) Authorize Recruitment for Vacant Public Works Position, 6G) Approve SFHAP Loan Request, 6H) Call for a Special Council Gathering for National Night Out Events on August 1, 2006, 6I) Accept Police Officer Resignation, 6J) Authorize Recruitment for Vacant Police Officer Position, 6L) Approve Antenna Lease Agreement Amendment and 6M) Approve Grant Application for the Initiative Foundation ENS Study.

6K) Approve Final Plat Filing Extensions

Interim Administrator Johnson reviewed the planners report for the final plat filing extensions for the Hudson Woods 2nd and 3rd Developments, the Oak Glen 1st Addition, and the Sweetwater Bend 2nd Addition. Interim Administrator Johnson identified that the Hudson Woods and Oak Glen developer has requested a one-year extension, and the Sweetwater Bend developer has requested a two-year extension. City Attorney Brokl reviewed the options available to Council. Council discussed appropriate extension timelines and identified that a one-year extension would be sufficient.

Council Member Kampa motioned to approve Resolution No. 2006-87 approving a one-year filing extension for the Final Plat of Hudson Woods 2nd Addition, approve Resolution No. 2006-88 approving a one-year filing extension for the Final Plat of Hudson Woods 3rd Addition, approve Resolution No. 2006-89 approving a one-year filing extension for the Final Plat of Oak Glen 1st Addition, and approve Resolution No. 2006-90 approving a one-year filing extension for the Final Plat of Sweetwater Bend 2nd Addition with the condition on each development that they would be subject to the existing fee schedule at the time of development. Seconded by Council Member Heitz, unanimous ayes, motion carried.

7. BUSINESS

7A. 197th Street Improvements – Bid Award and Cost Sharing Agreement

Brad DeWolf reviewed the bids received on the 197th Street Improvements. Mr. DeWolf identified that 8 bids were submitted and the low bid is 5.4% below the Engineer's Estimate. The low bid was from R.L. Larson Excavating, Inc. of St. Cloud, MN in the amount of \$624,841.00. Mr. DeWolf also presented Council with the cost sharing agreement

Council Member Heitz motioned to approve Resolution No. 2006-91 receiving bids and awarding the contract to R.L. Larson Excavating, Inc. of St. Cloud, MN for the 197th Avenue Improvements in the amount of \$624,841.00 and to approve the Cost Sharing Agreement contingent upon agreement with Dynamics Development. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7B. 2006 Street Improvements – Hill Street Right-of-Way

Brad DeWolf discussed the Hill Street right of way issue existing between Lagoon Avenue and Park Avenue. Mr. DeWolf identified that the existing utilities located beneath Hill Street and the bituminous surface are not contained within the existing 20 foot right of way area. Mr. DeWolf discussed that because the City has maintained Hill Street and because existing utilities are located in this area, the City has prescriptive rights to improve the portion of Hill Street located between Lagoon Avenue and Park Avenue. Staff has been working with the two affected property owners to prevent future complications with the right of way and road improvement projects. The property owners will be offered \$1.00 per square foot of affected property. No action taken.

7C. Sign Quotes for Lake Center Liquor

Fred Patch reviewed the quotes received for wall signage at Lake Center Liquor. Two quotes were received with the low quote from Scenic Sign Corp of St. Cloud, MN. Aspects of the signs were reviewed by Mr. Patch. Discussion took place regarding the logo sign located over the front door and space availability for signage for the adjoining tenant. Mr. Patch also reviewed the project schedule.

Council Member Kampa motioned to accept the quotes and authorize the Mayor and Interim City Administrator to enter into a contract with Scenic Sign Corporation of St. Cloud, MN for the manufacture and installation of wall sign systems including the 36' high channel letters in the amount of \$5,195.00 and a logo sign in the amount of \$4,500.00 contingent upon future review of the art work under the arch. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7D. Free Standing Sign Designs for Lake Plaza Mall

Fred Patch discussed the current signage located at the Lake Plaza Mall and also discussed the City hiring Mahler Architecture of St. Cloud to study and provide design services for the two freestanding signs along Highway 10. Mr. Patch also identified that while the City will pay the initial expenses of the signage redesign and construction, all costs for the improvements will be divided proportionally amongst the Lake Plaza Shopping Center Association. Legalities were discussed by Attorney Brokl in regards to conformity. Discussion followed.

Council Member Heitz motioned to table this item in order for Mr. Patch to gather information on the findings of when the free standing sign was previously engineered and to gather information from Scenic Signs. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7E. 1992 OAA Property Tax Payment

Corey Boyer informed Council that staff has been working with the County concerning the 1992 Orderly Annexation Agreement between the City and Big Lake Township. Mr. Boyer discussed the special taxing district setup by the County to track taxes paid in the orderly annexation area, which only included Remmele Engineering property until 2004. Mr. Boyer identified that starting with the taxes collected in 2005, several parcels were annexed from the Marketplace Development and the White Oak Acres Plat. Sherburne County, inadvertently did not include these parcels in the special taxing district so the tax payments were included in the City's general tax levy, therefore, the taxes were not shared with the Township. The amount that should have been shared with the Township is \$6,684.46 which would be a payment of \$3,343.23 to Big Lake Township. Mr. Boyer also discussed the estimated 2006 taxes and concerns with potential levy limits in the future, which could have an impact on the available funds for operations of the City. Council also requested that this item be discussed at a future joint meeting with the Township.

Council Member Langsdorf motioned to approve payment in the amount of \$3,343.23 to Big Lake Township for their share of 2005 taxes received in the orderly annexation area per the 1992 orderly annexation agreement. Seconded by Council Member Heitz, unanimous ayes, motion carried.

8. ADMINISTRATOR'S REPORT

Interim City Administrator Johnson shared the Fire Board's recommendation that Council appoint Nick Fiester to Fire Captain, replacing Sam Olson's Fire Captain's position. Mr. Olson will step down from the Fire Captain position due to personal time constraints.

Council Member Langsdorf motioned to approved Nick Fiester as Fire Captain to finish Sam Olson's five year term. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Interim City Administrator Johnson also reviewed the bus tour reminder.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Heitz: Discussed the recent EDA Meeting.

Mayor Orrock: Informed Council that Keller Lake Commons is having trouble getting an answer as to why River Rider will not stop at their building. Interim City Administrator Johnson indicated that he has arranged for a representative from the River Rider Program to speak at the July 26, 2006 City Council Meeting to address this issue. Mayor Orrock will not be in attendance at the July 26, 2006 Council Meeting and requested the Council show their support for a Keller Lake Commons bus stop. Mayor Orrock also identified that the

City Engineer's Office will be working with Crescent Street residents to resolve issues regarding the installation of rain gardens for the Glenwood Avenue/Mount Curve/Crescent Street Improvement Project.

Council Member Langsdorf: Discussed the recent Fire Board Meeting and suggested that the new fire truck should be brought up for the City Council to view.

Council Member May: Discussed the recent Park Committee Meeting.

10. OTHER

Mayor Orrock recessed the regular meeting at 8:11 p.m. to go to Closed Session for the Interim City Administrators Performance Review.

11. CLOSED SESSION – Interim City Administrator Job Performance Review

Council conducted the annual review of Interim City Administrator Scott Johnson. No action taken.

Council Member Heitz motioned to close the Closed Session and reconvene the regular meeting at 8:35 p.m.

12. ADJOURN

Council Member Langsdorf motioned to adjourn at 8:36 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

Clerk

Date Approved By Council _____