

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
JULY 25, 2007**

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: Dick Backlund, Chuck Heitz, Lori Kampa, 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, Building Official Sam Rudd, Public Works Director Mike Goebel, Police Chief Sean Rifenberick, City Attorney Soren Mattick 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. No one came forward. Mayor Orrock closed the Open Forum at 7:02 p.m.

5. PROPOSED AGENDA

Council Member Heitz motioned to adopt the proposed Agenda with the removal of item 7F - Gailfus Trailer Rezone and Conditional Use Permit, at the request of the applicant. Seconded by Council Member Kampa, unanimous ayes, agenda adopted.

6. CONSENT AGENDA

Council Member Kampa motioned to approve the Consent Agenda as presented. Seconded by Council Member May, unanimous ayes, consent agenda approved. The Consent Agenda

consists of: 6A) Approve Regular Council Meeting Minutes of July 11, 2007, 6B) Approve Christmas Holiday Schedule, 6C) Approve Change Order No. 2 and Final Pay Application for the Hiawatha Avenue Improvement Project, 6D) Approve Resolution No. 2007-72 approving a 3.2% Malt Liquor License to Erickson Oil Products d/b/a Super America, 6E) Approve 2007 Budget Adjustment, 6F) Approve Recommendations from the Park Advisory Board, 6G) Approve Purchase of Holder from Cushman Motor Company, 6H) Approve Purchase of a Reversible Plow from St. Joseph Equipment, 6I) Approve Safe & Sober Grant Resolution No. 2007-73, 6J) Approve Donation Resolution No. 2007-74, and 6K) Authorize MnDEED Redevelopment Grant Application Resolution No. 2007-75.

7. BUSINESS

7A. PRESENTATION – MN DNR Eurasian Watermilfoil Update

Chip Welling from the Minnesota Department of Natural Resources provided information on the Eurasian Watermilfoil plant that has been detected in Big Lake. Mr. Welling informed Council that the DNR received a report in the spring of 2007 that Eurasian Watermilfoil plants had been detected on the west side of Big Lake near the boat landing area. The plants are not abundant at this stage and the DNR will take a “wait and see” position and manage issues as they arise. Council Member Kampa stated that the “wait and see” position is not a pro-active approach to controlling this weed. Mr. Welling explained that the management of weed control is a cooperative effort between the DNR, the local lake association, the local unit of government and often times the County. The DNR will provide water craft inspectors at the Big Lake landing but that there is no set time when those inspectors will be staffed in Big Lake. Mr. Welling explained various ways the weed can be transferred to a lake which include by watercraft, natural water flow, and wildlife. Council received a request from Sandy and Sanford Smith to be allowed to use the Council Chambers to hold a Lake Association public meeting. Mayor Orrock informed Ms. Smith that City Hall is not staffed in the evenings and advised her to contact Big Lake Schools about using one of their meeting rooms.

7B. PRESENTATION – Big Lake Friends of the Library Update

John Hunt from the Big Lake Friends of the Library presented findings and recommendations from the Joint Working Group established in May 2006. Mr. Hunt explained that the working group focused on space planning issues because the agreement between the City and the Great River Regional Library (GRRL) obligates the City to provide the space and furnishings for the branch library and that the GRRL provides resource materials and staff. Mr. Hunt reviewed the vision and core values of the library and discussed current space concerns of the Big Lake Library. The guidelines established by the working group suggest that the Big Lake branch library needs to be moved to a significantly larger space in order to provide the breadth and depth of library services typical

for a community of Big Lake's size. The working group identified both short-term and long-term steps to achieve their goals. They recommended that the City of Big Lake and Big Lake Township work together to plan for moving the Big Lake branch of the GRRL system from its current location to an existing or new space of 10,000 – 12,000 square feet by no later than 2010 and that the site should feature expanded library stacks, dedicated study and reading areas with tables and chairs, a dedicated magazine and newspaper reading areas, a dedicated DVD and video viewing area, a large group meeting room with a capacity of 100, two small group meeting rooms with a capacity of 25, a computer workstation area, parking with bike racks, a drive up book return, public restrooms, dedicated space for staff offices, break room, and restroom, more locked storage space for program materials and seasonal items, an inviting entrance/atrium, more natural light and windows, and wireless internet access. Mr. Hunt discussed viable areas for relocation and identified that the location should have good visibility and easy access for drivers, cyclists, and pedestrians. Mr. Hunt asked Council to consider the short term goals during their upcoming budgeting process and to plan for a new facility in the future. Council Member Heitz informed Council that Big Lake Township has shown an interest in participating with the City to improve the library facility. Council directed staff to seek quotes on the short term goals to find out how these costs will affect the budget.

7C. PUBLIC HEARING – Marketplace Eastern Industrial Park Assessments

Brad DeWolf reviewed the Marketplace Eastern Industrial Park project area which consists of improvements on 197th Avenue from 168th Street to 166th Street, and on 166th Street from 197th Avenue to 198th Avenue. The improvements will include a 38 foot wide bituminous surface, concrete curb and gutter, storm sewer, a six foot sidewalk, watermain, and sanitary sewer. The total project cost is estimated at \$780,680.00 which will be assessed to the adjacent property owners. Mr. DeWolf also discussed the Public Improvement and Assessment Agreements signed by LGL Real Estate Investments, LLC, Dynamics Design & Land Company, LLC, and Peter and Gayle Ahrens. The Agreements will reimburse the City 100% of the total project costs, and will complete improvements to 197th Avenue and 166th Street in the Marketplace Development area.

Mayor Orrock opened the public hearing at 7:45 p.m.

Ed Cyr asked Council to review the design of the Marketplace Development and also questioned if Council has turned away specific businesses for this development. Council explained that the Marketplace Development is a tiered development with commercial/retail projects along Highway 10 and Industrial closer to the railroad tracks. Council Member Heitz stated that the City has been actively seeking big box types of businesses for a number of years and has not had the opportunity to welcome this type of business to the community but hopes to in the future.

Council Member Kampa motioned to close the public hearing at 7:50 p.m. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Kampa motioned to approve Public Improvement and Assessment Agreements for parcels identified as 65-546-0060, 65-534-0020, 65-546-0040, 65-546-0010, 10-127-2201, and 10-127-2105 for the Marketplace Eastern Industrial Park Improvement Project. Seconded by Council Member May, unanimous ayes, motion carried.

7D. Marketplace Eastern Industrial Park Bid Results

Brad DeWolf discussed the bids received on the Marketplace Eastern Industrial Park Improvement Project. Thirteen bids were received with the low bid submitted by J.R. Ferche from Rice, MN in the amount of \$650,566.87. Mr. DeWolf explained that this bid is approximately 30.5% below the Engineer's original estimate. Mr. DeWolf also informed Council that the bid award should be contingent upon securing final right of way acquisition in necessary areas.

Council Member Heitz motioned to award the bid for the Marketplace Eastern Industrial Park Improvement Project to J.R. Ferche, Inc. from Rice, MN in the amount of \$650,566.87 and to authorize the Mayor and City Administrator to enter into the Contract for this project contingent upon securing final right of way acquisition in necessary areas. Seconded by Council Member Backlund, unanimous ayes, motion carried.

7E. Sale of G.O. Improvement Bonds Series 2007E and G.O. Utility Revenue Bonds Series 2007F

Corey Boyer discussed the need to call for the sale of two bonds, one of which is needed for the Marketplace Eastern Industrial Park project, and the other bond is for funding of the County Road 43 Interceptor Project, the construction of Water Tower No. 4, the Fire Hall Utility Extension Project, and the County Road 81 Utility Extension Project. Mr. Boyer informed Council that the County Road 43 project might be removed from this bond as the project will more than likely not be completed until 2008. Reserves were utilized to fund some of these projects and others are at the preliminary stage of construction and are yet to be funded. With the slow-down in the housing market, the City has seen a decline in the water and sewer access charges which in turn, has reduced the anticipated reserve levels. In order to reimburse ourselves and ensure adequate cash flow levels in our utility funds, staff is recommending Council call for the sale of these bonds.

Council Member Kampa motioned to approve Resolution No. 2007-76 providing for the sale of \$840,000.00 G.O. Improvement Bonds, Series 2007E. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Heitz motioned to approve Resolution No. 2007-77 providing for the sale of \$3,445,000.00 G.O. Utility Revenue Bonds, Series 2007F with the ability to remove the County Road 43 project from the bond amount. Seconded by Council Member May, unanimous ayes, motion carried.

7F. Gailfus Trailer Rezone and Conditional Use Permit

Item was removed from the Agenda at the Applicant's request.

7G. Discuss Tour of Komline Sanderson Advanced Biosolids Drying Facility

Brad DeWolf reviewed the status of the Facility Plan and Preliminary Design for the upgrade to the Wastewater Treatment Plant. As part of the project, it is proposed that the City will be doing advanced biosolids treatment to produce Class A exceptional quality biosolids. Staff is recommending that the City bid two biosolids dryers to ensure that a competitive bid is received. The two dryers that are proposed to be bid are manufactured by Kruger, Inc. and Komline Sanderson. Staff has toured the Kruger facility in Prior Lake, MN, but would also like to tour the Komline facility in Mason, Ohio to be sure that the equipment being specified is acceptable. Staff is seeking Council authorization for two public works employees to tour this plant with estimated expenses to be \$550.00 per plane ticket and \$65.00 for the hotel room to review the operation of the advanced biosolids drying facility located in Mason, Ohio. Council discussed working with the City of Monticello to establish joint ownership of the dryer to lower the initial cost and operational expenses for the equipment.

Council Member Heitz motioned to authorize expenditures to send two public works employees to Mason, Ohio to tour the Komline Sanderson Advanced Biosolids Drying Facility. Seconded by Council Member Kampa, unanimous ayes, motion carried.

7H. Project Status Report – City Engineer

Brad DeWolf reviewed the July 2007 Engineers Report and answered questions from Council.

8. LIST OF CLAIMS

Council Member Kampa motioned to approve the List of Claims ranging from Check No. 51347 through Check No. 51425. Seconded by Council Member May, unanimous ayes, motion carried.

9. ADMINISTRATOR'S REPORT

Scott Johnson discussed the upcoming Northstar Corridor Development Authority (NCDA) Meeting that will be held in the Big Lake City Council Chambers on August 2, 2007. The NCDA will also be holding a groundbreaking and anniversary celebration at the site of the future Northstar Maintenance Facility located on CR 43 South. Staff is recommending Council set a Special Gathering Date for Council and all city commissions/committees. No Action will be taken at these gatherings. Council Member Heitz discussed the importance of this event and asked if it would be appropriate for the City to seek donations for a reception after the groundbreaking.

Council Member Heitz motioned to Set a Special Gathering Date on Thursday, August 2, 2007 beginning at 4:00 p.m. for a Northstar Corridor Development Authority Meeting in the City Council Chambers and a groundbreaking/anniversary celebration following at the site of the future Northstar Maintenance Facility located along CR 43 South. Seconded by Council Member Kampa, unanimous ayes, motion carried.

Scott Johnson discussed the interviews that were held for the Planner/Community Development Assistant position. Staff is recommending Council appoint Leslie Chmielewski to the position with a start date of August 6, 2007.

Council Member Kampa motioned to appoint Leslie Chmielewski as the full-time City Planner/Community Development Assistant effective August 6, 2007. Seconded by Council Member May, unanimous ayes, motion carried.

Mike Goebel asked for Council clarification on how they would like staff to handle weed complaints. These types of complaints have been increasing, and currently staff only responds to complaints instead of seeking out violators. The general consensus of the Council was to be more aggressive on violators and to process violations as the public works department becomes aware of the violation. Council also directed staff to seek quotes for contracting with lawn service companies to assist the public works with cleaning up these violations. Mike Goebel also informed Council that the new Census updated figures were released and the City's population estimate is at 9,035. Mr. Goebel will order new population signage to replace the outdated figures.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Backlund: Reviewed the recent Planning Commission meeting. Discussed misplacement of a residential structure on Gordon Lane. Sam Rudd explained that the survey company provided the building department with an incorrect survey for the property which resulted in the structure being built within the setback area. Council questioned Mr. Rudd on the cleanup of the burned structure in the Lake Street Cottages Development. Mr.

Rudd informed Council that the owner has committed to clean up the property by next week. Council Member Backlund questioned if the City is prepared for enforcement of the upcoming smoking ban. Soren Mattick explained that the new state law will take effect on October 1, 2007 and that local law enforcement will be responsible for enforcement.

Council Member Heitz: Reviewed the July TOD Meeting. Council Member Heitz also directed staff to contact the Northstar Corridor Development Authority to find out if there is a reception planned after the events scheduled on August 2nd. Council Member Heitz restated the importance of this event and feels that it can have a positive impact on the Big Lake community.

Council Member Kampa: Reminded Council of the upcoming National Night Out Events scheduled on Tuesday, August 7, 2007 beginning at 6:00 p.m., and of the Council and Department Head sponsored City Employee Appreciation event scheduled on August 30th at Lakeside Park. Sean Rifenerick discussed the National Night Out event and thanked Bolton and Menk for their generous National Night Out donation. Chief Rifenerick also asked residents to take precautions in the heat and to watch their animals and elderly neighbors during this heat wave.

Mayor Orrock: Reviewed the Safe Routes to School event held in Becker that was attended by Representative Oberstar. Mayor Orrock also informed Council that he has been asked to provide a speech at the Cargill Family picnic at their facility in the Big Lake Industrial Park East. Diana Stonehouse asked Council to clarify what will be constructed in the area where her mother's house is being removed. Council Member Heitz informed Ms. Stonehouse that Martin Avenue will be extended to Eagle Lake Road in this area and that future redevelopment may occur closer to Highway 10, but that there are no specific plans in place at this time.

Council Member May: Asked Mike Goebel to give a review of usage of City parks. Mr. Goebel indicated that most City parks are heavily utilized by residents. Vandalism is still an issue in some areas and that recent vandalism occurred at the Wrights Crossing Park.

11. OTHER

Mayor Orrock recessed the regular session at 8:41 p.m. to go to Closed Session to discuss negotiation of land purchase. Parcels were identified as numbers 65-540-0010, 10-129-3200, 10-129-3120, 10-129-3400, 10-129-3105, 10-129-3110, 10-129-3101, 10-511, 0110, 10-129-2101, 65-020, 3301, 65-538-0105 and that the closed session is allowed under MN Statute 13D.05, subd. 3c.

12. CLOSED SESSION – Negotiation of Land Purchase (MS. 13D.05, subd. 3c.3)

Mayor Orrock opened the closed session at 8:50 p.m.

Brad DeWolf discussed obtaining a Right of Way Easement for the Marketplace Eastern Industrial Park project. Mr. DeWolf also discussed obtaining utility easement agreements on land located in the CR 43 Interceptor project area.

No Action was taken by Council during Closed Session.

Council Member Kampa motioned to close the Closed Session and reconvene the regular meeting at 9:07 p.m. Seconded by Council Member Heitz, unanimous ayes, motion carried.

Council Member Kampa motioned to approve a Right of Way Easement Agreement for the Marketplace Eastern Industrial Park project. Seconded by Council Member May, unanimous ayes, motion carried.

Council Member Heitz motioned to authorize staff to negotiate permanent and temporary utility Easement Agreements for property's located in the CR 43 Interceptor project area. Seconded by Council Member Kampa, unanimous ayes, motion carried.

13. ADJOURN

Council Member May motioned to adjourn at 9:08 p.m. Seconded by Mayor Orrock, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council 08/08/07