

**BIG LAKE CITY COUNCIL  
REGULAR MEETING MINUTES  
JULY 24, 2013**

**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: City Administrator Todd Bodem, Finance Director Jessica Green, Public Works Director Mike Goebel, Police Chief Joel Scharf, City Clerk Gina Wolbeck, Fire Chief Randy Miller, Liquor Store Manager Jan Muehlbauer, City Attorney Soren Mattick of Campbell Knutson, and City Engineer Brad DeWolf of Bolton & Menk, Inc.

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

**6. CONSENT AGENDA**

Council Member Backlund 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 July 10, 2013, 6B) Approve

Temporary Use Fee Waiver for the Big Lake Block Party Community Fundraising Event, and 6C) Approve 1 to 4 Day Temporary On-Sale Liquor License Application for Mary of the Visitation Catholic Church on September 15, 2013.

## **7. BUSINESS**

### **7A. Sherburne County All Hazard Mitigation Plan**

Todd Bodem reviewed the Hazard Mitigation planning process underway at Sherburne County. Bodem noted that approval of the plan will allow Sherburne County to receive hazard mitigation assistance grants from several funding sources when there is a need. Council Member Hansen reviewed the Plan and benefits the County would receive if a disaster would occur within the County.

Council Member Hansen motioned to approve Resolution No. 2013-51 Adopting the Sherburne County All-Hazard Mitigation Plan. Seconded by Council Member Christenson, unanimous ayes, motion carried.

### **7B. Support for Funding for the Highway 10/Highway 169 Corridor Improvements**

Todd Bodem discussed the request from Sherburne County for the City to consider a Resolution of Support for funding for the Trunk Highway 10/169 Corridor Improvements. Bodem reviewed safety and mobility issues this corridor has experience for several years and noted that Sherburne and Anoka Counties are in the process of seeking funding mechanisms to improve this corridor and are asking for jurisdictions within their counties to cooperatively support this initiative.

Council Member Christenson motioned to approve Resolution No. 2013-52 in support of funding for the Trunk Highway 10/169 corridor improvements. Seconded by Council Member Backlund, unanimous ayes, motion carried.

### **7C. Submittal of a Point Source Implementation Grant Application to the PFA for Wastewater Facility Improvements**

Brad DeWolf discussed the PFA's Point Source Implementation Grant which would provide funds for up to 50% of eligible project costs not to exceed \$3M. DeWolf noted that the City will be required to meet phosphorus treatment requirements by October 2016 and these grant proceeds would assist the City in covering some of the costs that would be associated with this type of treatment. DeWolf also noted that we would not be required to accept the full grant amount, and that we would only utilize funds to meet our growth needs. Jessica Green discussed financing options if the City is awarded grant dollars for this program. Mike Goebel discussed phosphorus levels that will need to be at a "1" by

2016, and he explained that we are currently between a “3” to “4” on average. Goebel also discussed the timeline for compliance of the new phosphorus standards. Staff is anticipating a chemical treatment versus structural construction due to the limited growth projections.

Council Member Hansen motioned to approve Resolution No. 2013-53 authorizing the City to submit a Point Source Implementation Grant application to the Public Facilities Authority and to authorize City Officials to execute a grant application for the Wastewater Treatment Facility improvements. Seconded by Council Member Wallen, unanimous ayes, motion carried.

#### **7D. NSP1 Development Loan and Grant Agreement with Tri-CAP**

Todd Bodem discussed the 2009 NSP grant agreement the City entered into in 2009 with the MN Housing Finance Agency to acquire property in specific target areas to demolish homes and construct new homes to be sold to income qualified buyers. Bodem explained that the City currently holds 8 properties purchased through this NSP program. Tri-CAP is in negotiations to purchase 7 of the 8 properties and the final lot will be purchased through a separate agreement with Habitat for Humanity. Bodem reviewed the proposed development agreement with Tri-CAP which will ensure that they comply with the original NSP1 Grant Agreements. Council Member Wallen noted that we need to use our program dollars more prudently than we did with the first few homes we remodeled, explaining that there not a need to use the highest grade materials available.

Council Member Wallen motioned to approve Resolution No. 2013-54 authorizing the City to enter into a NSP1 development loan and grant agreement with Tri-CAP. Seconded by Council Member Christenson, unanimous ayes, motion carried.

#### **7E. Right of Entry Agreement for NSP Properties**

Todd Bodem discussed the current negotiations underway with Tri-CAP on the final terms, covenants, and conditions of a development agreement for the purchase of 7 NSP1 properties. As part of the due diligence process, Tri-CAP must conduct environmental and geotechnical testing at each of the properties. Bodem reviewed the Right of Entry agreement that is required for parcels that will be constructed this year which include parcels located at 130 Hill Circle East, 180 Eagle Lake Road South, and 1070 Powell Street.

Council Member Christenson motioned to approve a Right of Entry Agreement for NSP properties located at 130 Hill Circle East, 180 Eagle Lake Road South, and 1070 Powell Street. Seconded by Council Member Backlund, unanimous ayes, motion carried.

#### **7F. Railroad Quiet Zone Improvements Update**

Brad DeWolf reviewed remaining railroad quiet zone improvements needed before an official quiet zone can be established. DeWolf noted that the improvements at CR 43 will be completed this fall which will leave Eagle Lake Road South as the only remaining non-compliant railroad crossing. DeWolf presented two possible options for completing this crossing. Option "A" would consist of a concrete median south of the BNSF railroad tracks and Option "B" would consist of the same type of median as well as an extension of a six foot concrete sidewalk across the tracks. The preliminary estimated cost associated Option "A" is \$30,000 and Option "B" is being projected at \$85,000. DeWolf also discussed the railroad crossing at CR 17/81 which needs to be determined if the crossing is compliant with quiet zone requirements. At a minimum, if the Eagle Lake Road South crossing improvements are completed, a quiet zone could be implemented from CR 43 through Trunk Highway 25. Council discussed potential liability concerns with not installing the sidewalk and staff recommended that Council walk the area before a decision is made. This item will be brought back to Council at a Workshop.

#### **7G. DONATION – Monticello VFW Post #8731**

Randy Miller discussed a \$1,500 cash donation received from the Monticello VFW Post #8731 towards the purchase of Jaws of Life rescue equipment for the Fire Department. Council thanked the Monticello VFW for their generous donation.

Council Member Christenson motioned to approve Resolution No. 2013-55 accepting a \$1,500 cash donation from the Monticello VFW Post #8731 towards the Fire Department for the purchase of rescue equipment. Seconded by Council Member Hansen, unanimous ayes, motion carried.

#### **7H. DONATION – Big Lake American Legion Post #147**

Randy Miller reviewed a \$1,500 cash donation received from the Big Lake American Legion Post 147 towards the Fire Department for the purchase of thermal imaging equipment and Gina Wolbeck discussed a \$1,500 cash donation towards the City for unbudgeted capital items which would be used to purchase needed items for the Council Chambers. Council thanked the Big Lake American Legion for their generous donation.

Council Member Wallen motioned to approve Resolution No. 2013-56 accepting a \$3,000 cash donation from the Big Lake American Legion Post 147 towards the Big Lake Fire Department and the City of Big Lake. Seconded by Council Member Christenson, unanimous ayes, motion carried.

## **7I. DONATION – Maria Bratt**

Joel Scharf reviewed the donation of evidence supplies valued at approximately \$1,000 to the Police Department from Maria Bratt. Scharf noted that Ms. Bratt's late husband Greg was a Big Lake Police Officer from 2000 to 2002 and was a Sergeant with the Becker Police Department at the time of his passing in 2012. Council thanked Ms. Bratt for her generous donation.

Council Member Backlund motioned to approve Resolution No. 2013-57 accepting the donation of evidence supplies valued at \$1,000 to the Big Lake Police Department from Maria Bratt. Seconded by Council Member Hansen, unanimous ayes, motion carried.

## **7J. Department Updates**

Brad DeWolf from Bolton and Menk, Inc. provided an engineering update on various projects underway in the City. DeWolf discussed the Northern Star Apartments project, the completion of the KleinBank project, reviewed the status of the Lake Shopping Center 4<sup>th</sup> Addition project, discussed the CR 43 road project which is projected to finish up this fall if BNSF is able to complete the railroad improvements in time, discussed the status of the Marketplace Completion project, and noted that the Dill Dental project has had some activity at their site. Mayor Danielowski discussed potential road projects that may need to be done and inquired what roads, if any, the City should start looking at. DeWolf noted that the City has deferred construction since 2008 but have kept up with maintenance on our streets. Council directed staff to provide input on the CIP at next week's budget workshop.

Todd Bodem provided building permit information for the month of June through July 23<sup>rd</sup>. Bodem also noted that the City has issued permits year to date totaling \$7,449,971.18 in property valuation.

Jessica Green provided an update on activities in the Finance Department. Green noted that the State will be wrapping up the sales tax audit within the next couple weeks and reviewed 2013 budget figures. Green also informed Council that the new Accounting Clerk will start on Monday, July 29<sup>th</sup>, and noted that the first budget meeting of the year will be next Wednesday, July 31<sup>st</sup>.

Jan Muehlbauer provided a liquor store update to Council, and reviewed January through June 2013 sales figures. Congratulations to Tara Hintz who refused sale to a minor during the County alcohol compliance checks.

**8. LIST OF CLAIMS**

8A. Consider List of Claims

Council Member Hansen motioned to approve the List of Claims ranging from Check No. 65220 through Check No. 65274 with the exception of Check No's. 65225 and 65229 for separate consideration. Seconded by Council Member Wallen, unanimous ayes, motion carried.

8B. Consider Bob's Towing and Recovery Payment in the Amount of \$115.96

Council Member Hansen motioned to approve payment of Check No. 65229 in the amount of \$115.96 payable to Bob's Towing and Recovery. Seconded by Council Member Backlund, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Backlund, Danielowski, Hansen, and Wallen voting aye and Council Member Christenson abstaining. Motion carried.

8C. Consider Audio Communications Payment in the Amount of \$422.16

Council Member Hansen motioned to approve payment of Check No. 65225 in the amount of \$422.16 payable to Audio Communications. Seconded by Council Member Wallen, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Christenson, Danielowski, Hansen, and Wallen voting aye and Council Member Backlund abstaining. Motion carried.

**9. ADMINISTRATOR'S REPORT**

Soren Mattick discussed the Subordination Agreement needed for the Dill Dental project located at Lot 1, Block 2, Jefferson Center Plat. Mattick noted that the agreement will allow the developer to secure their financing and BLEDA would agree to subordinate its Deed to the Mortgage loan.

Council Member Wallen motioned to approve a Subordination Agreement by and between the Big Lake Economic Development Authority, the City of Big Lake, Compass Bank, and Dill Properties, LLC. Seconded by Council Member Backlund, unanimous ayes, motion carried.

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

Council Member Backlund: Provided an update on the July 18<sup>th</sup> Fire Board Meeting.

Mayor Danielowski: Discussed the July Fire Board Meeting. Mayor Danielowski also recognized that the Fire Department will celebrate its 100<sup>th</sup> year anniversary in 2015. Mayor Danielowski discussed the Northstar vendor booth which she staffed with City Clerk Gina Wolbeck at the Sherburne County Fair and reviewed special schedules for the upcoming State Fair. Mayor Danielowski also discussed the recent Legacy Foundation meeting, and announced various upcoming community events. Joel Scharf discussed the Night to Unite Community Picnic scheduled on August 6<sup>th</sup> from 6:30pm to 8:30pm at Lakeside Park. Scharf also provided an update on the burglary that occurred at Tootsie's Tavern which ended with a critical accident in Monticello. Mayor Danielowski discussed comments she had received from a resident regarding mosquito control in the City. Mike Goebel explained that the City does not currently treat, and the last time a review of potential costs was done was in 2004. Council directed staff to add this item on a future workshop for continued discussion.

Council Member Hansen: Reviewed the July 17<sup>th</sup> Planning Commission Meeting.

Council Member Wallen: Reminded citizens of the Music in the Park event on Thursday.

## **11. OTHER**

Council Member Wallen motioned to recess the regular session at 7:20 p.m. to go to Closed Session for item 12. Acquisition of Property identified as parcels 65-462-0230, 65-462-0240, and 65-462-0250 allowed under MN Statute 13D.05, subd. 3c3. Seconded by Council Member Christenson, unanimous ayes, motion carried.

## **12. CLOSED SESSION – Acquisition of Property (MS 13D.05, subd. 3c3)**

Council Member Hansen motioned to open the Closed Session at 7:26 p.m. Seconded by Council Member Christenson, unanimous ayes, motion carried.

Council Members present: Dick Backlund, Nick Christenson, Raeanne Danielowski, Seth Hansen, and Mike Wallen. Also present: City Administrator Todd Bodem, City Finance Director Jessica Green, City Clerk Gina Wolbeck, and City Attorney Soren Mattick of Campbell Knutson.

Soren Mattick discussed the potential purchase of parcels 65-462-0230, 65-462-0240, and 65-462-0250.

No action was taken by Council during Closed Session.

Council Member Hansen motioned to close the Closed Session at 8:21p.m. Seconded by

Council Member Backlund, unanimous ayes, motion carried.  
Council Member Hansen motioned to reconvene the regular meeting at 8:21p.m.  
Seconded by Council Member Christenson, unanimous ayes, motion carried.

Council Member Wallen motioned to deem the Broker Opinion of Value dated July 2013 conducted by Colliers International for the commercial property located at 790 Minnesota Avenue, MN as a public document. Seconded by Council Member Christenson, unanimous ayes, motion carried.

**13. ADJOURN**

Council Member Hansen motioned to adjourn at 8:23 p.m. Seconded by Council Member Christenson, unanimous ayes, motion carried.

Gina Wolbeck  
Clerk

Date Approved By Council 08/14/13