1. **CALL TO ORDER**

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

2. **ROLL CALL**

Council Members present: Seth Hansen, Rose Johnson, Paul Knier, Mike Wallen, and Scott Zettervall. 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, Police Captain Matt Hayen, City Planner Michael Healy, and Assistant Liquor Store Manager Lisa Miller.

3. **PROPOSED AGENDA**

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

4. **BUSINESS**

4A. **CMRRPP Update**

Clay Wilfahrt presented information on the Central Mississippi River Regional Planning Partnership group that was formerly known as the Highway 25 Coalition. The Partnership has been focused on developing commitment of policymakers, and identifying need. The City’s Representative on the Partnership is Council Member Seth Hansen, and Staff members that generally attend meetings include himself, Hanna Klimmek, Layne Otteson, and Michael Healy. Wilfahrt reviewed the original Highway 25 Coalition that was formed in 2017 and was established as a collaboration to benefit the region. The group yielded clear, usable data on traffic and service levels, and a recommendation for a second river crossing to support long-term needs. Further discussion of a river crossing revealed that transportation factors alone cannot drive a bridge location. Wilfahrt noted that transportation supports land use and development goals, the required Federal environmental process is time-consuming, expensive, and includes all location options, but does not consider social, land use, and economic factors which are all critical to accomplishing community goals. Wilfahrt explained that with guidance from FHWA and MnDOT, the group committed to creating a shared regional vision and goals, and then determining what’s necessary to accomplish them. In May, the Partnership hired a consultant/facilitator to provide support and guidance to the group. In July, the group adopted a new name, the Central Mississippi River Regional Planning Partnership (CMRRPP). During July and August, the group prepared an RFP for a consultant to work with the Partnership members to develop regional planning framework for 1) economic development and growth, 2) land use, 3) environment and recreation, and 4) infrastructure and other critical topics. This highly collaborative project is expected to run through early 2021, and Wilfahrt noted that the current critical need is for ongoing alignment among partners. The group feels it is essential for members to “own” the planning project from start to finish. The process, intermediate guidance and recommendations,
and final results must reflect Partnership member priorities, and requires elected bodies to be actively engaged throughout the planning project. Wilfahrt reviewed that the Partnership recommendation is that elected bodies formally engage and drive results throughout the planning project. Specifically, the Partnership seeks support for scheduled sessions with our Partnership representative and staff to provide a formal project update, gather input/feedback/guidance to shape planning project moving forward, and elected body votes indicating overall satisfaction with the work to date and the body’s role in helping shape the process and content. Wilfahrt explained that the Partnership prefers that the elected bodies give their approval in a resolution format, but that the Council can choose whatever approval format they wish to use. The Partnership has requested that the Council 1) agree to regularly schedule formal updates on the planning project by the Partner representative and Staff, and provide guidance to help drive results. The Partnership is also asking for the Council to agree that after each formal update, they will take action of concurrence and follow up as required.

Mayor Wallen stressed that it's good that Big Lake is represented at the table, noting that Big Lake has an impressive group involved.

Council Member Johnson inquired how often this group meets. Wilfahrt noted that at a minimum, the Partnership will meet monthly, but during the transition time, there has been a need for more meetings.

Council Member Knier noted that it will be beneficial for the full Council to receive updates, which will allow Council to provide updates to citizens.

The general consensus of the Council was that they agree to regularly schedule formal updates on the planning project by the Partner representative and Staff, and provide guidance to help drive results. The Council also indicated concurrence and follow up as required.

4B. Commercial Vehicle Parking Discussion

Michael Healy reviewed discussion at the August Planning Commission Meeting relating to the enforcement of large commercial vehicle parking in residential neighborhoods. Initially, the Police Department requested that the issue be reviewed by the City Council and that Council provide clear direction regarding enforcement of the rule so that the Department and Community Development Staff can provide effective code enforcement. The City Council reviewed this issue at their July 24th Workshop and referred further discussion to the Planning Commission for review and recommendation. At their August 7th meeting, the Planning Commission reviewed the current ordinance and unanimously recommended to Council that the ordinance be kept as-is, but identified that enforcement could be approached more creatively and should be enforced consistently. The Planning Commission discussed their fear that changing the rules to accommodate a handful of violators would lead to a boom in other residents choosing to store their large commercial vehicles at home, which would potentially diminish property values and neighborhood aesthetics. The Planning Commission discussed two creative solutions to address the parking issues, which included 1) Staff compiling a detailed listing of businesses in the area that rent parking spaces to owners of large commercial vehicles, which can be given out to violators with a one-month notification to comply, and 2) Support for the Council's idea to turn the underutilized Sherburne County Park n’ Ride lot by Casey’s Gas Station into a municipal
parking lot for large commercial vehicles. Healy reviewed potential issues with this option including ownership, potential for conflicts with grant funds, screening, aesthetics of an open storage lot for large commercial vehicles, and whether it is actually the City’s responsibility to provide parking for these types of vehicles.

Council Member Zettervall stressed that this activity is a commercial use in a residential neighborhood. Zettervall also discussed the potential for implementing an Interim Use Permit (IUP) process, noting that he would support this type of permit process. Staff noted that the Planning Commission was not in favor of an IUP process, and reviewed that the Commission and Council would need to set specific performance standards for an IUP.

Council Member Johnson stated that she is not in favor of the Council overturning a City Commission’s recommendation. Johnson noted that she likes the creative ideas they came up with, and stressed that this parking issue is a small problem involving a small number of people, and doesn’t feel the Council should change rules on a broad basis for such a limited number of violations. Johnson discussed the negative impact these types of vehicles have on residential property values, and stressed that one person’s freedom can negatively affect another person’s freedom.

Council Member Knier noted that he toured the specific areas of concern and talked to several residents in the area, with most saying large commercial vehicle parking doesn’t bother them. Knier stressed that he believes in personal freedoms, and doesn’t want to infringe on a person’s right to do business. Knier stated that he understands that parking at a remote lot wouldn’t make sense for most commercial vehicle operators, and questioned what kind of complaints the City has received. Healy explained that several citizens have expressed that the trucks are unsightly and will negatively impact property values, noting that aesthetics is a main issue. Knier inquired if the City can we do another grandfather permit process similar to what was done in 2009. There was no other Council support to revisit this same process again.

Council Member Hansen stressed that he doesn’t want these types of commercial vehicles parked on the roads, and doesn’t see an issue with allowing parking on a person’s property.

Mayor Wallen recapped when the City amended its ordinance to restrict parking on streets due to safety concerns. Mayor Wallen stressed that the Council should not go against what a City Commission recommends unless there are significant factors to do so.

Mayor Wallen suggested this item go back to the Planning Commission to discuss the option to implement an IUP process that would allow neighbors to weigh in. Wallen also noted that this would be a good opportunity to bring Council’s views back to the Planning Commission. Council Member Knier stated that he doesn’t agree that a person should have to ask for their neighbor’s permission.

4C. Theft/Property Damage Ordinance Discussion

Joel Scharf discussed quality of life crimes the department fields relating to theft, property damage and disorderly conduct. Scharf noted that often times, a solution is sought by both parties involved that leads to corrective action that isn’t necessarily criminal in nature. Scharf
discussed the option to add these violations into the City Code which would give both Officers and the victims the opportunity to utilize a method other than a criminal summons to address a violation by the issuance of an Administrative Citation. Scharf reviewed the financial impact these types of Administrative Citations would generate in addition to savings as it relates to Officer over-time for court appearances for cases not resolved in this manner.

Council Member Johnson questioned if this change would be for more minor level damages. Scharf replied that yes, this would not be the rule, it would be the exception and that citations would be handled administratively with consent from the victim. The goal would be to have this process serve as a restorative justice program, and noted that second violations would automatically go through the court system. Johnson discussed that courts provide due process, and she would only agree to this administrative process if the victim agrees with going this route.

Council Member Knier questioned how guilt would be established. Scharf explained that the same threshold would be used as with court violations. A criminal summons to district court would be issued, or the issue would be dealt with through the Big Lake Police Department through an administrative process. Scharf noted that challenges to the process would be forwarded to the courts.

Council directed Staff to draft an Ordinance adding theft, property damage, and disorderly conduct violations to be addressed through an Administrative Citation process and bring back to a future meeting for consideration.

Scharf also discussed inconsistencies with the City’s current ATV/UTV ordinance that has some conflicting language regarding allowing side-by-side vehicles. Council directed Staff to correct this language at the same time as the Administrative Citation process is considered.

4D. Discuss the Purchase of Additional Hwy 10 Holiday Decorations

Council directed Staff to move forward with purchasing additional holiday decorations utilizing remaining donated funds.

4E. New Ideas Discussion – No new ideas presented.

5. OTHER – No other discussion was held.

6. ADJOURN

Council Member Knier motioned to adjourn at 5:56 p.m. Seconded by Council Member Hansen unanimous ayes, motion carried.

Gina Wolbeck 09/25/19
City Clerk Date Approved By Council