

**BIG LAKE CITY COUNCIL  
WORKSHOP MINUTES  
MARCH 23, 2016**

**1. CALL TO ORDER**

Mayor Danielowski called the meeting to order at 5:00 p.m.

**2. ROLL CALL**

Council Members present: Raeanne Danielowski, Seth Hansen, Scott Marotz, Duane Langsdorf, and Mike Wallen. Also present: City Administrator Clay Wilfahrt, City Clerk Gina Wolbeck, Finance Director Deb Wegeleben, Police Chief Joel Scharf, Public Works Director Mike Goebel, Community Development Director Hanna Klimmek, City Planner Michael Healy, and City Engineer Brad DeWolf and Assistant City Engineer Jared Voge from Bolton & Menk, Inc.

**3. PROPOSED AGENDA**

Council Member Hansen motioned to adopt the proposed Agenda as presented. Seconded by Council Member Langsdorf, unanimous ayes, agenda adopted.

**4. BUSINESS**

**4A. Site Survey Discussion**

Michael Healy discussed site survey requirements in City Code Chapter 1006 that requires submittal of a Certificate of Survey for every building permit issued in the City of Big Lake. Healy noted that historically staff has operated under the assumption that they have the authority to waive this requirement in situations where common sense would dictate that a survey is irrelevant. The current code mandates that a survey be provided for all improvements including interior improvements. Healy explained that surveys are used to establish lot lines, setbacks and impervious surface calculations. There are situations when a structure's footprint is changing but common sense would still dictate that a survey serves no useful purpose. Staff believes that a survey should always be required if a resident wants to build a structure with the minimum setbacks. Healy discussed options for changing the survey requirements and asked for Council feedback. Council discussed the need to have checks and balances in place for when we would require a survey, especially in the R-5 district. Council directed staff to draft an ordinance amendment to limit the survey requirement and to bring back proposed language to a future workshop for review.

#### **4B. Multi-Family Annual Registration Discussion**

Hanna Klimmek reviewed the current Multi-Family Housing Registration Code which applies to all apartment units, rooming houses and boarding houses containing three or more rental housing units. The purpose of the Code is to protect the public health, safety, and general welfare of the people of Big Lake. Included in the Code is language that requires annual registrations with the Building Official, but does not clearly state that an annual fee is associated with the registration. Klimmek also noted that inspections are required for the first registration, and at least every two years following. Historically, the City has only processed registrations with the inspection every two years at which time the fee was collected. Klimmek asked for Council feedback on the intent of the registration process and whether an annual fee should be collected versus a fee every two years. Council directed staff to proceed with drafting a code amendment and fee schedule amendment to clarify that the multi-family annual registration fee is an annual fee.

#### **4C. Land Exchange Agreement Discussion**

Mike Goebel discussed the Land Exchange Agreement between the City and Harlan and Sue Rose for the exchange of a City owned .42 acre parcel in the River Oaks Park for a .42 acre parcel currently owned by the Rose's. Goebel noted that the purpose of the land exchange is to provide a buffer strip between the Rose property and the River Oaks Park and to provide better access to the park land. Goebel also noted that a future annexation and de-annexation would be needed on the parcels. Council directed staff to proceed with obtaining approval for the Agreement at an upcoming Council Meeting.

#### **4D. SAC/WAC Payment Plan Program Discussion**

Hanna Klimmek discussed the option for the City to develop a Sewer Access Charge (SAC) and Water Access Charge (WAC) Payment Plan Program. This type of program would incentivize business expansion and market for new businesses to locate in Big Lake. The program intent would be to set up a payment plan option for a business to pay the SAC/WAC fees over time versus at the time the building permit is issued. Klimmek reviewed possible terms of the program which could include a 5-year term, a zero percent interest rate, payments would be tied to their utility bill, establishing an administrative charge, and setting up specific criteria for qualifying businesses and identifying ineligibility criteria.

Council discussed concerns with a new business in financial trouble and how property tax forfeiture, defaults in payments, and transfers would be handled. Discussion was also held on the amount of liability the City could take on, stressing the need to ensure that the City would be protected, and that this type of incentive tool has been used by surrounding communities. Council directed staff to proceed with drafting a SAC/WAC Payment Plan Program for future Council consideration.

#### **4E. Predatory Offender Exclusionary Ordinance Discussion**

Joel Scharf discussed the possible implementation of exclusionary zones within the City of Big Lake that registered predatory offenders would be prohibited from residing. Scharf noted that the Minnesota Department of Corrections is currently under court order to begin a release of predatory offenders currently under civil commitment in their facilities. Scharf described the areas that these restrictions are generally applied which are areas that children regularly congregate in concentrated numbers specifically identified as schools, school bus stops, daycare facilities, parks, playgrounds, and churches with educational programs for children. The ordinance would provide for a 2,000 foot zone where registered offenders are prohibited from residing that fall within the designated areas. Scharf also explained that individuals impacted by this type of ordinance are limited to known offenders who have been classified as Level III, those most likely to reoffend. Currently, there are no known Level III Offenders residing in the Big Lake community so the impact of this ordinance on current residents would not exist. Council discussed the need to protect our citizens and the benefits this type of ordinance would have on safety in our community. Council directed staff to proceed with drafting an Ordinance for future Council consideration.

#### **4F. Antenna Fee Discussion**

Clay Wilfahrt discussed current antenna lease agreements and the fees associated with those agreements. The City has historically negotiated these agreements/rates on a case by case basis which has helped insure that the City is getting market rate on the fees. This arrangement has also created substantial work for staff as we have had to start from scratch on negotiations each time a contract comes up. There are a number of municipalities that have set up a fee schedule for these types of fees. Both Sherburne and Hennepin Counties have developed their fee schedules based upon types of antennas, data transmission devices based upon their size, space needs in permanent buildings, and whether they need to run wiring through the watertower. Council directed staff to proceed in establishing an antenna fee schedule for review by the fee committee and for future Council consideration.

Council Member Langsdorf motioned to recess the March 23, 2016 Council Workshop until the March 23, 2016 regularly scheduled City Council meeting adjourns. Seconded by Council Member Marotz, unanimous ayes, motion carried.

Mayor Danielowski reopened the March 23, 2016 Council Workshop at 7:19 p.m.

#### **4G. Street Repair Update**

Mike Goebel discussed streets that need immediate attention in 2017 for reconstruction or mill/overlay. Streets scheduled in 2017 for mill/overlay are in the Mitchell Farms First Addition, Mitchell Road, Loon Drive, Black Duck Lane, Ruddy Duck Lane and Wood Duck Lane. Goebel noted that there has been progressive deterioration in the surface layer of these streets. The deterioration is wide spread throughout the first phase and is beyond any type of patching. Staff is concerned with the acceleration of deterioration in 2015 and whether these streets will

deteriorate beyond just a mill/overlay repair scheduled in 2017. Once the asphalt deteriorates down to the base, the street may require complete reconstruction. Staff has received one quote for mill/overlay to be done in 2016 which is expected to come in just under \$100,000. Goebel noted that there are also a few gate valves that will need to be repaired in these areas. Discussion was held on why the street deteriorated so quickly which could be attributed to mix design and sealcoating changes throughout Minnesota. Brad DeWolf noted that MNDOT is aware of the issues and has done some investigation as to why the roads are failing. Goebel reviewed the condition of the base of the street which appears to be fine, noting that we would be seeing dips and cracks if the base was bad. Deb Wegeleben discussed financing this project, noting that in 2015, we were able to close out a fund that was no longer needed leaving approximately \$130,000 available from this fund. The City could do a Reimbursement Resolution to bond next year for a project done this year. Staff also noted that Mill and Overlay is generally considered a maintenance issue and is not assessed to the adjacent property owner. Council directed staff to proceed with finalizing this project and a potential for mill and overlay on Pond View for future Council consideration.

Jared Voge reviewed the street repair priority list. The next step would be to complete a feasibility report for streets and utilities in projected areas. Open houses would be held with residents in the neighborhoods, Council authorizing to prepare Plans and Specifications, then approval of plans and specifications and authorize advertising for bid. Voge noted that the final step is the award of the bid. Wegeleben discussed bonding options and Municipal State Aid available funds. Staff also noted that the City has done road reconstruction since 2007. Council discussed the need to continue to invest in our City and that we need to move faster with this invest. Council discussed the need to do a feasibility study, look at our assessment policy, and look at the impact on our future budgets and debt levy. Discussion was also held on the benefit of researching how other communities are paying for improvements.

#### **4H. Jet/Vac Truck Discussion**

Mike Goebel discussed the replacement of the 1998 Aquatech Jet/Vac truck. This equipment is used for cleaning storm sewer lines, sanitary sewer lines, storm sewer manholes, sanitary sewer manholes, lift stations, pump stations, thawing storm sewer lines, pumping water, dewatering, pressure washing, and digging holes. The existing truck is 18 years old and was purchased in 2003 with mileage at 202,907 at a price of \$94,518.75. Current mileage on the truck is 242,800 and the City has recorded 8,000 hours of use on the machine. Staff has made an attempt at finding a used model but wasn't able to find anything worth pursuing. Staff is recommending the City purchase a 2016 Aquatech Model B10 with a 2017 Freightliner SD114 Chassis under the Minnesota State Bid at a price of \$303,143. Goebel noted that this bid includes trading in the City's existing Jet/Vac truck. Goebel also noted that the City budgeted \$350,000 in CIP for this purchase.

#### **4I. Park Advisory Committee Fee Request**

Mike Goebel discussed the Park Advisory Committee's recommendation to the City Council to research adopting Industrial/Commercial Park Dedication fees. These types of fees would help support the cost for park and trail improvements in the City due to growth and development. The

Committee researched surrounding communities and found that a majority of them are charging some form of Park Dedication Fee for Industrial and Commercial projects. Council directed staff to begin a research project for charging Industrial/Commercial park dedication fees.

5. **OTHER** – No other.

6. **ADJOURN**

Council Member Hansen motioned to adjourn at 8:35 p.m. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Gina Wolbeck\  
City Clerk

04/13/16  
Date Approved By Council