

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
JANUARY 12, 2005**

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: City Administrator Patrick Wussow, Community Economic Development Director Jim Thares, City Attorney Matthew Brokl of Campbell Knutson, City Engineer Brad DeWolf of Bolton & Menk, Inc. and City Planner Deb Garross of Northwest Associated Consultants, Inc. (NAC).

Mayor Orrock identified that newly elected members have been sworn in.

4. OPEN FORUM

Mayor Orrock opened the Open Forum at 7:02 p.m. No one came forward. Mayor Orrock closed the Open Forum at 7:03 p.m.

5. PROPOSED AGENDA

Council Member Heitz motioned to adopt the proposed Agenda with the addition of items 7M - Pedestrian Awareness Signs on CSAH 5, and 7N - Snow and Ice Removal Agreement with Big Lake Township. Seconded by Council Member Kampa, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Langsdorf motioned to approve the Consent Agenda with the removal of items 6A, 6D, 6I, 6R, and 6S for separate consideration. Seconded by Council Member Heitz, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6B) Approve Committee Workshop Minutes of December 15, 2004; 6C) Approve List of Claims; 6E) Approve Resolution #2005-01 Adopting 2005 Official City Appointments; 6F) Approve Resolution #2005-02 accepting a \$4,000 Donation to the Big Lake Fire Department from Phoenix Enterprises; 6G) Set Joint Workshop with City/Township/County/School Boards on Wednesday, February 2, 2005 at 7:00 p.m. in the Big Lake City Council Chamber; 6H) Approve Resolution #2005-03 approving a Class B Charitable Gambling License at Scooters Bar and Grill – Big Lake Knights of Columbus; 6J) Approve Reimburse Resolution #2005-04 for 2005; 6K) Approve Exterior Colors for Oppidan Project; 6L) Approve Fire Chief Re-Appointment; 6M) Approve Parks Advisory Member Re-Appointments; 6N) Approve Request from Big Lake Women of Today to Seek Donations for the DARE Program; 6O) Approve Police Reserve Appointments; 6P) Approve Park Advisory Committee Recommendations, and 6Q) Approve Resolution #2005-05 Authorizing EDA Meeting Date Change.

6A) Approve Regular Meeting Minutes of December 8, 2004

Council Member Heitz motioned to approve the regular meeting minutes from December 8, 2004 and directed staff to include names, addresses, and comments taken at public hearing on all future minutes. Seconded by Council Member Kampa, unanimous ayes, motion carried.

6D) Approve AutoStop Payment

Council Member Heitz motioned to approve the Autostop payment in the amount of \$1,397.33 for Police Vehicle Maintenance. Discussion was held on utilizing other businesses in addition to Autostop. Administrator Wussow informed Council that other businesses have been used and that staff will utilize the most cost effective resources available. Motion seconded by Council Member May, motion carried with a vote of 4 to 0 with 1 abstention with Council Members Heitz, Kampa, May, and Orrock voting aye and Council Member Langsdorf abstaining, motion carried.

6I) Approve Class B Charitable Gambling License at McPete's Sports Bar and Lanes – Big Lake Knights of Columbus

Council discussed the process of businesses leasing space to area organizations in relation to the City approving Class B Charitable Gambling Licenses.

Council Member Heitz motioned to approve Resolution #2005-06 approving a request by the Big Lake Knight's of Columbus for a Class B Charitable Gambling License at McPete's Sports Bar and Lanes. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

6R) Approve Personnel Policy Change

Council Member Langsdorf questioned the compensatory time procedure. Mayor Orrock reviewed the City's policy on offering comp time to staff versus paying overtime.

Council Member Heitz motioned to approve changes to the Personnel Policy as discussed. Seconded by Council Member Kampa, motion carried with a vote of 4 to 1 with Council Members Heitz, Kampa, May, and Orrock voting aye, and Council Member Langsdorf voting nay. Motion carried.

6S) Approve EDA Member Appointment

Council Member Kampa discussed re-advertising the open seat on the EDA Board and requested information on the structure of the EDA. Council discussed the application received from Jim Dickinson and the option of re-advertising the seat before the next EDA meeting. Council directed staff to provide a written description of the structure of the EDA Board.

Council Member Kampa motioned to table this item until the February 9, 2005 meeting to provide time to advertise the open seat. Seconded by Council Member May, unanimous ayes, motion carried.

7. BUSINESS

7A. PUBLIC HEARING – Abdo Simple Subdivision Preliminary and Final Plat

Deb Garross reviewed the planner's report for the Abdo Addition application for simple subdivision to replat several existing lots into two separate parcels totaling 1.25 acres in area. The site is located at 190 Jefferson Blvd and is proposed to be the future site of the Family Dollar Store and Bumper to Bumper.

Mayor Orrock opened the Public Hearing at 7:26 p.m. No one came forward.

Council Member Langsdorf motioned to close the public hearing at 7:27 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Resolution #2005-07 approving the Preliminary Plat of Abdo Addition and setting forth conditions to be met prior to the submittal of the final plat application. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Kampa motioned to approve Resolution #2005-08 approving the Final Plat of Abdo Addition and setting forth conditions to be met prior to release of the final plat. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7B. PUBLIC HEARING – Prairie Meadows 3rd Addition Concept Plan

Deb Garross reviewed the planner's report for the PUD Concept Plan for Prairie Meadows 3rd Addition. The 14.7 acre site is located east of 172nd Street and North of US Highway 10.

Mayor Orrock opened the public hearing at 7:44 p.m.

Don Deuel – 20157 -170th Street; Stated his concern with the density of the project and the vacated street area on the east side of the project.

Mark Ergin from Miles Development addressed Council with responses to the concerns of adjacent property owners and discussed the proposed homeowners association regulations. Mr. Ergin also stated that they are willing to consider not utilizing the vacated area.

Council Member May questioned the size of the proposed structures, along with her concern with the density size, and the need for a homeowners association.

Council Member Heitz questioned the status of Hillside Drive. Administrator Wussow clarified that the Township has requested that the City retain an easement in this area. Council Member Heitz also identified the need for a maintenance agreement, a buffer on the east side of the project, and a preference for single family structures verse townhomes.

Council Member Kampa stated her opposition to high density in this area and identified her preference for single family structures over townhomes in this development.

Council Member Langsdorf stated his preference for single family homes, but would like to see more 60' lots in the development. Council Member Langsdorf also stated he would like to see a buffer on the east side of the development and would require a maintenance agreement.

Mayor Orrock informed the developer that he would like a fence berm installed on the east end of the project to separate the city lots from the township lots. Mayor Orrock also stated his preference for single family structure, and the need for a maintenance agreement. Mayor Orrock directed staff to review a different access point to the south.

Greg Schlink, representing Bruggeman Homes, reviewed the planning process for the Prairie Meadows Development and discussed how Miles Development came into ownership of the 3rd Addition project area.

Roger Risreth - 170th Street; Stated his concern with the density of units.

Council Member Heitz motioned to close the public hearing at 8:20 p.m. Seconded by Council member Langsdorf, unanimous ayes, motion carried.

No action taken.

7C. Discuss Commercial Business Gift Proposal

Matt Brokl discussed the discount offer from Audio Communications and clarified City policy on not accepting “gifts” and or discounts offered only to city staff. Council discussed their policy on not allowing advertising inserts in staff’s payroll.

No action taken.

7D. Discuss Park Advisory Committee Applications

Council reviewed the two applications received for the open seat on the Parks Advisory Committee and discussed the qualifications of both applicants. Council Member Kampa notified Council that she would be abstaining from discussion and vote on this item.

Council Member Heitz motioned to appoint Brad Schnitzler to the Parks Advisory Board. Seconded by Council Member Langsdorf, motion carried with a vote of 4 to 0 with 1 abstention with Council Members Heitz, Langsdorf, May, and Orrock voting aye and Council Member Kampa abstaining, motion carried.

7E. Cable Franchise Agreement – CC VIII Operating LLC d/b/a Charter Communications

Mayor Orrock discussed the proposed Cable Ordinance and Cable Franchise Agreement with CC VIII Operating LLC d/b/a Charter Communications. Administrator Wussow discussed future negotiations with Connections, Etc. who is also a cable provider in the City.

Council Member Heitz motioned to approve Ordinance #2005-01 approving the Cable Ordinance to encourage further development of Cable Service and related communications services in the City and to ensure that all Cable Service providers are subject to comparable obligations and burdens. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve Ordinance #2005-02 granting a Franchise to CC VIII Operating LLC d/b/a Charter Communications to construct, operate, and maintain a cable system and provide cable service in the City of Big Lake, MN. Seconded by Council Member Heitz, unanimous ayes, motion carried.

Council Member Kampa motioned to approve Resolution #2005-09 approving summary publication of the Cable Ordinance #2005-01 and Franchise Ordinance #2005-02. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7F. Family Dollar Store Variance, Site Plan, and CUP

Deb Garross discussed the planner's report for the Family Dollar Store request for a variance, Site Plan Review, and a Conditional Use Permit for their proposed retail building located at 190 Jefferson Blvd. Ms. Garross also reviewed the site and building plans for the project.

Paul Abdo from Abdo Development discussed their proposed building layout and identified additional structural upgrades they will be implementing.

Council reviewed the proposed timeline of the project along with exterior façade design, landscaping, and access requirements for the site.

Council Member Langsdorf motioned to approve Resolution #2005-10 approving a variance, Conditional Use Permit, and site and building plans for the Family Dollar Store located at 190 Jefferson Blvd and setting forth conditions to be met prior to issuance of a building permit for the site. Seconded by Council Member Heitz, unanimous ayes, motion carried.

Council Member Heitz complimented the Planning Commission on their review of this project.

7G. Project Status Report – City Engineer

Brad DeWolf reviewed the December 28, 2004 Engineers Report and informed Council that a map of current projects will be provided with the next report.

7H. Project Status Report – City Attorney

Matt Brokl reviewed current projects his office has been working on.

7I. Project Status Report – Community Economic Development Director

Jim Thares reviewed the December 2004 Economic Development Report and recapped recent Industrial Park East projects.

7J. Discuss Weston Letter

Administrator Wussow discussed the letter received from John Weston regarding Council's denial of Mr. Weston's annexation request.

Matt Brokl reviewed the type of Orderly Annexation Agreement that could be used to control Annexations, and also identified that no formalized agreement is required for the City to deny annexations.

7K. Discuss Storm Water Utility

Brad DeWolf discussed the engineer's report describing the need for the City to implement a Storm Water Utility. Council asked questions on proposed charges, and requirements to follow the MPCA regulations.

The general consensus of the Council was to authorize the distribution of the Storm Water Utility brochure to promote awareness of the necessity of implementing a utility of this type.

7L. Discuss Council Workshop Date

Administrator Wussow discussed the proposed Workshop to update Council on current and proposed street projects, the liquor store expansion, and various other city projects.

Council Member Heitz motioned to set a Workshop date of January 26, 2005 at 5:00 p.m. in the City Council Chambers to discuss current and proposed street projects, liquor store expansion discussion, and various other city projects. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7M. Pedestrian Awareness Signs on CSAH 5

Administrator Wussow discussed the letter received from the Sherburne County Public Works Department in regard to their request for the removal of the pedestrian awareness signs from CSAH 5 for the winter maintenance season.

Council Member Langsdorf motioned to concur with the Sherburne County Public Works Department's request to remove the pedestrian awareness signs from CSAH 5. Seconded by Council Member May, unanimous ayes, motion carried.

7N. Snow and Ice Removal Agreement with Big Lake Township

Administrator Wussow discussed snow plowing complaints staff has received from residents along 172nd Avenue and reviewed the status of Resolution 2003-110 stating snow and ice removal procedures between the City and Township.

Council Member Kampa motioned to approve Resolution #2005-11 Establishing division of responsibilities for snow and ice removal between the Town of Big Lake and the City of Big Lake for Town/City roads with an expiration date of February 15, 2005. Seconded by Council Member Heitz, unanimous ayes, motion carried.

8. ADMINISTRATOR'S REPORT

Council Member Langsdorf motioned to reconsider item 6E – Resolution #2005-01. Seconded by Council Member Heitz, unanimous ayes, motion carried.

Council Member Kampa motioned to approve Resolution #2005-01 Adopting 2005 Official City Appointments with the deletion of Jim Dickinson's appointment to the EDA Board. Seconded by Mayor Orrock, unanimous ayes, motion carried.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Heitz: Questioned if Council was going to hold a goal setting session in 2005. Administrator Wussow discussed possibly holding the goal setting session in a staff meeting. Council discussed setting a date at the next meeting. Council Member Heitz also reviewed the recent EDA meeting.

Mayor Orrock: Indicated that he will provide a list of lighting concerns in city parking lots and streets. Mayor Orrock also discussed the recent Parks Committee meeting.

10. OTHER

No other.

11. ADJOURN

Council Member Heitz motioned to adjourn at 9:40 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

January 26, 2005
Date Approved By Council