

**BIG LAKE CITY COUNCIL
WORKSHOP MINUTES
SEPTEMBER 17, 2014**

1. CALL TO ORDER

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

2. 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, City Clerk Gina Wolbeck, Public Works Director Mike Goebel, Police Chief Joel Scharf, Liquor Store Manager Jan Muehlbauer, Economic Development Manager Heidi Steinmetz, Consultant City Planner Ben Wikstrom, and City Engineer Brad DeWolf from Bolton and Menk, Inc.

3. PROPOSED AGENDA

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

4. BUSINESS

4A. Accessory Structure Ordinance Discussion

Ben Wikstrom provided information on Section 1020 regarding accessory structures and on Section 1049 regarding the R-5 Zoning District. Wikstrom asked Council for feedback on what areas they would like the Planning Commission to review for changes.

Discussion was held on requirements of the current code relating to attached and detached accessory structure setback requirements. Council asked that the setback criteria be changed to measure at the post not the platform of the deck. Council also discussed location of accessory structures in relation to front yard setbacks and the location of the principal structure. Council asked to keep language regulating that accessory structures must be further back than the principal structure. Staff discussed confusion with properties located on the lake side of Hill Street and Hiawatha Avenue that consider their "front" yard on the lakeside versus on the street side. Council asked staff to clean up accessory structure definitions and stressed that fences should not be considered an accessory structure. Council also asked staff to clarify siding requirements and allowing post and beam structures. Staff questioned if we want to be as strict with garden sheds. Council noted that they would like to continue to see 120 square foot sheds treated as administrative permits and they would not require a survey unless the zoning administrator feels the need for one. Wikstrom discussed the Building Official's recommendation to change the maximum shed square footage from 120 to 200 allowable by an administrative permit.

Wikstrom discussed the need to clarify height restrictions that should be measured to the peak, and that roof pitch should be compatible with the principal structure. Staff also noted that Setbacks should remain at 5 feet unless there are easements that restrict the setback further in specific areas.

Wikstrom also discussed the 25% impervious surface regulation that is required across the board. Wikstrom noted that we could consider increasing the limit to 30% - 35% but that the DNR would most likely restrict an increase in the Shoreland Management areas. Council directed staff to check into what our neighboring communities are allowing for impervious surface percentages.

Wikstrom discussed the City's Sign Ordinance and reviewed a request from a business owner to place signage on the backside of the lease space that he is newly renting in a retail strip mall. Wikstrom noted that the backside of the strip mall faces a parking lot, not a street. The sign ordinance prohibits signage on the backside of a commercial building unless it faces a street. Wikstrom asked Council if they are in favor of relaxing the ordinance at this time, or if they would be interested in staff conducting a full review of the current sign code. Council directed staff to conduct a full concise review of the sign ordinance. Wikstrom noted that any changes to the City Code will require a review from the Planning Commission with their recommendations brought to the City Council for final consideration.

4B. 121 Lake Street North Property Discussion

Heidi Steinmetz discussed the status of the former police department building located at 121 Lake Street North. Steinmetz noted that the building has been vacant since October 2012 and is currently listed for sale through Colliers International for \$225,000 which is below the County's Estimated Market Value. Discussion was held on the current condition of the building which is being used as a storage facility by the Big Lake Ambassadors, the Big Lake Food Shelf, and a few items remaining belonging to the Police Department. At the September EDA Meeting, the Board suggested that the property be transferred to the City. Staff asked for Council feedback on if the property should be transferred from the EDA to the City, if it should be emptied and professionally cleaned, if the property should continue to be used for storage, and if the property should be marketed "as is" to a local, non-profit agency.

Joel Scharf explained that staff allowed the Ambassadors to move items out of 790 Minnesota Avenue when the City purchased that parcel, and store them at 121 Lake Street North as the building wasn't being used. Scharf also noted that the Food Shelf was given permission to store school supply items in the building on a temporary basis.

Jessica Green reviewed ownership of the property which was purchased by the EDA in 2001 as they were the bonding authority at the time. The City refunded the Bonds in 2009 at which time the EDA should have transferred ownership of the building to the City.

Council discussed the need to transfer the building to the City. Council also discussed that they do not feel the storage hinders a potential sale, but that we should require that the storage be organized and the area cleaned up. Council discussed the need to clarify whether the listing agreement was signed by the EDA or the City. It was also discussed the need to remove any food or product that would attract rodents. Council discussed the option to sell or deed the building to a local organization such as the Food Shelf. Green clarified that there is still approximately \$60,000 owed on the property so we would not be allowed to “give” the building away without covering the remaining bond commitment. The consensus of the Council was to allow staff to open up discussions with the Food Shelf.

4C. Police Media Relations Discussion

Joel Scharf discussed the Police Department’s current policy relating to release of information regarding arrests, crimes, and calls for service in the community and asked for Council feedback on the policy and expectations or changes moving forward. Council discussed the need to control the flow of information and that the Chiefs press releases help show a value to support our Department. Council directed staff to continue with law enforcement media releases in the same manner the department has been conducting them.

4D. 790 Minnesota Avenue – Winter Maintenance Discussion

Mike Goebel discussed maintenance required at the new City acquired property located at 790 Minnesota Avenue. This property is known as the Community Services Center and houses the Big Lake Library and Police Substation. Goebel discussed the extra winter maintenance/snow removal that will be now be required along Glenwood Avenue near the new school trail that was installed this month. In an effort to establish plowing patterns and priorities before winter arrives, staff asked for Council feedback on whether to hire a service to ensure the Community Services Center is plowed/shoveled in the early morning or to have Public Works maintain the property with the understanding that plowing would occur later in the day. Goebel discussed concerns with overtime/compensatory time accrual due to the amount of time it takes to do snow removal for the City and noted that hiring a contractor to maintain the property might be a good tradeoff to paying additional wages. Staff noted that snow removal at the Community Services Center had previously been contracted out. The general consensus of the Council was to contract out snow removal at 790 Minnesota Avenue for the winter season 2014/2015.

4E. Sewage Treatment System Discussion

Mike Goebel reviewed previous discussions with Council relating to the administration of Subsurface Sewage Treatment Systems (private septic systems). Due to changes at the County level and through the MN Pollution Control Agency (MPCA), Counties are now required to permit and inspect septic systems within cities that don’t have a Subsurface Sewage Treatment System (SSTS) Ordinance. Goebel noted that City Ordinance 810.03 states that private septic systems must comply with MPCA rules. If the City would like to continue administering the SSTS, an amended ordinance will need to be completed adopting the Sherburne County SSTS Ordinance. The City does have the option to defer

administration of private septic systems if we provide notice to Sherburne County. Goebel noted that there are approximately 42 private septic systems in the City limits. These properties do not have sewer lines adjacent to their properties. While City staff has the necessary credentials to do the inspections, it has been very time consuming keeping up with the MPCA regulations and new County regulations. Goebel noted that he will continue to keep the required licensing, but that turning the administration of the SSTS program over to the County will be beneficial and save time for the City since it is now the County's Ordinance that will have to be administered. Goebel noted that the County's fees are higher than what the City has been charging. The County's fees range from \$150 to \$300 versus the City fees at \$35 to \$70.

Council Member Hansen left the workshop at 6:45 p.m.

Council discussed concern that we are not covering our costs on the inspections and that if we decide to continue doing inspections, we should reevaluate our fee structure. The general consensus of the Council was to turn the inspections over to Sherburne County.

4F. Lakeside Park Events Discussion

Mike Goebel discussed the increase in requests for holding events at Lakeside Park and suggested that an evaluation is needed of the city's written policy on what organizations and activities will be allowed to sponsor events in the City parks. In the past, staff has allowed events that held non-profit fundraising events to occur at City parks. For larger events, Council approval was obtained. If profits from the fundraising event went back to the community, staff would recommend waiver of parking fees. Staff is looking for Council feedback on how to regulate organizations that want to use the City parks for profit.

Council discussed the need to continue to allow Big Lake non-profits that give back to the community a parking fee waiver for their events. Council also discussed the need for the City to continue to be supportive our community organizations. Discussion was held on the necessity to have a stronger traffic control plan in place before events get approval. If reserves aren't available to do traffic control, the organization should be required to reimburse the City for costs incurred to staff the event. For-profit events would require a clear and concise contract and process.

Council directed staff to continue to think about options and bring back to a future workshop for further discussion.

5. OTHER

Brad DeWolf provided an update on the Quiet Zone project. Staff recently met with Burlington Northern Santa Fe Railway (BNSF) and they indicated that they plan to install another track on the north side of their current tracks that run from Big Lake to Becker. Their plans are expected to be drafted within 4 to 6 weeks. DeWolf discussed grades at each intersection. The grade should stay the same at the CR 43 crossing, but the north side of the Eagle Lake Road South and Hwy 25 crossings will most likely have some grading changes. DeWolf informed Council that BNSF will be required to obtain right-of-

way permits from the City and the State. Staff informed Council that we may have some expense for the replacement of medians on the north side of Eagle Lake Road South and Hwy 25. If we move forward with our current quotes, that construction would start shortly and the Quiet Zone application can be submitted thereafter which should allow our Quiet Zone designation to become effective by the end of the year. Staff informed Council that when BNSF construction starts next summer, they will be sounding whistling again. Staff also discussed a potential concern that we could also have some sanitary sewer and water lines in their right-of-way that could be an expense to the City when they install the 2nd track. DeWolf also noted that it may be a good move to complete the sidewalk at Eagle Lake Road South while they do their construction.

Council discussed the possible option of obtaining Public Relations dollars that might be available from BNSF as an entire community would be impacted. Jessica Green informed Council that we could be looking at substantial costs to fix medians and potentially infrastructure after BNSF finishes the installation of the 2nd track. Mayor Danielowski also discussed potential dollars available at the State level for rail safety improvements. The general consensus of the council was to continue with implementing the Quiet Zone by year end as planned.

Jessica Green discussed the upcoming bond refunding and a potential concern with the lease payments we receive from a tenant in the building. The lease will need to be rewritten from the EDA to the City, and Council noted that the original plan was that the current tenant would eventually purchase the space.

6. ADJOURN

Council Member Wallen motioned to adjourn at 8:42 p.m. Seconded by Council Member Christenson, unanimous ayes, motion carried.

Gina Wolbeck
Recorder

09/24/14
Date Approved By Council