

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
MARCH 9, 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, Finance Director Corey Boyer, Community Economic Development Director Jim Thares, Building Inspector Sam Rudd, Liquor Store Manager Jan Kostrzewski, Building Official Fred Patch, City Attorney Matthew Brokl of Campbell Knutson, City Engineer Brad DeWolf of Bolton & Menk, Inc. and City Planner Steve Gritman of Northwest Associated Consultants, Inc. (NAC).

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 Mayor Orrock, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Langsdorf motioned to approve the Consent Agenda with the removal of items 6F and 6L for separate consideration. Seconded by Council Member Heitz, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve 2:00 p.m. Workshop

Meeting Minutes of February 23, 2005; 6B) Approve 5:00 p.m. Workshop Meeting Minutes of February 23, 2005; 6C) Approve Regular Meeting Minutes of February 23, 2005; 6D) Approve List of Claims; 6E) Authorize Transfers to Close Debt Service Funds; 6G) Approve Resolution #2005-24 Authorizing Plans and Specifications and Order Advertisement for Bids for the South Highway 10 Frontage Road Improvements; 6H) Approve Resolution #2005-25 Authorizing Plans and Specifications and Order Advertisement for Bids for the Glenwood Avenue Improvements; 6I) Approve Resolution #2005-26 Authorizing Feasibility Report for the Big Lake Industrial Park East Drainage Improvements; 6J) Approve Council Gathering on March 31, 2005 at 8:00 a.m. for the State of the Cities Legislative Conference and City Day at the Capitol; 6K) Approve Use of Lakeside Park for the Jaycee's/Big Lake Women of Today Annual Easter Egg Hunt;, and 6M) Approve Resolution #2005-27 Approving 2005 Liquor Licenses.

6F) Authorize Closing of Special Revenue/Community Fund;
Council Member Kampa questioned the reason this fund is to be closed and will it affect any community funds. Corey Boyer informed Council that there has been no activity in this fund since 2001, and that Special Revenues and Community funds are now processed in the General Fund.

Council Member Kampa motioned to approve the closing of the Special Revenue/Community Fund. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

6L) Approve Resolution #2005-28 Supporting Northstar Corridor Project
Council Member Heitz motioned to approve Resolution #2005-28 stating City of Big Lake support for the Northstar Commuter Rail Project. Seconded by Council Member Langsdorf, motion passed with a vote of 4:1 with Council Members Heitz, Langsdorf, May, and Orrock voting aye, and Council Member Kampa voting nay, motion carried.

7. BUSINESS

7A. PUBLIC HEARING – Planning Commission Number of Meetings Ordinance Amendment

Jim Thares discussed the increased number of Planning Commission meetings in the months of May through August. Mr. Thares indicated this increase is due to the high number of items on the Planning Commission Agenda during these months.

Mayor Orrock opened the public hearing at 7:07 p.m. No one came forward.

Council Member Heitz motioned to close the public hearing at 7:08 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve Ordinance #2005-03 amending Chapter 2, Section 250.03 of the Big Lake Municipal Code to modify the number of meetings the Planning Commission holds from May through August. Seconded by Council Member Kampa, unanimous ayes, motion carried.

7B. PUBLIC HEARING – Storm Water Drainage Utility Ordinance

Brad DeWolf discussed the establishment of a Storm Water Drainage Utility that would serve as a funding source to allow the City to preserve Big Lake and Lake Mitchell at their current quality levels and meet the requirements of NPDES Phase II requirements. Mr. DeWolf discussed the purpose of the Storm Water Drainage Utility and identified the proposed fee structure. Mr. DeWolf also identified that all city's with a population over 10,000 must have a Storm Water Management Plan.

Mayor Orrock noted that developers are responsible for paying a Storm Sewer Trunk Fee as a requirement in their Development Contract. Mayor Orrock also stated the importance of protecting our lakes.

Council Member Kampa questioned if other communities have approved this type of fee and how the proposed fee compares to other communities. Mr. DeWolf estimated that 80% of neighboring communities are using this type of utility, and that the City of Big Lake's proposed fee is less than average compared to surrounding communities.

Council Member Heitz questioned if this fee is outside of levy limits. Administrator Wussow identified that this type of fee is considered a user fee, therefore, is not considered as part of our levy.

Mayor Orrock opened the public hearing at 7:14 p.m.

Bruce Jacobsen; 218th Avenue, Big Lake Township – Stated his concern with wetland areas and the impact on the Elk River.

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

Council Member Kampa submitted a letter she had received from Bruce Jacobsen stating opposition to the proposed Storm Water Utility Fee. Mayor Orrock read the letter aloud.

Council Member Heitz motioned to approve Ordinance #2005-04, amending Chapter 8 to add section 820 Storm Water Drainage Utility as discussed. Seconded by Council Member Langsdorf, motion passed with a vote of 4:1 with Council Members Heitz, Langsdorf, May, and Orrock voting aye, and Council Member Kampa voting nay.

Council Member Langsdorf motioned to approve an amendment to Ordinance #2004-34, schedule of fees for 2005 to include a Storm Water Drainage Utility Fee. Seconded by Council Member Heitz, motion passed with a vote of 4:1 with Council Members Heitz, Langsdorf, May, and Orrock voting aye, and Council Member Kampa voting nay.

Council Member Heitz motioned to approve Resolution #2005-29, authorizing a summary publication for Ordinance Amendment #2004-34 to include a Storm Water Drainage Utility Fee into the 2005 fee schedule. Seconded by Council Member Langsdorf, motion passed with a vote of 4:1 with Council Members Heitz, Langsdorf, May, and Orrock voting aye, and Council Member Kampa voting nay.

7C. PUBLIC HEARING – Housing Maintenance Code and Rental Unit Ordinance Amendment

Fred Patch discussed the original establishment of the Housing Maintenance Code and Rental Unit Registration ordinance that was adopted to address blight and unsafe conditions in rental housing. Mr. Patch identified problematic areas of the code and discussed the need to revise the code to provide minimum standards for fire and life safety of occupants of residential multifamily buildings.

Mayor Orrock opened the public hearing at 7:30 p.m. No one came forward.

Council Member Kampa motioned to close the public hearing at 7:37 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Ordinance #2005-05, amending Chapter 9, Section 910 to redefine the scope of the Housing Maintenance Registration Code and Rental Unit Registration Ordinance to establish minimum standards for maintaining fire and life safety for multifamily Dwellings, Accessory Structures and premises; to apply to all apartment units, rooming houses and boarding houses containing three or more rental housing units. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Ordinance #2005-06 summarizing Chapter 9 Amendments and establishing a summary of changes for the purpose of publication. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve Resolution #2005-30 authorizing summary publication of Ordinance #2005-06, amending Chapter 9 of the Big Lake Municipal Code. Seconded by Mayor Orrock, unanimous ayes, motion carried.

Council Member Kampa motioned to approve the use of the Initial Notice of Inspection/Violation form for the purpose of enforcing Ordinance #2005-05. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Langsdorf motioned to approve the use of the Multifamily Housing Inspection Checklist form for the purpose of enforcing Ordinance #2005-05. Seconded by Council Member Heitz, unanimous ayes, motion carried.

7D. Hudson Woods AUAR and Mitigation Plan

Steve Gritman discussed the final AUAR and Mitigation Plan for the Big Lake Marketplace North/Hudson Woods project.

Council Member Langsdorf motioned to approve Resolution #2005-31 adopting the final AUAR and Mitigation plan for Dynamics Design and Land Company for the Big Lake Marketplace/Hudson Woods project. Seconded by Council Member Kampa, unanimous ayes, motion carried.

7E. Follow-Up on Remaining Public Land – West Sides of Big and Mitchell Lake

Matt Brokl reviewed the status of phase I of this project and the process that was followed to vacate specific public land on the west sides of Big Lake and Mitchell Lake. Phase II of the project would include identifying uses for the ends of the streets and the two parcels not vacated. Mr. Brokl asked for Council direction on uses for these areas.

Council discussed options including licensing, creating greenways, and the option of not regulating the area. Council directed the City Attorney to draft a lease type of agreement for Council review at a future workshop.

7F. Township Industrial Park Discussion

Administrator Wussow discussed recent conversations with the developer of a proposed Preliminary Plat located in Big Lake Township adjacent to the City on Highway 10. Administrator Wussow also reviewed a letter sent to Big Lake Township addressing concerns with this development.

Mayor Orrock discussed the need for the Township and County to enforce their Ordinances, and that the City should formally request the County to establish Developers Agreements for all future County developments.

Matt Brokl discussed various options available to the City.

Council Member Heitz identified the need for the County to establish higher Design Standards and that the County should be requiring Developers Agreements on all future developments. Council Member Heitz also stated his concern with annexing land any further east.

Council directed staff to follow-up with the Township and County by letter, to address Design Standards and requesting the County implement a requirement for Developers Agreements for new developments in the County.

8. ADMINISTRATOR'S REPORT

Administrator Wussow reviewed the Annual Town Board meeting highlights and informed Council that Ewald Petersen was re-elected to the Town Board. Administrator Wussow also informed Council that the City Clerk's station in the Council Chamber will be moved to the dais by the next meeting. Discussion was also held on canceling the City Day at the Capitol event due to lack of attendance. Administrator Wussow thanked staff for the numerous hours of work that was put into the Ordinance amendments recently passed by Council. An update was also given on the recent Northstar Meeting.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Heitz: Asked the City Engineer for an update on when Hill Street is planned for improvement. Mr. DeWolf indicated that he has been working with the Public Works Director to put together a 5-year plan for street reconstruction, and that improvements to Hill Street will more than likely happen within the next 3 years. Council Member Heitz requested that staff expedite the reconstruction of Hill Street due to flooding and safety issues in this area.

Council Member Kampa: Reviewed the recent Community Education Advisory Council Meeting. Council Member Kampa also informed staff that Putnam Avenue is in need of patch work.

10. OTHER

No other.

11. CLOSED SESSION – Consider Offer to Purchase Property

The City Council adjourned to discuss parcels 65-420-0110, 65-420-0115, and 65-420-0120 because the property owner contacted the City for possible purchase. During Closed Session, Council directed staff to work towards a possible purchase.

12. ADJOURN

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

Gina Wolbeck
Clerk

Date Approved By Council March 23, 2005