

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
MAY 28, 2014**

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: Dick Backlund, Nick Christenson, Raeanne Danielowski, Seth Hansen, and Mike Wallen. Also present: Interim City Administrator/Finance Director Jessica Green, Public Works Director Mike Goebel, Police Chief Joel Scharf, City Clerk Gina Wolbeck, Building Official Mick Kaehler, Liquor Store Manager Jan Muehlbauer, Fire Chief Paul Nemes, Consultant City Planner Ben Wikstrom, and City Engineer Brad DeWolf of Bolton & Menk, Inc.

4. OPEN FORUM

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

George Quinn, 810 Lake Street North – Discussed his plan to start the hydrant painting project and is hoping to get volunteers to help. Quinn also questioned the price of the former police department building and the high annual taxes. Council directed staff to look into the tax classification of the building, and noted that the EDA is responsible for marketing the building. Quinn also noted that the City website has greatly improved.

Mayor Danielowski closed the Open Forum at 6:05 p.m.

5. PROPOSED AGENDA

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

6. CONSENT AGENDA

Council Member Christenson motioned to approve the Consent Agenda as presented. Seconded by Council Member Hansen, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Special Council Workshop Minutes of May 14, 2014, 6B) Approve Council Meeting Minutes of May 14, 2014, 6C) Approve Special Council "Tour of the Lakes" Workshop Minutes of May 22, 2014, 6D) Set Council Gatherings for Summer Community Events, 6E) Authorize Municipal Liquor Store Contribution to the Legacy Foundation, 6F) Approve 2014 City Goals and Strategic Plan, 6G) Approve Tax Increment Financing Policy, 6H) Approve Appointment of Big Lake Fire Fighters, 6I) Approve Appointment of Paul Winters to the Parks Advisory Committee, 6J) Set Council Gathering for the July 14, 2014 Parks Advisory Committee Meeting at the Public Works Building located at 18041 198th Avenue, 6K) Approve Use of Funds Received from the Sherburne Wright Cable Commission, and 6L) Approve Resolution No. 2014-30 in Support of a New Federal Transportation Program.

7. BUSINESS

7A. 991 Lakeshore Drive Variance Application

Ben Wikstrom reviewed the planners report for the lot size and lot width variance application submitted by Richard Olson for the residential property located at 991 Lakeshore Drive. Wikstrom noted that the applicant is proposing to combine three smaller lots of record into two larger lots that do not meet minimum requirements for new lots in the R5 - Residential Redevelopment Zoning District. The Planning Commission held a public hearing over two meetings on April 2nd and May 7th. Two neighboring residents spoke at the public hearing generally opposed to the variance being allowed and in favor of the City reviewing its standards in the R5 District. Staff also received one phone call of support for the project. Wikstrom noted that the Planning Commission recommended approval of the variance by a split vote of 3-2. The Planning Commission recommended that a condition of approval be that the DNR provide the City with their approval in writing. Wikstrom noted that the DNR has not yet submitted a written approval and that this requirement is listed as a condition of approval on the Resolution. Wikstrom reviewed the application noting that the three existing lots are each 40 feet wide with lengths of approximately 157 feet combined with the lake lots on the west side of Lakeshore Drive. If approved, the combination of the lots would create two 60 foot wide lots of the same length. The proposed lots do not meet the 75 foot minimum width requirement which is the reason the applicant has applied for variance approval. Wikstrom informed Council that when considering a variance, the City must determine whether specific criteria are met. Staff feels that the general criteria are met, and that the intent of the ordinance is met with the variance application. Wikstrom noted that there is a discrepancy between the survey information submitted by the applicant, and the deeded property information as recorded at

the County.

Mayor Danielowski questioned the DNR comments relating to shoreland lot combination, and clarified that variance approvals follow the land, not the owner. Mayor Danielowski also stated that if the DNR provides an approval letter, the City would be providing approval to go below the 10,000 square foot rule based on Olson's survey of record. Council Member Hansen discussed the 66% rule and noted that the Ordinance is open-ended in that it allows property owners to meet Ordinance requirements as much as possible. Hansen also discussed the benefit of the property owner building 2 standard sized homes instead of three smaller homes or one grand scale home. Council Member Wallen clarified that the Planning Commission has recommended approval on a 3:2 vote with the clause that written DNR approval is required before finalization of the approval is processed.

Council Member Wallen motioned to approve Resolution No. 2014-31 approving lot size and lot width variances for the residential property located at 991 Lakeshore Drive contingent upon all conditions being met including submittal of written approval from the Minnesota Department of Natural Resources. Seconded by Council Member Hansen, vote passed with a vote of 4:1 with Council Members Backlund, Christenson, Hansen, and Wallen voting aye, and Mayor Danielowski voting nay. Motion carried.

7B. "Celebrate Your Lake" Presentation

Joe Dick from C&L Distributing provided information on the "Celebrate Your Lake" Michelob Golden Light \$50,000 grant opportunity. Big Lake has been chosen as one of the lakes in the competition which will pit lakes and regions against each other with only one lake being the recipient of the \$50,000 lake conservation grant. Consumers will have an opportunity to vote daily on social media sites for their favorite lake.

7C. Ordinance Amendment – Social Host (Chapter 5, Section 580)

Joel Scharf provided information on the establishment of a Social Host Ordinance that would assist law enforcement in addressing underage alcohol consumption within our community. Scharf explained that under a Social Host Ordinance, a person who allows, permits, or should have reasonably known underage consumption was taking place at a location they are responsible for, would be subject to a misdemeanor charge. Scharf also noted that currently in Minnesota, there are 109 cities and 22 counties that have adopted social host ordinances.

Council Member Wallen motioned to approve Ordinance No. 2014-02 Amending Chapter 5, Section 580 establishing a Social Host Ordinance and Approve Resolution No. 2014-32 authorizing summary publication of the Social Host Ordinance. Seconded by Council Member Backlund, unanimous ayes, motion carried.

7D. Monthly Department Updates

Brad DeWolf from Bolton and Menk, Inc. provided an engineering update on various projects underway in the City. DeWolf noted that the railroad crossing improvements at CR 43 are scheduled to be completed next week, reviewed the WWTP phosphorus bid process, reviewed the Northern Star Apartment project, the Well Head Protection program, the storm sewer MS4 permit application approval, and discussed the quote process for the Eagle Lake Road South quiet zone crossing improvements that will be brought back to Council for completion this fall. DeWolf explained that he is anticipating approval of the final phase of the Quiet Zone to receive approval by the end of the year. DeWolf also discussed the recent traffic accident on US Highway 10 and indicated that he has talked with the MNDOT traffic engineer and they are going to again look at the intersections in this corridor to determine the need for traffic lights.

Jessica Green provided the monthly finance update. Green noted that staff recently attended the GFOA National Conference held in Minneapolis, indicated that department heads will be receiving their 2015 budget forms soon, and is hoping that the first budget discussion would be about the third week of July. Green also informed Council that staff has been looking at bond refunding opportunities and a recommendation will come back to Council in the coming months.

Jan Muehlbauer provided a liquor store update to Council. Muehlbauer reviewed April sales figures and discussed an employee non-related work injury which required the hiring of a part-time temporary employee. Muehlbauer also discussed mandatory alcohol server training that was attended by liquor store staff, noted that the beer cooler reset is coming up in June, and informed Council that tastings have been scheduled for Spud Fest and 4th of July weekends.

Mick Kaehler provided building permit information for the month of April/May. Kaehler also noted that the City has issued permits year to date totaling \$3,550,500.75 in property valuation. Kaehler also discussed the process staff follows for conducting the Code Enforcement Program. Code enforcement is on a complaint based process clarifying that staff does not drive around seeking out violations. Jessica Green noted that we can look at doing a sweep in 2015 but would need to budget for a temporary code enforcement person. Council Member Wallen explained that if a resident sees a problem property, they should be filing an official complaint.

8. LIST OF CLAIMS

Council Member Hansen motioned to approve the List of Claims ranging from Check No. 66845 through Check No. 66971, Electronic Payments #2359E to #2367E, and payroll transactions 04/18/14 through 05/22/14. Seconded by Council Member Christenson, unanimous ayes, motion carried.

9. ADMINISTRATOR'S REPORT

Jessica Green reviewed the upcoming fire department controlled burn of the Lakeside Drive-In structure which is planned for the first part of June, and reminded Council that water shut-offs are scheduled in the coming weeks. Green also discussed the upcoming improvements to the Council Chambers that will be funded from a reimbursement from the Sherburne Wright Cable Commission.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Council Member Backlund: Provided a Lake Tour update.

Mayor Danielowski: Discussed the recent Lake Tour Council attended. Mayor Danielowski also reviewed upcoming community events including the annual Spud Fest festival, the Farmer's Market which starts next week, Legacy Foundation Music in the Park events that start June 5th, and discussed the upcoming Movie in the Park event scheduled to be held at Lakeside Park on June 13th. Danielowski also noted that the last day of operation for River Rider is June 28th with Tri-CAP starting bus service on July 1st.

11. OTHER – No other.

12. ADJOURN

Council Member Hansen motioned to adjourn at 7:18 p.m. Seconded by Council Member Hansen, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

Date Approved By Council 06/11/14