

DRAFT MINUTES
Not yet approved by the
Big Lake City Council.

BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 24, 2008

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, City Clerk Gina Wolbeck, Senior Planner Katie Larsen, Public Works Director Mike Goebel, Fire Chief Tony Eisinger, City Attorney Soren Mattick of Campbell Knutson, and 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.

Steve Andrews - 20015 CR 14; Introduced himself to Council and the public and discussed his candidacy for the House of Representatives District 16B Seat.

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

5. PROPOSED AGENDA

Council Member Kampa motioned to adopt the proposed Agenda. Seconded by Council Member May, unanimous ayes, agenda adopted.

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6. CONSENT AGENDA

Council Member Heitz motioned to approve the Consent Agenda as presented. Seconded by Council Member Kampa, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Council Meeting Minutes of September 10, 2008, 6B) Approve Workshop Meeting Minutes of September 17, 2008, 6C) Approve Donation Resolution No. 2008-80, 6D) Approve Not Waiving of Statutory Limits, 6E) Approve Hiring Water/Waste Water Employee, 6F) Approve Resolution No. 2008-81 Approving the Martin Avenue Phase III Bid Award to Hennen Construction from Clearwater, MN in the amount of \$192,690.30, 6G) Approve Resolution No. 2008-82 Authorizing the MNDOT Cooperative Construction Agreement for the Martin Avenue Phase III Improvement Project, 6H) Approve Snow and Ice Control Policy, 6I) Approve Sidewalk/Trail Inspection and Maintenance Policy, 6J) Approve Resolution No. 2008-83 Authorizing Submittal of the Safe & Sober Communities Grant, and 6K) Approve Meeting Date Changes and Closing of City Hall on November 28th and December 26th.

BUSINESS

7A. Commerce Park Development Application – Comprehensive Plan Amendment, Rezone, Variance, CUP's, PUD, Preliminary Plat, & Site and Building Plan Review

Katie Larsen reviewed the planners report for the Commerce Park Development Application submitted by Dynmon, LLC for a PUD mixed-use commercial, retail and open space development with Commerce Park Ballfield being the focal point of the area. The site consists of 28.5 acres and is proposed to be constructed in two phases with phase I being the retail and commercial business, health club, restaurants, outdoor recreation, baseball field, cinema/theater and parking lot. Phase II would consist of a multi-use commercial/residential development, green space, and commercial development. Phase I zoning reviews include a comprehensive plan amendment for a change in the transportation corridor along 168th Street, rezoning of Agricultural land to a B-3 General Business District, Variance to deviate from the required 100 foot commercial PUD setback, Conditional Use Permits, Planned Unit Development for a mixed-use phased development, Preliminary Plat, and a site and building plan review. Ms. Larsen reviewed the ballfield lot layout and noted that Outlot A and B will need to be re-aligned. Ms. Larsen noted that the ballfield is not proposed to be City owned at this time, but that the City would be open to future discussions at a later date.

Council directed staff to research comparable communities who have City and privately owned ballfields and report findings back to Council.

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Jim Brown discussed their project and reviewed the proposed theater facility. The theater will be a unique dining/movie entertainment establishment located central to Sherburne County. Mr. Brown also discussed their proposed timeline for construction.

Council commended Dynmon for their creative and innovative development project and noted that the project will help give the City an identity.

Council questioned the potential costs of the City taking ownership of the ballfield. Mr. Brown explained that the ballpark land will be dedicated to the City at no cost, and that there would be potential costs for utilities, lighting, irrigation, excavation, concrete, etc. Discussion was held on the Big Lake Youth Baseball Association doing fundraising to raise dollars for some of the costs as well as the potential establishment of sponsorship opportunities. Council discussed the park funds that have been earmarked for a Regional Park, that could be used toward this project instead due to the decrease in expected growth. Also discussed was the potential tax base the entire project could generate.

Council Member Heitz motioned to approve Resolution No. 2008-84 approving an amendment to the Big Lake Comprehensive Plan to change the transportation corridor designation for the project known as Commerce Park. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Kampa motioned to Ordinance No. 2008-09 amending Section 1042.03 (zoning map) of the Big Lake Municipal Code to provide for a change in zoning classification for the project known as Commerce Park. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member May motioned to approve Resolution No. 2008-85 approving Summary Publication of Ordinance No. 2008-09. Seconded by Council Member Heitz, unanimous ayes, motion carried.

Mayor Orrock motioned to approve Resolution No. 2008-86 approving a Variance, Conditional Use Permits, Planned Unit Development, Preliminary Plat, and Site & Building Plan Review for the project known as Commerce Park and setting forth conditions to be met prior to submittal of the Final Plat Application. Seconded by Council Member May, unanimous ayes, motion carried.

7B. Remmele Engineering Variance

Katie Larsen reviewed the Variance Application submitted by Remmele Engineering for a 26 foot high accessory structure and to allow for the construction of an all metal sided accessory structure located at 17465 198th Avenue (Remmele Engineering Plant #40). The accessory structure would be used to store fixtures, material and crates that are presently

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stored outside and inside their main facility. The proposed location of the accessory structure is on the south east corner of the existing building approximately 300 feet from the rear setback and rail line. The storage facility will not be clearly visible from Highway 10 or 168th Avenue and the wooded tree line along the southern property would also act as a buffer along the railroad tracks and the future Northstar Commuter Rail.

Council Member Heitz motioned to approve Resolution No. 2008-87 approving a Variance for a 26 foot high accessory structure and to allow for the construction of an all metal sided accessory structure located at 17465 198th Avenue (Remmele Engineering Plant #40) and setting forth conditions to be met prior to issuance of a building permit. Seconded by Council Member Backlund, unanimous ayes, motion carried.

7C. Library Relocation Discussion

Scott Johnson discussed the Agreement between the City and Great River Regional Library which states that the City is responsible for equipping the library with shelving and other general furnishings. With the relocation of the library expected at the beginning of 2009, staff is seeking Council direction on the purchase of furnishings and storage of potential furnishings prior to their move. The Big Lake Friends of the Library have agreed to conduct fund-raising to pay for new furnishings for the library and have set a \$50,000 goal. They have an event planned in February 2009 and intend to approach local groups for donations over the next several months. On October 3, 2008, The City of St. Cloud will be having an on-line auction to sell its old library shelving/equipment. In order to acquire some of these furnishings, the City would need to front the dollars until the library group's fundraising efforts are complete. If the City chooses to purchase items from the auction, the items would need to be picked up by October 7th. The purchased items would need to be stored until the library relocation is complete. The Library Committee has recommended the City front a maximum of \$25,000 for the on-line St. Cloud auction.

Council directed that staff monitor the items prior to bidding and that the Big Lake Friends of the Library research the current market to be sure the pricing is fair. Council also directed that drawings be provided to Paragon Store Fixtures for a quote submittal prior to the on-line sale.

Council Member Heitz motioned to authorize a maximum of \$25,000 for the purchase of auction items from the City of St. Cloud library auction on October 3, 2008 with funds to be reimbursed by the Big Lake Friend's of the Library Organization. Seconded by Council Member Backlund, unanimous ayes, motion carried.

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7D. Project Status Report – City Engineer

Brad DeWolf reviewed the September Project Status Report and answered questions from Council. Council Member Heitz stated his concern with reusing old street lights in the Hwy 10/CR 5 intersection improvement project area.

7. LIST OF CLAIMS

8A. Consider List of Claims

Council Member Kampa motioned to approve the List of Claims ranging from Check No. 54500 through Check No. 54608 with the exception of Check No. 54515 and Check No. 54516 for separate consideration. Seconded by Council Member May, unanimous ayes, motion carried.

8B. Consider Audio Communications Payment in the Amount of \$154.38 and M. Backlund Payment in the Amount of \$98.02

Council Member Heitz motioned to approve payment of Check No. 54515 payable to Audio Communications and payment of Check No. 54516 payable to Mona Backlund. Seconded by Mayor Orrock, 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.

8. ADMINISTRATOR'S REPORT

Scott Johnson reviewed the correspondence received from the League of Minnesota Cities relating to the status of the City's 4M Fund. The letter reassures the City that the 4M Fund has not experienced credit issues that other money market funds nationally have experienced. Mr. Johnson also informed Council that Victory Sports Grill and Bar has been sold and will be closing temporarily during the transition.

Council directed staff to add the Lake Association item to the October workshop Agenda.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Backlund: Informed Council that there is a meeting scheduled on October 3rd with the food shelf and senior group to discuss their expansion into the old library site.

Council Member Heitz: Encouraged the County Board to approve the Hockey Association's Abatement request. Council Member Heitz also encouraged members of the Big Lake Community to notify the City if they have neighboring properties that have become vacant

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due to foreclosures. These notifications will help the City continue to be pro-active in winterizing these parcels to ensure future sale. Mike Goebel reviewed the process for mowing City owned properties.

Council Member May: reviewed the September Planning Commission Meeting.

10. OTHER

Mayor Orrock recessed the regular session at 8:05 p.m. to go to Closed Session for the City Administrator's Annual Performance Evaluation allowed under MN Statute 13D.05, subd. 3a.

11. CLOSED SESSION – City Administrator Annual Performance Evaluation

Mayor Orrock opened the Closed Session at 8:12 p.m. Council Members present: Dick Backlund, Chuck Heitz, Lori Kampa, Patricia May, and Donald Orrock. City Staff present: City Administrator Scott Johnson, City Clerk Gina Wolbeck, and City Attorney Soren Mattick from Campbell Knutson, P.A.

Council conducted City Administrator Scott Johnson's Annual Performance Evaluation. No action was taken by Council.

Council Member Heitz motioned to close the Closed Session and reconvene the regular meeting at 8:47 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

12. ADJOURN

Council Member May motioned to adjourn at 8:48 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Clerk

Date Approved By Council _____