1. **CALL TO ORDER**

Mayor Wallen called the meeting to order at 5:00 p.m.

2. **ROLL CALL**

Council Members present: Rose Johnson, Paul Knier, Mike Wallen, and Scott Zettervall. Council Member Seth Hansen arrived at 5:54 p.m. Also present: City Administrator Clay Wilfahrt, Finance Director Deb Wegeleben, City Clerk Gina Wolbeck, Community Development Director Hanna Klimmek, City Engineer Layne Otteson, Public Works Director Mike Goebel, Police Chief Joel Scharf, City Planner Michael Healy, Code Enforcement Intern Lorrie McKee, and Liquor Store Manager Greg Zurbey.

3. **PROPOSED AGENDA**

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

4. **BUSINESS**

4A. **Noise Ordinance Discussion**

Lorrie McKee discussed the City’s existing noise ordinance, informing Council that the regulations may be out of date, and are no longer in alignment with the Minnesota Pollution Control Agency’s (MPCA) best practices for noise regulation specifically where it concerns commercial and industrial businesses. McKee noted that it appears many Big Lake businesses are technically out of compliance with the City’s noise ordinance even though they meet MPCA standards for mitigating noise pollution. The City’s standards are based on 1950’s noise measurement technology and include provisions regarding the frequency of noise that most cities have phased out of their ordinances. The current standards for noise in the City have been the same since the adoption of the earliest zoning code on record at City Hall. The code states that emanating noise shall be in compliance with, and regulated by, the MPCA. Since the City adopted its noise ordinance rules, the MPCA’s noise chapter in Statute has changed, and has different standards for noise than what Big Lake currently has in its code. McKee stated that Staff supports removing the existing noise chart from the code and regulating noise using the MPCA’s current best practices pursuant to Minnesota Rules 7030.

Council directed Staff to prepare a draft ordinance and call a public hearing at the Planning Commission to review the proposal and make a recommendation to Council.
4B. Bee Keeping Ordinance Discussion

Michael Healy informed Council that City Attorney Soren Mattick has requested that Staff share his concern’s with the approach the City was taking with the draft bee keeping Ordinance. Comments from the City Attorney included that while the draft ordinance is legally defensible, there are some concerns with the language, and that it is unusual to allow bee keeping outright as a permitted use. Most cities require an Interim Use Permit which includes a public hearing and neighbor notification process. It would be up to the City Council on whether the costs for these services could be built into a set fee, or passed on to the general public. Mattick also noted that most communities treat bee keeping differently than other property rights issues because bees do not respect property lines, and the hobby will have a direct impact on neighboring properties, which would create a significant increase in the number of bees in neighboring yards. Mattick also expressed that there is really no way to enforce a rule that the bee keeping must not be a nuisance. This is a subjective standard and not an issue that a judge would side with the City on. Mattick also identified that once an ordinance has been adopted and a resident has started bee keeping with a specific set of rules, they would be grandfathered in even if the City amends the ordinance rules. Mattick recommended that if Council wishes to legalize bee keeping without a permit requirement that objective, enforceable performance standards be added to the ordinance language that would limit the size of the hive to no more than six hives on a lot, and limiting the size of the hives allowed to not exceed 20 cubic feet in volume. Staff asked for Council feedback on how to proceed.

Council Member Knier stated that he would be open to limiting the number of hives at 6.

Council Member Zettervall agreed that limiting the hives allowed to 6 would seem reasonable. Zettervall also would like to limit the size of the hives, and to prohibit from placement in front yards in an effort to lessen the opportunity of nuisances.

Council Member Johnson stressed that she feels there will only be a limited number of people who want to have hives in their yards. Johnson stated that she feels it would be better to require an Interim Use Permit (IUP) with a fee waiver as this would provide public notification. Zettervall stated that he would support Johnson’s recommendation also.

Mayor Wallen discussed that he has received comments from residents who have serious concerns about allergies, and the negative medical issues a neighboring bee hive operation could cause. Wallen stated that he would support requiring an IUP process with a fee waiver. Healy noted that a denial provision can be added to the Ordinance that if someone who resides within a certain number of feet located from a property applying for a bee keeping IUP, who can prove through a doctor’s note that an allergy exists with someone who resides in their residence, the IUP could be denied.

Council directed Staff to draft an ordinance requiring an IUP with a fee waiver and bring back to Council Workshop for further review.
4C. Lakeside Park Discussion

Clay Wilfahrt discussed the possible purchase of land across the street from Lakeside Park. The purchase would allow the City to develop the land into a parking lot, as well as potentially develop other amenities. Wilfahrt noted that after the last Council Meeting, Staff was directed to conduct additional research into the viability of the option. Wilfahrt presented seven possible alternatives, reviewed the Comprehensive Plan, and discussed the Master Parks Plan. The Comprehensive Plan outlines the overall direction of the City over the next 20 years. This Plan specifically addresses Lakeside Park, indicating that the Plan identifies that the City should continue to maintain the City's flagship park as a local and regional attraction. The document also suggests that the City should prepare a master plan for the continued improvement of Lakeside Park in 2020, and noted that the Plan suggests some level of support for maintenance and improvement of the Park. The City Master Park Plan specifically identifies that the City should look to acquire additional land for Lakeside Park and River Oaks Park. Minutes from meetings that led up to the Plan mention that the City should acquire the A&W site for Lakeside Park. It appears the Master Park Plan supports the acquisition of land and addresses the parking issue at the Park. Options researched include the outright purchase of the land, the option to seek a joint venture with a private sector business, providing shuttles from off-site locations, entering into parking agreements with nearby businesses, restriping the existing lot, and creating on-street parking near the park.

Council Member Knier discussed recent inspections he has done at Lakeside Park, noting that in the three times that he drove around during Music in the Park, on average there were 25 to 30 open spaces in the Park. Knier stated that he respects what everyone is saying, but that he disagrees with some of the comments, and thanked Staff for the work they accomplished on their research of the Park’s needs. Knier discussed his time while serving on the Comprehensive Plan Taskforce, noting that the population is only expected to grow to 14,000. Knier also stated that if we decide to spend $565,000 to improve the Park, we need to include bond interest in the projected cost calculations. Knier also asked if we can find a way to allow parking on Sherburne Avenue without the $120,000 cost, suggesting possibly shutting down on event dates when needed, and consider no curbing/sidewalk in this area. Knier stressed that the park area and lake can only accommodate so many people, and doesn’t feel we currently have a parking problem. He questioned that if we do add more parking, will this create more issues on lake use. Knier’s inspection on August 17th was done on an 87 degree day and the lot was only half full. Knier stated that we should be open to rent parking from adjacent businesses.

Mayor Wallen stated that he doesn’t want to make Music in the Park the gold standard for additional parking needs. There are generally 12 concerts per year, and some of these concerts can have attendance in excess of 1,000 people. Wallen discussed the implementation of the Master Park Plan which was designed to guide future improvements to Lakeside Park. Discussion during that time included the benefits of constructing a band shell, and promoting arts and entertainment for our citizens. The Master Park Plan viewed one of the biggest concerns of this park system is the need to address future needs. Wallen clarified that we have been lucky to have had free use of the vacant lot for seven years at no cost other than to maintain the area. Wallen also acknowledged that at times, there is ample room for parking at Lakeside Park. Wallen discussed the need to market these community events going forward, and to continue to
encourage quality of life efforts of various organizations as it will help keep people in the area. Wallen discussed whether the City should gain site control of the lot to get the best use of the area.

Council Member Johnson discussed the upcoming street project noting that sidewalks are projected to be added on one side of Sherburne Avenue. Mike Goebel informed Council that residents along this area were highly opposed to on-street parking and had significant concerns about littering in the area during large events. Johnson stated that she believes the area population will grow substantially in the future, and that long-term, we should consider the future of Lakeside Park. Johnson noted that a lack of parking at Lakeside Park is already a concern at today’s needs, and would like us to have site control, and do an RFP to partner with a business to develop the lot along with the City. If we determine in the future that we do not need to keep the lot, we can sell it.

Council Member Zettervall asked when the Master Park Plan was approved. Staff indicated that the Plan was approved by Council in 2015. Zettervall questioned if we have identified how much parking we need to cover community events, stating his concern with the high cost of options 1 and 2. Zettervall stated that he doesn’t know if the direct benefit is there and questioned if the City should be hosting these large events. Zettervall was in favor of pursuing other options that cost less, and is not opposed to pursuing options 4, 5, and 6.

Mayor Wallen suggested that based on Council discussion, we don’t do anything at this time and let everything shake itself out. If we don’t have the appetite to do it fully, we should not do it half ways. Staff discussed that at the very least, when we restripe the lot, Staff will take parking needs into consideration in the striping design. The Council consensus was to not move forward with the purchase of the adjacent vacant lot to Lakeside Park at this time.

Council Member Johnson stated that she would like to get creative about how we allow access to the landing, and would like Council to discuss this at a later time.

4D. Lake Mitchell Boat Launch/I-LIDS Update

Clay Wilfahrt provided an update on the I-LIDS system at the Lake Mitchell Boat Launch. Wilfahrt noted that because of issues with the equipment, the City has not moved forward with the proposed changes to the launch policies. At this point, Staff believes the equipment is working correctly, but would like time to monitor the operation to be sure they continue to work as intended. Once the I-LIDS operation is confirmed, Staff would propose that implementation occur sometime in spring 2020.

Council directed Staff to continue to monitor the I-LIDS operation and to bring back the Lake Mitchell Boat Launch Policy for final approval once proper operation is confirmed.

4E. Commercial Vehicle Parking Discussion - Item tabled until a future meeting due to a lack of time.
4F. **New Ideas Discussion**

Council Member Knier asked that Staff place Council Agenda’s on Facebook. Gina Wolbeck noted that Staff will look into making Agenda’s available on this site as well as placing a link to the City’s Website Agenda Center where interested persons can view the entire packet.

5. **OTHER** – No other discussion was held.

6. **ADJOURN**

Council Member Hansen motioned to adjourn at 5:54 p.m. Seconded by Council Member Knier, unanimous ayes, motion carried.

________________________  09/11/19  
Gina Wolbeck  
City Clerk  

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Date Approved By Council