

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
MAY 13, 2015**

1. CALL TO ORDER

Mayor Raeanne Danielowski called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Council Members present: Nick Christenson, Raeanne Danielowski, Seth Hansen, Duane Langsdorf and Mike Wallen. Also present: Interim City Administrator Joel Scharf, Finance Director Deb Wegeleben, City Clerk Gina Wolbeck, Assistant Fire Chief Ken Halverson, and City Engineer Brad DeWolf of Bolton & Menk, Inc.

4. OPEN FORUM

Mayor Danielowski opened the Open Forum at 6:01 p.m.

Annie Gertz, Vice President of the Elk River Area Food Co-op provided information on their Picnic in the Park kick-off membership drive scheduled on May 30th at Orono Park in Elk River from 1:00 p.m. to 4:00 p.m.

Mayor Danielowski closed the Open Forum at 6:03 p.m.

5. PROPOSED AGENDA

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

6. CONSENT AGENDA

Council Member Christenson motioned to approve the Consent Agenda as presented. Seconded by Council Member Wallen, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Regular Council Meeting Minutes of April 22, 2015, 6B) Approve Termination of Employment for Part-time Liquor Store Clerk, 6C) Approve Purchase of Police Department Issued Sidearms and Adoption of Memorandum of Agreement with LELS, 6D) Approve Resolution No. 2015-35 approving Final Plans and Specifications and Order Advertisement for Bids for the 2015 Phosphorus Improvement Project, 6E) Approve Request to Delay Consideration of the Smokedale Cigar LLC Tobacco License Application, 6F) Approve Resolution No. 2015-36 approving Off-Site Lawful Gambling Authorizations for the Big Lake Spud Fest Organization, and 6G) Approve Professional Service Agreement with Dan Roberts for Completion of the Impact Fund Grant Application.

7. BUSINESS

7A. OATH OF OFFICE – Big Lake Police Officers Josh Pesta and Nathan Snell

Mayor Danielowski conducted the Oath of Office to new Patrol Officers Josh Pesta and Nathan Snell. Council congratulated Pesta and Snell on their new positions with the department.

7B. Utility Bill and Penalty Charge Discussion – 5285 Edinburgh Way

Deb Wegeleben reviewed utility billing payment history for the property located at 5285 Edinburgh. The property owner, Scott Rothmeyer, has requested to discuss with Council the fees and notifications that were sent out on past due bills for this property. Wegeleben explained that notifications are mailed to the property owner to the address on record at Sherburne County. The city was not aware that this parcel was a rental unit and that the owner did not reside at the property address as the address of record was listed at the site address. Wegeleben also discussed an opinion from the City Attorney noting that it is well settled under Minnesota law that a municipal utility may charge late fees for delinquent payments. Wegeleben also discussed previous past due utility assessments that have been placed on the property.

Council identified that stakeholders of the City have to cover for water bills that are not paid by the property owner. Council also discussed that a majority of residents pay their water bills in a responsible manner. Wegeleben noted that Scott Rothmeyer was notified of tonight's meeting on a number of occasions, but is not in attendance.

Council directed that no changes be made to the accruals on this water bill, and that no further fees be reimbursed.

7C. Food Truck Discussion – Jeff Zierdt (Lupulin Brewing)

Gina Wolbeck informed Council that Jeff Zierdt from Lupulin Brewing has requested to approach Council with a request to amend the City's Peddler/Transient Merchant Ordinance to be less restrictive on licensing procedures and reduce fees. Wolbeck reviewed the City's current Peddler/Transient Merchant Ordinance describing how the licensing process works for Transient Merchants. Wolbeck noted that food trucks are classified as Transient Merchants in the city code and are licensed in the same fashion that Peddlers are licensed. Wolbeck reviewed licensing procedures, background investigations and fees associated with a license under this Ordinance.

Jeff Zierdt from Lupulin Brewing provided a history of their business plan for their taproom/brewery. Zierdt indicated that they have reached out to all the restaurants in the area and have set up deliveries with 5 local restaurants, and are available at any time the taproom is open. Zierdt noted that Taprooms are a target area for food trucks and their type of establishment would give exposure to a food truck. These types of food trucks have a following and could become brick and mortar local businesses in time. Food trucks provide an energy that brings people out to try different kinds of food.

Council discussed tax dollars that local businesses provide noting that significant revenue is generated from these brick and mortar restaurants. Council also applauded Lupulin for reaching out to local businesses. Council discussed that the restrictions in our Ordinance are in place for the protection of our residents. Zierdt discussed comments he has taken from specific food truck vendors noting that the main restrictive part is the timing requirement to process an application. Council directed staff to forward this item on to a future Workshop for further discussion.

7D. PROCLAMATION – 2015 National Police Week

Joel Scharf reviewed Police Week activities and Police Officer Memorial Day on May 15th. Mayor Danielowski read a Proclamation proclaiming the week of May 10th through May 16th, 2015 as National Police Week 2015. Council thanked the Police Department staff for their dedicated service.

Council Member Hansen motioned to approve Resolution No. 2015-37 proclaiming May 10th through May 16th, 2015 as National Police Week 2015. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

7E. Shade Tree Appliance and Recycling Development Application

Joel Scharf informed Council that Shade Tree Appliance and Recycling has been evicted from their commercial site located at 575 Humboldt Drive. The applicant has pending

development applications that require action from Council. Scharf noted that staff is recommending Council deny all development applications submitted by Shade Tree Appliance and Recycling.

Council Member Wallen motioned to adopt Resolution No. 2015-38 denying the site plan review for Shade Tree Appliance and Recycling for the property located at 575 Humboldt Drive. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

Council Member Langsdorf motioned to adopt Resolution No. 2015-39 denying the CUP for Shade Tree Appliance and Recycling for the property located at 575 Humboldt Drive. Seconded by Council Member Christenson, unanimous ayes, motion carried.

Council Member Christenson motioned to adopt Resolution No. 2015-40 denying the ordinance amendment to allow recycling in the B-3 Zoning District. Seconded by Council Member Wallen, unanimous ayes, motion carried.

7F. Monthly Department Updates

Fire Department – Ken Halverson discussed recent activities of the Fire Department. Halverson also discussed the recent fire at Accucraft in Big Lake Township, reviewed monthly training, noted that turnout gear should be delivered by the end of the month, and informed Council that annual physicals are scheduled tomorrow. Halverson thanked Captain Seth Hansen and participating members of the department for heading up the Mock Crash at the High School.

Police Department – Joel Scharf updated Council on police statistics and calls for service for the month of March and April. Scharf also welcomed new Officers Pesta and Snell, discussed the \$12,000 training grant received from the Central MN Jobs and Training program, discussed firearms replacement, provided a junk and blight update, and reviewed the Senior Day Out and Walk and Bike events held today. Scharf recognized Investigator Rich Berg for his Law Enforcement Unity Bike Ride raising \$5,000 towards COPS (Concerns of Police Survivors). Scharf also informed Council that Lieutenant Sam Olson will be attending the FBI National Academy this summer. The Department also asked Council and citizens to keep the members of the Elk River Police Department and Officer Todd Besser's family in their thoughts and prayers.

Finance Department – Deb Wegeleben reviewed activities in the Finance Department noting that water shut offs are underway, and staff has begun the process for the hiring of an Accounting Clerk/Deputy City Clerk.

8. LIST OF CLAIMS

8A. Consider List of Claims

Council Member Hansen motioned to approve the List of Claims ranging from Check No. 69228 through Check No. 69370 with the exception of Check No. 69279 for separate consideration, Electronic Payments #2676E to #2707E, and payroll no. 9. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

8B. Consider Bob's Towing and Recovery Payment in the Amount of \$108.50

Council Member Hansen motioned to approve payment of Check No. 69279 in the amount of \$108.50 payable to Bob's Towing and Recovery. Seconded by Council Member Wallen, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Danielowski, Hansen, Langsdorf, and Wallen voting aye and Council Member Christenson abstaining. Motion carried.

9. ADMINISTRATOR'S REPORT

Council thanked Joel Scharf for serving as the Interim City Administrator the last few months. Scharf thanked staff for filling in during this time and discussed the May 25th start date for newly hired City Administrator Clay Wilfahrt. Scharf also discussed upcoming temporary railroad crossing closures at Eagle Lake Road South and Highway 25 during the 2nd rail install, noted that water shutoffs are underway and thanked front end staff and public works for the extra work that is involved during shutoffs. Scharf informed Council that the City has received the TAP Grant approval letter for sidewalk improvements, and clarified violations that occurred at Shade Tree Appliance Recycling business on Humboldt Drive.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Christenson: Reviewed the May Community Education Meeting.

Mayor Danielowski: Discussed the May EDA Meeting. Mayor Danielowski also discussed the upcoming Lupulin Brewing grand opening this weekend, the Big Lake All-City Garage Sale that starts tomorrow, the start of the 2015 Farmer's Market and Music in the Park events, and noted that the Spud Fest Organization is still looking for volunteers. Danielowski noted that Coborn's is currently selling \$10 buttons in support of the Big Lake Fire Department, encouraged residents to attend Beyond the Yellow Ribbon meetings, discussed the Bike and Walk event held today at the schools, attended the Community Prayer Breakfast that was held last week, and discussed the upcoming annual Memorial

Day program that will be held at the Big Lake Cemetery on May 25th with a community picnic at Lions Park following the ceremony. Mayor Danielowski thanked video producer Jon Mellberg for his years of service to the City and wished him well on his new endeavors.

Council Member Hansen: Discussed the May Planning Commission Meeting.

Council Member Wallen: Reviewed the May EDA Meeting.

11. **OTHER** – No other.

12. **ADJOURN**

Council Member Langsdorf motioned to adjourn at 7:20 p.m. Seconded by Council Member Hansen, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council 05/27/15