

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
AUGUST 13, 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, 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, Fire Chief Tony Eisinger, Police Officer Sam Olson, City Attorney Soren Mattick 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 May, unanimous ayes, agenda adopted.

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 July 23, 2008, 6B) Approve Council Budget Workshop Meeting Minutes of July 31, 2008, 6C) Approve Resolution No. 2008-69 Appointing Election Judges for 2008 Primary and General Elections, 6D) Set Date for Public Accuracy Tests for the Primary Election on Friday, September 5, 2008 at the Sherburne County Government Center at 11:00 a.m., 6E) Approve Park Committee Recommendations, 6F) Approve Purchase of Fire Department Grass Rig and 2008 Budget Adjustment, 6G) Approve Personnel Policy Amendment, 6H) Set Council Budget Workshop date of August 27, 2008 at 6:00 p.m. in the City Council Chambers, and 6I) Approve Working Agreement with Rivers of Hope.

7. BUSINESS

7A. 790 Minnesota Avenue – Rezone and Site/Building Plan Review

Katie Larsen reviewed the planners report for the rezone and site/building plan review applications submitted by Big Lake Development, LLC for the 1.5 acre commercial site located at 790 Minnesota Avenue. The applicant is proposing to remodel the existing facility into an office building. The property is currently zoned I-1 Industrial Park, and the applicant is requesting a zoning change to B-3 General Business District. A revised parking and landscaping plan was also presented to Council. Ms. Larsen noted that the developer has requested a waiver of the rezoning application fees due to conflicting language in the Comprehensive Plan compared to the zoning map.

John Weicht, owner of Big Lake Development, LLC discussed the effis exterior materials that will be used in construction of all viewable areas of the building. Mr. Weicht also noted that staff suggested that he ask for the waiver of fees due to conflicting language in the Comprehensive Plan and the City Zoning Map. Jim Thares clarified that the Planning Commission directed staff be more pro-active in the rezone application. Council noted that the rezone is a small part of the overall project, and that waiving the fee could set a precedence for future development applications.

Council Member Kampa motioned to approve Ordinance No. 2008-07 amending Section 1042.03 (zoning map) of the Big Lake Municipal Code to provide for a change in zoning classification for 790 Minnesota Avenue. Seconded by Council Member Backlund, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Resolution No. 2008-70 approving rezoning and site/building plan review for 790 Minnesota Avenue. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Resolution No. 2008-71 approving summary publication for rezoning Ordinance No. 2008-07. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Heitz motioned to deny the request from Big Lake Development, LLC for a waiver of the rezone application fee for the property located at 790 Minnesota Avenue. Seconded by Council Member May, unanimous ayes, motion carried.

7B. Powell Street North Snow Removal Discussion

Mike Goebel provided a report on the snow plowing trial on Powell Street North. The public works department removed snow from the sidewalk area along Powell Street North last winter using both a sweeper and snow blower depending on the amount of snow that collected on the sidewalk area. Staff estimated that a normal 4 inch snow fall took about 30 minutes to clear the snow from the sidewalks. Staff is looking for Council direction on the feasibility to continue maintaining the sidewalk area along Powell Street North and if Council wishes to include Washington Avenue and Minnesota Avenue sidewalk areas as these sidewalks are designed the same as Powell Street North.

Council noted that clearing of sidewalks will become more important this year with more school kids walking to school than in the past. The General Consensus of the Council was to continue with the City clearing snow from designated sidewalk areas along Powell Street North, Washington Avenue, and Minnesota Avenue.

7C. Big Lake Library Discussion

Corey Boyer reviewed discussions held at the Library Committee Meetings relating to the potential relocation of the Big Lake Public Library. The consensus of the Library Committee is that the old Options building on Minnesota Avenue is the most viable choice for a new facility. The property is currently owned by John Weicht and he is proposing a \$10 per square foot lease for five years. Big Lake Township has been involved with the Library Committee meetings and they have been discussing participation in the expanded library space with their overall participation to be at 32% of the costs. The Big Lake Economic Development Authority has also expressed a willingness to help offset the lease costs by taking a portion of the sale proceeds from the east end of the plaza and provide those to the City to apply to the lease payments.

Council discussed the proposed layout and size of the site and meeting rooms. Discussion was also held on reducing the lease space if the Township does not commit to funding participation.

Council tabled this item for further discussion at the August 27, 2008 Joint City/Township Meeting.

7D. Recycling RFP Results

Scott Johnson reviewed the three bids submitted for the recycling Request For Proposal that was sent out to all licensed trash haulers in the City of Big Lake for a Single-Sort recycling program. The RFP qualifications included various components including the requirement that the bid be for a single-sort program, a contract length of 5-years, covered recycling bins to be provided by the Contractor, and fuel surcharge calculations. Bids were submitted by Waste Management, Randy's Sanitation, and Ace Solid Waste. Waste Management's bid consisted of a single-sort program at a per residential unit cost of \$2.94 per month. Randy's Sanitation submitted a two-sort recycling bid at a per residential rate of \$2.00 per month but did not include the cost of the bin in their quote. Ace Solid Waste's did not submit an actual bid, but asked Council to consider opening up recycling collection to all licensed haulers in the City.

Council discussed the costs associated with the City recycling program and the cost impact of the fuel surcharge fees. Discussion was held on the option of privatizing the program which would allow licensed trash haulers to provide the recycling services instead of the City contracting for this service. Council Member Heitz stated that the City would be taking a step-backwards if we privatized the program and is concerned that the recycling counts will decrease. Mayor Orrock stated that he feels the costs are getting too high for the City to contract for the services. Council Member Backlund stated that he doesn't like the potential costs for the fuel surcharge and that he is in favor of privatizing the program. Council Member May stated that she is not in favor of the extra costs for the program. Gina Wolbeck reviewed the history of the City Recycling Program and that Sherburne County no longer provides grant dollars to subsidize the program. Clerk Wolbeck also discussed a concern with the amount of added heavy truck traffic throughout the City with additional trash haulers providing recycling services.

Council Member Kampa motioned to reject all recycling bids and privatize the City recycling services effective January 1, 2009. Seconded by Council Member Backlund, vote passed with a vote of 4:1 with Council Members Backlund, Kampa, May, and Orrock voting aye, and Council Member Heitz voting nay. Motion carried.

Council directed staff to prepare an Ordinance relating to licensed trash haulers providing recycling services.

7E. Big Lake Night-Out Update and Donation Resolution

Sean Rifenberick reviewed the Big Lake Night Out event that was held on Friday, August 8, 2008. Chief Rifenberick also presented Council with an updated donation resolution for their consideration listing all businesses/individuals that provided donations for the event. Council thanked the police department staff who put the event together and also stated their appreciation for all donations received.

Council Member Kampa motioned to approve Resolution No. 2008-72 accepting donations to the Big Lake Police Department for the 2008 Big Lake Night-Out Event held on August 8, 2008. Seconded by Council Member May, unanimous ayes, motion carried.

8. LIST OF CLAIMS

8A. Consider List of Claims

Council Member Kampa motioned to approve the List of Claims ranging from Check No. 54170 through Check No. 54304. Seconded by Council Member May, unanimous ayes, motion carried.

8B. Consider Audio Communications Payment in the Amount of \$998.45

Council Member Heitz motioned to approve payment of Check No. 54105 payable to Audio Communications. Seconded by Council Member Kampa, 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

Brad DeWolf presented Council with a resolution seeking their authorization on an Agreement Project with the MNDOT for the Martin Avenue Phase III Improvement Project.

Council Member Heitz motioned to approve Resolution No. 2008-73 authorizing an Agreement Project with the MNDOT for the Martin Avenue Phase III Improvement Project. Seconded by Council Member May, unanimous ayes, motion carried.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Heitz: Reviewed the August EDA Meeting.

Council Member Kampa: Thanked staff and Department Heads for organizing the 2008 employee appreciation picnic.

11. OTHER

Mayor Orrock recessed the regular meeting at 8:04 p.m. to go to Closed Session for Attorney/Client Privilege allowed under MN Statute 13D.05, subd. 3b.

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. Also present: City Administrator Scott Johnson, City Clerk Gina Wolbeck, City Attorney Soren Mattick of Campbell Knutson, City Engineer Brad DeWolf of Bolton and Menk, and Monte Mills, P.A. from Greene Espel.

Monte Mills updated Council on pending litigation. No action was taken by Council during Closed Session.

Council Member May motioned to close the Closed Session and reconvene the regular meeting at 8:10 p.m. Seconded by Council Member Backlund, unanimous ayes, motion carried.

Council Member May motioned to accept and approve the terms of the Settlement Agreement as presented for the Gary Berndt Lawsuit. Seconded by Council Member Kampa, unanimous ayes, motion carried.

12. ADJOURN

Council Member Heitz motioned to adjourn at 8:18 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council 08/27/08