

**BIG LAKE CITY COUNCIL  
REGULAR MEETING MINUTES  
MAY 27, 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: Dick Backlund, Chuck Heitz, Lori Kampa, and Duane Langsdorf. Council Member Raeanne Danielowski arrived at 7:50 p.m. Also present: City Administrator Scott Johnson, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, City Clerk Gina Wolbeck, Senior Planner Katie Larsen, Public Works Director Mike Goebel, Police Chief Sean Rifenberick, Assistant Fire Chief Paul Nemes, Liquor Store Manager Jan Kostrzewski, City Attorney Soren Mattick of Campbell Knutson, and City Engineer Brad DeWolf Bolton & Menk, Inc.

**4. OPEN FORUM**

Mayor Kampa opened the Open Forum at 7:01 p.m.

County Commissioner Ewald Petersen – Updated Council on the possibility of a reduced Northstar fare and provided a County update.

Mayor Kampa closed the Open Forum at 7:12 p.m.

**5. PROPOSED AGENDA**

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

## **6. CONSENT AGENDA**

Council Member Langsdorf motioned to approve the Consent Agenda as presented. Seconded by Council Member Backlund, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Council Meeting Minutes of May 13, 2009, 6B) Approve Donation Resolution No. 2009-40, 6C) Approve Purchase of City Badging System, 6D) Approve Alzheimer's Association of MN Fee Waiver Request, 6E) Approve Resolution No. 2009-41 approving a One Day Exempt Permit for Our Lady of the Lake Catholic Church, 6F) Approve Property Damage Release, 6G) Call for Public Hearing on June 24, 2009 for Capital Improvement Plan Bonds, 6H) Approve Center Point Energy Gas Franchise Ordinance No. 2009-05 and Summary Publication Resolution No. 2009-42, and 6I) Approve Dock Ordinance No. 2009-06 and Summary Publication Resolution No. 2009-43.

## **7. BUSINESS**

### **7A. PRESENTATION – 2008 Audit Report – Kern, DeWenter, Viere, Ltd.**

Caroline Stutsman from Kern, DeWenter, Viere, Ltd. presented the 2008 management letter and the audited financial statements.

### **7B. PUBLIC HEARING – Northstar Commerce Addition Annexation by Ordinance**

Katie Larsen reviewed the annexation petition submitted by SB22, LLC and AL1, LLC for the 10.74 acre parcel located north of Highway 10 and east of County Road 43. The site previously housed the Big Lake American Legion facility. The property is currently served by City water and the applicants are proposing to extend water and sewer throughout the property to facilitate future development of the parcel. Larsen noted that the applicants are working with the BLEDA to obtain TIF to help offset demolition and extraordinary redevelopment costs associated with the clean-up of the site, and to extend the required infrastructure throughout the site.

Mayor Kampa opened the public hearing at 7:43 p.m. No one came forward. Mayor Kampa closed the public hearing at 7:44 p.m.

Council Member Heitz motioned to approve Ordinance No. 2009-07 annexing a 10.74 acre parcel identified as 10-120-3100 and 10-120-3101, and approving Summary Publication Resolution No. 2009-44. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

### **7C. PUBLIC HEARING – Paragon Store Fixtures Expansion Completion**

Jim Thares reviewed the \$155,000 SCDP grant awarded to the City for the Paragon Store Fixtures expansion project. The grant program requires that a public hearing be held to close out the grant. Paragon exceeded their job creation requirements by hiring 17 new employees by the grant closeout date of December 31, 2008. Thares also updated Council on the status of the company, noting that they have decreased production of store fixtures, but have expanded their operations to include cabinetry and finished carpentry work.

Mayor Kampa opened the public hearing at 7:46 p.m. No one came forward. Mayor Kampa closed the public hearing at 7:47 p.m.

No action was taken by the Council.

### **7D. Lake Shopping Center Sign Variance**

Katie Larsen discussed the Variance application submitted for a 39 foot high, 200 square foot sign located at the Big Lake Shopping Center on Rose Drive. The applicants are proposing to renovate the existing shopping center sign and remove the old China Inn Buffet sign on the west side of the property. The property is located in the B-3 General Business District which allows for Shopping Center Signs. A variance is being requested to deviate from height, size and setback requirements of the City Zoning Code. The proposed sign renovation will greatly improve the aesthetics and quality of the Big Lake Shopping Mall. Larsen noted that the existing sign is non-conforming in height, size and setback, and the renovation will reduce the size of the non-conformity. Larsen also noted that the setback location of the existing sign does not create any traffic or vision conflicts along Rose Drive, and that the removal of the west side sign will make a vast improvement to the area.

Council asked for clarification on what the “hardship” is for the Variance request. Larsen explained that the new signage will eliminate the height problems with the current sign that exists at the site. Staff also noted that the Mall Association is responsible for determining how advertising is placed on the new sign. Council thanked Chuck Hultman for the work he has done to get the signage improved.

Chuck Hultman from Big Lake Hardware Hank discussed the design of the sign, the construction timeframe, and indicated that the sign will be back-lighted.

Council Member Heitz motioned to approve Resolution No. 2009-45 approving a dimensional variance for the Lake Shopping Center sign. Seconded by Council Member Danielowski, unanimous ayes, motion carried.

### **7E. Highway 10/25 Update**

Brad DeWolf discussed the congestion and safety issues at the intersection of Highway 10 and Highway 25. DeWolf reviewed potential funding sources to complete this project which includes 1) Highway Safety Improvement Project Funding, 2) the High Priority Project Application, 3) Local Initiative Funding, 4) Municipal State Aid Funding, 5) Mn/DOT Funds, and 6) TIF funds. The proposed improvements consist of the widening of the existing intersection and construction of raised medians with dedicated left turn lanes, larger radii, and a new signal system. DeWolf noted that staff has met with the owners of the BP Gas Station to review the results of the appraisal that was conducted on their commercial establishment. Staff is estimating the total project cost will be \$2.1M which includes acquisition costs. Staff is seeking Council direction on whether or not the City would like to move forward with the project.

Council Member Danielowski discussed her concern with tying up Municipal State Aid (MSA) funds for 8 years. Council discussed the reduced use of MSA funds if the City is awarded funds. Council also discussed various transportation improvements that have been completed to increase safety and that the Hwy 10/25 intersection is one of the final components of the improvements. Council directed staff to continue monitoring the status of funding sources and to report back to council when information becomes available.

#### **7F. Project Status Report – City Engineer**

Brad DeWolf reviewed the Project Status Report dated May 18, 2009. Council also discussed the Quiet Zone project.

#### **7G. Water and Storm Sewer Utility Enterprise Funds Discussion**

Corey Boyer reviewed the updated 10-Year financial forecasts for the City's various utility enterprises. Boyer discussed the apparent decrease in working capital over the next several years due to the down turn in the economy. For both the water and sanitary sewer funds, the projected decrease in working capital is due mainly to the lowered growth expectations versus existing and new debt requirements. The water fund could see decreases which could result in negative working capital over the next several years before they start to increase as building activity increases. The storm sewer fund's projected decrease in working capital is due mainly to the City's decision to no longer charge trunk fees on future developments where the storm water is contained within the plat boundary. This places more reliance on monthly user charges which were not increased in 2009. Staff is seeking Council direction on whether or not the City should consider mid-2009 changes to the current water and storm sewer fees. Council discussed their concern with raising fees at this time and requested that staff provide comparables for surrounding communities.

#### **7H. Complaint Process Review**

Jim Thares discussed the City's current policy on processing property complaints. Currently, staff follows a complaint driven enforcement policy. When a written complaint is received by staff, an investigative and enforcement action is initiated. The complainant is required to submit their complaints on the official City complaint form. This has been very effective in the past as it allows residents a means to communicate their concerns and issues with the City. It also allows staff the proper format to address complaints. Staff is seeking Council direction on if they are interested in modifying this process.

Council questioned why this item is being brought to Council. Thares noted that staff has fielded complaints on the current process. Council Member Backlund discussed a property complaint he received and had asked staff to check into the matter. Council Member Backlund noted that staff asked him to fill out a complaint form, which he felt was not necessary for an elected official to do. Council discussed the availability of the complaint form and asked if it was available on the City Website. Staff noted that the form is not currently available on-line, but that it could be reformatted for website submittal. Gina Wolbeck discussed records retention requirements for property complaints and asked Council to take that into consideration when they make their decision on the use of complaint forms for better tracking purposes. Sean Rifenberick also discussed the need for official forms to ensure that adequate information is given by the complainant and that the information is communicated properly to the appropriate staff person.

Council directed staff to prepare an on-line complaint form for use on the City Website.

#### **8. LIST OF CLAIMS**

Council Member Danielowski motioned to approve the List of Claims ranging from Check No.56147 through Check No. 56251 and electronic payments 759E through 775E. Seconded by Council Member Langsdorf unanimous ayes, motion carried.

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

Scott Johnson informed Council that the Big Lake Food Shelf has agreed to fund their portion of the renovations for the food shelf expansion. Further discussions will be held at the June 11<sup>th</sup> BLEDA Meeting. Johnson also informed Council that discussions on the LELS Contract will be going to mediation.

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

Council Member Danielowski: Discussed the May 27<sup>th</sup> Northstar TOD Workshop

Council Member Heitz: Discussed the May 27<sup>th</sup> Northstar TOD Workshop. Council Member Heitz also thanked all the participants who attended the Northstar Fare Hearing in April.

Those comments were taken into consideration by the Met Council and they have tentatively reduced the fare to \$7.00. Council Member Heitz also discussed the need to have the signage painted at Lakeside Park, and discussed a complaint he received regarding noise issues near the sludge field along Highway 25.

Mayor Kampa: Discussed the May TOD Meeting. Mayor Kampa also reviewed the Chamber of Commerce meeting that Congresswoman Michelle Bachman presented at. Mayor Kampa also inquired when the Council will hold a Budget Workshop. Scott Johnson indicated that staff is waiting for action from Governor Pawlenty, and will most likely ask Council to set a Workshop in July.

**11. OTHER** – No other.

**12. ADJOURN**

Council Member Heitz motioned to adjourn at 8:58 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

\_\_\_\_\_  
Gina Wolbeck  
Clerk

Date Approved By Council \_\_\_\_\_ 06/10/09