

**BIG LAKE CITY COUNCIL  
REGULAR MEETING MINUTES**

**JUNE 22, 2016**

**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: Raeanne Danielowski, Seth Hansen, Duane Langsdorf, Scott Marotz and Mike Wallen. Also present: City Administrator Clay Wilfahrt, Finance Director Deb Wegeleben, Community Development Director Hanna Klimmek, Police Chief Joel Scharf, Public Works Director Mike Goebel, City Clerk Gina Wolbeck, Building Official Mick Kaehler, City Planner Michael Healy, Liquor Store Manager Jan Muehlbauer, and Fire Chief Paul Nemes.

**4. OPEN FORUM**

Mayor Danielowski opened the Open Forum at 6:01 p.m. No one came forward. Mayor Danielowski closed the Open Forum at 6:02 p.m.

**5. PROPOSED AGENDA**

Council Member Langsdorf motioned to adopt the proposed Agenda with the addition of item no. 7E. Part-time Public Works Employee Resignation and Appointment. Seconded by Council Member Wallen, unanimous ayes, agenda adopted.

**6. CONSENT AGENDA**

Council Member Hansen motioned to approve the Consent Agenda as presented. Seconded by Council Member Marotz, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A) Approve Strategic Planning Workshop Minutes of June 4, 2016, 6B) Approve Council Workshop Minutes of June 8, 2016, 6C) Approve Regular Council Meeting Minutes of June 8, 2016, 6D) Approve SAC/WAC Payment Plan, 6E) Set Special Council Gatherings for Fall Community Events, 6F) Accept Resignation of Part-Time Liquor Store Clerk Janel Lewis,

6G) Approve Purchase of Taser In-Car Camera System, 6H) Approve Minnesota Court Data Services Agreement, and 6I) Approve Marco Copier Contract.

## **7. BUSINESS**

### **7A. PUBLIC HEARING – Orderly Annexation of SolarStone Property 10-325-32014**

Clay Wilfahrt reviewed the Orderly Annexation Agreement for annexation of the City owned former biosolids application site, which is a 26.71 acre located west of US Highway 25, and north of 200<sup>th</sup> Street NW in Big Lake Township. Wilfahrt noted that the City has requested that this property be annexed into the City limits and has a lease agreement with SolarStone Partners who is proposing to develop and operate a 5 megawatt solar garden that will generate power to be fed into Xcel Energy's grid. Wilfahrt noted that this lease agreement will generate approximately \$1 million in revenue for the City over the 35 year lease time period. Wilfahrt reviewed contingencies Big Lake Township has asked to be included in the Orderly Annexation Agreement which include 1) That the Agreement include language prohibiting the City from annexing adjacent property unless the adjacent property or the solar garden parcel becomes adjacent to City limits via another parcel, 2) SolarStone will be required to meet the decommissioning language set by the County, and 3) The City will convey the solar production tax amount that would have been paid to the Township as part of the Agreement. Wilfahrt indicated that SolarStone is in agreement to the contingencies and their plan is to move forward with the project. Council discussed decommissioning criteria which is to be paid half in cash, and the remainder to be secured by a Letter of Credit. Clay reviewed annexation procedures between Orderly Annexations and annexing by Ordinance.

Mayor Danielowski opened the Public Hearing at 6:12 p.m. No one came forward. Mayor Danielowski closed the Public Hearing at 6:13 p.m.

Council Member Wallen motioned to approve a First Amendment to Solar Energy Facility Lease and Easement Agreement with SolarStone Partners, LLC. Seconded by Council Member Marotz, unanimous ayes, motion carried.

Council Member Hansen motioned to approve Resolution No. 2016-49 approving Orderly Annexation of Parcel No. 10-325-3201 to the City of Big Lake. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

### **7B. Interim Use Permit Application – SolarStone Partners**

Michael Healy reviewed the Planners Report for the Interim Use Permit Application submitted by SolarStone Partners for a 26.71 acre parcel located west of US Highway 25,

and north of 200<sup>th</sup> Street NW in Big Lake Township. The applicant is proposing to construct a 5 megawatt solar garden on the City owned site which previously served as the City's biosolids application site. Healy noted that approval of this application would be contingent upon final approval of annexation of the site into the City limits. Healy explained that following annexation, the area is intended to be zoned Agricultural which is a zoning district that would allow a solar garden with an approved Interim Use for sites larger than 5 acres. SolarStone has submitted detailed plans which contain site design, emergency shutdown procedures, and a decommissioning plan for the facility. Healy also noted that the applicant has requested that the Interim Use Permit be valid for 40 years which is in line with the lease agreement that the City has with SolarStone. The applicant has also asked that the Interim Use Permit (IUP) be transferrable if they transfer ownership of the facility. Healy noted that transferring the IUP shouldn't pose a risk if the new owner assumes all the same responsibilities. Healy also noted that the IUP approval would be entirely contingent on the parcel being successfully annexed by the City of Big Lake.

Council Member Wallen motioned to approve Resolution No. 2016-50 approving an Interim Use Permit for SolarStone Partners' Solar Garden Seconded by Council Member Marotz, unanimous ayes, motion carried.

### **7C. ORDINANCE – Double Frontage Lot Setback Standards**

Michael Healy reviewed the Planners Report for the proposed Ordinance amendment related to double frontage setback standards. Healy discussed yard space regulations in relation to back yards, side yards, and front yards. Back and side yards are generally considered to be private spaces intended primarily for the enjoyment of the property owner. Front yards are expected to serve an ornamental role and function visually as semi-public spaces and tend to be more regulated than side or back yards. Healy discussed corner lot and double-frontage lot setback requirements. Double-frontage lots are properties that are flanked by two parallel streets usually one of them being a collector or arterial road. Through-lots platted since 2002 include a 20 foot deep "buffer yard" that is required to be vegetated to insulate the back yard area from the major street. Healy explained that the site configuration of many of the older through-lots in Big Lake platted before 2002 were platted with no buffer yard and the existing setback standards leave residents with little or no usable backyard space. These property owners would need a variance to use any of their yard space for accessory structures. Many of the parcels backing up to CR 73 are structured this way and most have at least one shed, garage or swimming pool that is in violation of the current code and placed the structures without permits. Healy reviewed discussions at the Planning Commission noting that Planning Commission directed staff to communicate with Sherburne County to ensure they don't have a vested interest in keeping accessory structures 45-50 feet away from the right-of-way line on major roads. In the absence of any concerns from the county, the Planning Commission directed staff to refine the existing code language to make it clear that the 45-50 foot setbacks for "structures" are

just for the principal structures. The lot line that borders the arterial or collector street will be considered a rear lot line, but that lots platted after 2002 will still need a 20 foot buffer yard.

Council Member Wallen motioned to approve Ordinance No. 2016-12 amending Chapter 10 (zoning) of the Big Lake City Code related to double frontage setback standards, and approve summary publication Resolution No. 2016-51. Seconded by Council Member Hansen, unanimous ayes, motion carried.

#### **7D. Monthly Department Reports**

Deb Wegeleben provided an update on the Finance Department reviewing revenues and expenditures year to date and provided information on the City's Enterprise Funds. Wegeleben also noted that budget discussions will be starting at the end of June with the first Budget Workshop to be scheduled on August 10<sup>th</sup>.

Jan Muehlbauer provided a liquor store update to Council. Muehlbauer discussed upcoming parking lot improvements that will be swept and restriped, discussed the Eagle Lake Association fundraiser, and noted that the store will have tastings during the Spud Fest weekend.

Hannah Klimmek provided an update on activities in the Community Development Department. Klimmek reviewed business retention and expansion visits to various companies in the community, discussed the 2016 Farmer's Market, reviewed code enforcement efforts, discussed the EDAM and LMC Annual Conference, and discussed the kick-off of the SeeClickFix code enforcement program. Klimmek also discussed building permit information for the month of May noting that that the City has issued permits year to date totaling \$11,911,871.17 in property valuation.

#### **7E. Part-time Public Works Employee Resignation and Appointment**

Mike Goebel informed Council that part-time Public Works employee Dylan Knaeble has resigned his employment and staff is recommending the hiring of Aleesha Moss to fill the vacant part-time mowing and park attendant position.

Council Member Hansen motioned to accept the resignation of Dylan Knaeble and appoint Aleesha Moss to the vacant seasonal part-time Public Works position. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

**8. LIST OF CLAIMS**

8A. Consider List of Claims

Council Member Hansen motioned to approve the List of Claims dated June 1, 2016 through June 16, 2016 with the removal of Check No. 71998 for separate consideration and payroll no. 11. Seconded by Council Member Langsdorf, unanimous ayes, motion carried.

8B. Consider Auto Stop Payment in the Amount of \$335.69

Council Member Hansen motioned to approve payment of Check No. 71998 in the amount of \$335.69 payable to Auto Stop. Seconded by Council Member Marotz, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Danielowski, Hansen, Marotz and Wallen voting aye and Council Member Langsdorf abstaining. Motion carried.

**9. ADMINISTRATOR'S REPORT**

No report was given. Administrator Wilfahrt left the meeting early to attend the Big Lake Township meeting.

**10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS**

Mayor Danielowski: Reviewed the June BLEDA Meeting and discussed upcoming Community events including the Spud Fest festival, Music in the Park, and encouraged donations for the veteran's memorial.

Council Member Langsdorf: Reviewed the June Big Lake Community Lake Association Meeting.

Council Member Marotz: Mike Goebel discussed the June Park Advisory Board Meeting. Council Member Marotz reviewed the recent Planning Commission Meeting.

**11. OTHER – No other.**

**12. ADJOURN**

Council Member Langsdorf motioned to adjourn at 7:01 p.m. Seconded by Council Member Wallen, unanimous ayes, motion carried.

Gina Wolbeck  
Clerk

07/13/16  
Date Approved By Council