

**BIG LAKE CITY COUNCIL  
REGULAR MEETING MINUTES  
MARCH 22, 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: Lori Kampa, Duane Langsdorf, Patricia May, and Don Orrock. Council Member absent: Chuck Heitz. Also present: Assistant City Administrator Scott Johnson, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, City Clerk Gina Wolbeck, Public Works Director Mike Goebel, Police Chief Sean Rifenberick, City Attorney Matthew Brokl 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.

Kent Vickerman; Big Lake Township Resident – Gave a brief update to Council on the Big Lake/Becker Hockey Association.

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

**5. PROPOSED AGENDA**

Council Member Langsdorf motioned to adopt the proposed Agenda with item No. 7B being moved to Closed Session. Seconded by Council Member May, unanimous ayes, agenda adopted.

## **6. CONSENT AGENDA**

Council Member Langsdorf motioned to approve the Consent Agenda with the removal of item 6G and the removal of item 6H for separate consideration. Seconded by Council Member Kampa, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Meeting Minutes of March 8, 2006; 6B) Approve List of Claims; 6C) 2006 Dock Licensing Amendments Ordinance No. 2006-06, Resolution No. 2006-39, and Amended Resolution No. 2006-01; 6D) Approve Fire Department Turn-Out Gear Funding; 6E) Authorize Bids for Fire Station Expansion Project, and 6F) Authorize Bids for Lake Plaza Façade Improvements.

6H) Public Hearing: Issuance of Capital Improvement Bond

Council Member Langsdorf motioned to approve Resolution No. 2006-40 calling for a public hearing on April 12, 2006 calling for the Sale of a Capital Improvement Bond to fund the construction of public buildings. Seconded by Council Member Kampa, unanimous ayes, motion carried.

## **7. BUSINESS**

### **7A. Trespass Ordinance**

Sean Rifenerberick reviewed the proposed Trespass Ordinance and identified that the changes would allow private property owners to have any individual trespassed from common areas as well as leased units if that individual has committed a crime or violated any property rules.

Pat Briggs; owner of Briggs Apartments - asked for further clarification of the proposed Ordinance on how it relates to him as a property owner. Chief Rifenerberick reviewed the specifics of property owner's rights in relation to issuing Trespass Notices.

Council Member Kampa motioned to approve Ordinance No. 2006-07 amending Chapter 5 of the City Code concerning trespassing on private property. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve Resolution No. 2006-41 authorizing summary publication of Ordinance No. 2006-07. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Kampa motioned to approve the use of the revised Trespass Notice form. Seconded by Council Member May, unanimous ayes, motion carried.

**7B. Class Representative in MN Class Action against Microsoft Corporation**

Item was moved to Closed Session.

**7C. Project Status Report – City Engineer**

Brad DeWolf reviewed the March 13, 2006 Engineers Report and answered questions of Council.

**7D. County Road 81 Land Swap with Sherburne County**

Matt Brokl reviewed the proposed land exchange proposed by Sherburne County that includes City owned land at the bio-solids application site for the amount of \$81,260 which would allow the County to exchange lands with James and Mary Hillala to obtain right-of-way for the CSAH 7 expansion project. Mike Goebel reviewed the current use of the land.

Council Member Langsdorf motioned to approve the sale of land to Sherburne County for \$81,260, approve the Warranty Deed, and approve the application to Sherburne County for an Administrative Subdivision. Seconded by Council Member May, unanimous ayes, motion carried.

**7E. Quit Claim Deed for Scooter's Parking Lot**

Matt Brokl reviewed the status of the parking lot located behind the old City Hall building. A Torrens search has determined that an error from years ago results in a current determination that the City has some interest in part of the parking lot. Mr. Brokl identified that as the City does not own a sellable portion of the parking lot, there is no benefit to the City to retain an interest in the site. Mr. Brokl also identified that the adjacent property owners would like to obtain the City's interest so the parcel title can be cleared up. This would enable the entire parking lot to be added to the tax rolls following the transfer.

Council Member Langsdorf motioned to approve a Quit Claim Deed for the City owned interest in the old City Hall parking lot to Gary Meyer and Brad Larson. Seconded by Council Member Kampa, unanimous ayes, motion carried.

**7F. Rental Registration Procedures**

Scott Johnson reviewed the request from Briggs Properties to be allowed an exception to the 2006 multifamily housing registration and inspection program and related fees for their 23-unit apartment building located at 660 Minnesota Avenue.

Council discussed concerns with setting precedence in waiving the fee/inspection, and also questioned if inspections every two years is adequate.

Council Member Kampa motioned to allow a reduced fee of \$100.00 for the multifamily site located at 660 Minnesota Avenue for the 2006 Rental Registration Program. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

### **7G. Store Shelving – New Liquor Store**

Scott Johnson reviewed the quotes received for store shelving and display gondolas for the Lake Liquors Building. Mr. Johnson identified that four quotes were received with the low quote from Britz Store Equipment in the amount of \$15,150.

Council directed staff to contact Paragon Store Fixtures for quotes of this type in the future.

Council Member Langsdorf motioned to accept the low quote of \$15,150 from Britz Store Equipment from Buckman, MN and to authorize the Mayor and Interim City Administrator to enter into a contract with Britz Store Equipment, Inc. for the purchase and installation of store shelving and display gondolas at the Lake Liquors Building. Seconded by Council Member May, unanimous aye, motion carried.

### **8. ADMINISTRATOR'S REPORT**

Scott Johnson informed Council that three applicants for the Police Officer position washed out of the background check process and asked for Council authorization to re-advertise for the open position.

Council Member Kampa motioned to authorize the re-advertisement of the open Police Officer position. Seconded by Council Member May, unanimous ayes, motion carried.

Assistant City Administrator Johnson reviewed the request from the Big Lake Area Jaycee's and the Big Lake Women of Today for use of Lakeside Park for their annual Easter Egg Hunt scheduled on April 8, 2006.

Mayor Orrock motioned to authorize the use of Lakeside Park for the annual Easter Egg Hunt scheduled on April 8, 2006 co-sponsored by the Big Lake Area Jaycee's and the Big Lake Women of Today. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Mike Goebel reviewed the repairs needed on Well No. 3 located at Lakeside Park and asked for Council authorization for the repair expenditure in the amount of approximately \$35,000.

Council Member Langsdorf motioned to authorize \$35,000 expenditure for Well No. 3 repairs. Seconded by Council Member Kampa, unanimous ayes, motion carried.

## **9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS**

Mayor Orrock: Discussed the upcoming Cable Commission.

Council Member Langsdorf: Discussed the status of the new liquor store site. Assistant City Administrator Johnson also gave an update on the status of the roof project at the liquor store site.

Council Member May: Reviewed the Parks Advisory Board Meeting.

## **10. OTHER**

Mayor Orrock closed the regular session at 7:50 p.m. to go to the Closed Session.

Pat Briggs addressed Council to request to be heard on the Rental Registration item discussed earlier in the meeting.

Mayor Orrock authorized Mr. Briggs to approach Council before Closed Session begins. Regular meeting reopened at 7:51 p.m.

Mr. Briggs clarified the age of his apartment building as being one year old versus 18 months old and stated that while he feels that the program is beneficial, the property owner should not be charged a fee for the rental inspection.

Council reviewed the Rental Registration Program guidelines and identified that the property owner was given an appropriate reduction on his 2006 fee due to the age of his building. Council also discussed that the fee for the Rental Registration Program should be paid by the benefiting property owner, not by the taxpayers of the City.

Mayor Orrock closed the regular session at 7:56 p.m. to go to the Closed Session.

## **11. CLOSED SESSION**

### **11.A. Class Representative in MN Class Action against Microsoft Corporation**

Matt Brokl reviewed the proposed agreement with Zelle for legal services relating to a Class Action against Microsoft Corporation.

**11.B. Acquisition of Land for the WWTP Site**

Matt Brokl reviewed the status of negotiations with the property owners for the expansion of the Waste Water Treatment Plant facility.

Council Member Kampa motioned to close the Closed Session and reopen the regular meeting at 8:12 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve the settlement for the Waste Water Treatment Plant expansion and to authorize the Mayor and Interim City Administrator to enter into the purchase/settlement agreement. Seconded by Mayor Orrock, unanimous ayes, motion carried.

Council Member Kampa motioned to approve the agreement with Zelle for legal services relating to a Class Action against Microsoft Corporation and to authorize the Mayor and Interim City Administrator to enter into the retainer agreement. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

**12. ADJOURN**

Council Member Langsdorf motioned to adjourn at 8:14 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

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Clerk

Date Approved By Council \_\_\_\_\_