

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
NOVEMBER 8, 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: Chuck Heitz, Lori Kampa, Duane Langsdorf, Patricia May, and Don Orrock. Also present: City Administrator Scott Johnson, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, City Clerk Gina Wolbeck, City Planner Ned Noel, Accounting Clerk Dawn Rolfhus, Police Chief Sean Rifenberick, City Attorney Matthew Brokl 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 Langsdorf motioned to adopt the proposed Agenda. Seconded by Council Member Heitz, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Heitz motioned to approve the Consent Agenda as presented. Seconded by Council Member Langsdorf, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Council Meeting Minutes of October 25, 2006, 6B) Approve

Workshop Meeting Minutes of November 1, 2006, 6C) Approve List of Claims, 6D) Approve 2007 Tobacco License Resolution No. 2006-119 for Tootsies Tavern, 6E) Approve 2007 Tobacco License Renewal Resolution No. 2006-120, 6F) Approve 2007 Therapeutic Massage License Renewal Resolution No. 2006-121, 6G) Approve 2007 Trash Hauler License Renewal Resolution No. 2006-122, 6H) Accept Notification of Excluded Raffle Sponsored by the Big Lake Chamber of Commerce in December 2006 in the City of Big Lake for their Annual Meeting/Holiday Bash Event, 6I) Set Council Workshop Dates on the First Wednesday of January – April and September – December 2007 to Discuss City Business, 6J) Approve Resolution No. 2006-123 Receiving Preliminary Report and Calling for a Public Hearing on December 13, 2006 at 7:00 p.m. in the Council Chambers for the 2007 Street & Utility Improvements, 6K) Set Joint Meeting with Big Lake Township on November 21, 2006 at 6:30 p.m. in the City Council Chambers to discuss future designation of Orderly Annexation Areas, Joint Planning Discussion, I3 Zoning District, and any other City/Township business deemed necessary, 6L) Approve Resolution No. 2006-124 Supporting the Business Retention & Expansion Program, 6M) Approve Donation Resolution No. 2006-125, 6N) Approve the Sale of Recovered Bicycles at the Big Lake-Anoka Auction, and 6O) Set Council Workshop Date of Wednesday, November 29, 2006 at 6:00 p.m. to discuss the City SAC Policy and any other City business deemed necessary.

7. BUSINESS

7A. ASSESSMENT PUBLIC HEARING – 2006 Street & Utility Improvement Project

Brad DeWolf reviewed the status of the 2006 Street & Utility Improvement Project and assessment procedures defined in the City Assessment Policy.

Mayor Orrock opened the Public Hearing at 7:07 p.m.

Robert Young, 131 Lagoon Avenue; Requested reimbursement of his assessed amount for driveway improvements as he paid for the improvements himself. Mr. Young also questioned how footage was calculated on his pie shaped lot. Mr. Young submitted an appeal letter at the hearing.

Jerry Lanie, 207 Park Avenue West; Questioned assessment footage and asked why he is being charged for all three of his lots. Brad DeWolf clarified that the City Assessment Policy specifies that if all his lots have separate parcel identification numbers, each parcel is assessed. Mr. Lanie submitted an appeal letter at the hearing.

David Anderson, 206 Park Avenue; Mr. Anderson submitted an appeal letter at the hearing.

Staff identified that written assessment appeals had been received from the following individuals prior to the close of the public hearing: Lois Adolphson, 151 Lagoon Avenue;

David Stearns, 200 Lagoon Avenue; Charlene Stearns, 150 Lagoon Avenue; Ken and Carlene Stenberg, 130 Hill Circle East; Pat Struffert, 160 Hillcrest Street; Dan and Beth Tong, 1160 Lake Street North; Robert Young, 131 Lagoon Avenue; Jerry Lanie, 207 Park Avenue West; and David Anderson, 206 Park Avenue.

Brad DeWolf also informed Council that the property located at 330 Park Avenue should be removed from the final assessment roll due to changes made to the City Assessment Policy relating to corner lots. Mr. DeWolf also discussed a \$964.60 credit that will be given to the property located at 117 Hillside Street due to the property owner paying for the driveway improvements.

Corey Boyer clarified that the interest rate on assessments for the 2006 Street and Utility Improvement project will be 5.66%.

Council Member Kampa motioned to close the Public Hearing at 7:14 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve Resolution #2006-126 Adopting Assessment for the 2006 Street & Utility Improvement Project with the removal of all submitted appeals and changes to assessments for 330 Park Avenue West and 117 Hillside Street. Seconded by Council Member Heitz, motion passed with a vote of 4:1 with Council Members Heitz, Kampa, Langsdorf, and Orrock voting aye, and Council Member May voting nay, motion carried.

7B. PUBLIC HEARING – Certification of Past-Due Utilities

Corey Boyer reviewed the procedure for assessing past due utility bills and identified the final date the City would receive payments on these accounts prior to the assessment roll being delivered to the Sherburne County Auditor's Office.

Mayor Orrock opened the Public Hearing at 7:18 p.m. No one came forward.

Council Member Heitz motioned to close the public hearing at 7:19 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Kampa motioned to approve Resolution #2006-127 placing delinquent charges against specified properties. Seconded by Council Member Heitz, unanimous ayes, motion carried.

7C. PUBLIC HEARING – Big Lake Marketplace 5th Addition Vacation of Drainage and Utility Easements and Approval of Final Plat

Ned Noel reviewed the planners report for the application submitted by Dynamics Design and Land Company for final plat and vacation of drainage and utility easements for the Big Lake Marketplace 5th Addition project. The proposed final plat consists of approximately 9 acres located east of 168th Street and south of Highway 10. This is the 5th phase of the development and includes platting of two commercial lots and one outlot. The vacation application is for the removal of current drainage and utility easements located on lots in the replatting area.

Mayor Orrock opened the public hearing at 7:22 p.m. No one came forward.

Council Member Heitz motioned to close the public hearing at 7:23 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Resolution No. 2006-128 approving the final plat of Big Lake Marketplace 5th Addition, vacation of easements and setting forth conditions to be met prior to release of the final plat. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7D. PUBLIC HEARING – Tootsies Tavern Liquor License Application

Corey Boyer reviewed the on-sale and Sunday liquor license application submitted by Jerry and Janet McKernan. The applicants are in the process of purchasing the land and buildings currently known as Jim's Bar located at 110 Jefferson Blvd. The site is located south of Highway 10, north of the Burlington Northern RR tracks, east of Lakeshore Drive, and west of Highway 25. The applicants have submitted all required application forms, prorated fees, and insurance information. The required background investigation is currently underway and authorization from the Police Chief and City Administrator would be required prior to any sales of liquor at the establishment.

Mayor Orrock opened the public hearing at 7:25 p.m. No one came forward.

Council Member Langsdorf motioned to close the public hearing at 7:26 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve Resolution #2006-129 approving new On-sale and Sunday Liquor Licenses for Tootsies Tavern located at 110 Jefferson Blvd pending satisfactory background investigation results and submittal of all required documentation. Seconded by Council Member Kampa, motion passed with a vote of 4:1 with Council Members Heitz, Kampa, Langsdorf, and Orrock voting aye, and Council Member May voting nay, motion carried.

7E. Discuss Authorization to Hire Part-Time Police Officer

Chief Rifenberick discussed the hiring of Andy Rick as a part-time Police Officer. Mr. Rick has been a reserve officer with the police department for some time and has performed exceptionally well in that capacity. Mr. Rick resides in the community and is a certified EMT. He recently completed Law Enforcement Skills with high marks and has passed his physical and psychological tests. He recently passed the MN POST Exam for the part-time Peace Officer License. Mr. Rick is expected to successfully pass the full-time exam in December 2006. Staff is seeking Council authorization to hire Mr. Rick as a part-time police officer.

Council Member Kampa motioned to approve the hiring Mr. Rick as a part-time police officer. Seconded by Council Member May, unanimous ayes, motion carried.

7F. Lake Shopping Center PUD/CUP Preliminary Plat

Ned Noel reviewed the planners report for the Lake Shopping Center 2nd Addition Preliminary Plat and Conditional Use Permit/Planned Unit Development. Joint owners of the site include the City of Big Lake, Big Lake Economic Development Authority, Chuck Hultman, and Mike Krutzig are the applicants for this site located north of Highway 10, west of Fern Street and east of Phyllis Street.

Discussion was held concerning the northside gravel drive/parking area on the backside of the building and setting a timeline for improving this area and potential costs.

Council Member Langsdorf motioned to approve Resolution No. 2006-130 rescinding Resolution No. 2006-65 and approving the CUP/PUD, site and building plan review, preliminary plats of Lake Shopping Center 2nd Addition and Big Lake Center with amended attachments provided at the meeting and with the added condition that the PUD be reviewed in three years concerning paving of the gravel drive behind the Lake Shopping Center and setting forth conditions to be met prior to submittal of the final plat application.

7G. Consider Beginning Hazardous Abatement Process

Jim Thares discussed the recent City inspection that was conducted to observe existing substandard homes which may be eligible for the hazardous abatement program. These property owners have been contacted by City staff and of the six potential eligible homes, one property owner responded seeking additional information. At the September BLEDA meeting, the BLEDA recommended staff proceed with the Hazardous Abatement process on several properties in the City.

Council Member Heitz motioned to authorize staff to begin working with Fred Patch from Northwest Inspection Services on the Hazardous Abatement process. Seconded by Council Member Kampa, unanimous ayes, motion carried.

8. ADMINISTRATOR'S REPORT

Administrator Johnson updated Council on the status of the Lake Shopping Center façade project and the fire hall expansion project.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Kampa: Questioned who is responsible for maintenance of the holding pond adjacent to the Coborn's site. Brad DeWolf informed Council that Coborn's is responsible to maintain the pond area. Jim Thares indicated that Coborn's has contacted staff concerning fencing off this area.

Mayor Orrock: Congratulated Council Member Elect Backlund on the election results of November 7, 2006. Mayor Orrock also noted that he has had discussions concerning land adjacent to the City's application site and the potential to acquire some of this land for the City's planned park complex in this area.

Council Member May: Questioned when the light poles in the Putnam Avenue project will be taken care of and when the pedestrian crossing signs will be installed. Brad DeWolf informed Council that they have been given December 1st as the latest that the pedestrian signage will be installed and that he has not received dates on the corrections to the light poles on the Putnam Avenue project.

10. OTHER

No other.

11. ADJOURN

Council Member Heitz motioned to adjourn at 8:07 p.m. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council 12/13/06