

**BIG LAKE CITY COUNCIL  
WORKSHOP MINUTES**

**APRIL 10, 2019**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Council Members present: Dick Backlund, Seth Hansen, Rose Johnson, Paul Knier, and Mike Wallen. Also present: City Administrator Clay Wilfahrt, Finance Director Deb Wegeleben, City Clerk Gina Wolbeck, Community Development Director Hanna Klimmek, City Engineer Layne Otteson, 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 Hansen, unanimous ayes, agenda adopted.

**4. BUSINESS**

**4A. LEAN Event Presentation**

Hanna Klimmek informed Council that this item will be brought back to a future Workshop when there is enough time for the Building Official to do a full presentation.

**4B. Falconry in City Limits Discussion**

Michael Healy reviewed a request from Jason Behrendt who recently purchased a house in the Sanford Select Acres Development. Behrendt is an apprentice falconer with a falconry permit from the DNR and is seeking to have his red-tailed hawk live in an accessory building on his property. Healy explained that current City Code prohibits the keeping of this type of non-domesticated animal. Staff consulted the City Attorney who explained that the City is well within its rights to regulate this type of animal and is under no obligation to allow falconry in city limits. The City Attorney also noted that several Minnesota communities have worked with the DNR to make an exception for licensed falconers, which is heavily regulated by the State. Healy summarized the DNR's procedures for falconry licensing and noted that Mr. Behrendt is currently an apprentice falconer with a sponsor, and will be eligible to be upgraded to general falconer this fall. He is currently allowed through State licensing to have one red-tailed hawk which he captured, possessed, and has hunted with since the fall of 2017. Healy reviewed that if Council wishes to allow falconry in the City limits, it would require adding to the list of exceptions on the ban for non-domesticated animals.

Jason Behrendt reviewed inspections done by State Conservation Officers, and reviewed the number of falconry permits issued in Sherburne County which is estimated to be between three to five permits issued to date.

Council discussed the regulations relating to licensing of falconry through the State, and that it makes sense for the City to allow falconry as long as the falconer has obtained the necessary licensing through the DNR. Council Member Johnson also discussed concerns with not setting a precedence for other types of animals to be excluded from the City's animal ordinance. Council directed staff to draft an ordinance amendment making an exception to the animal ordinance for licensed falconers for future Council consideration.

#### **4C. Small Cell Facility Aesthetic Standards Discussion**

Michael Healy reviewed recent Federal Communications Commission (FCC) regulations that address small cell wireless facilities. The order was effective January 14, 2019, and unless a City adopts "aesthetic standards" for small cell wireless facilities by April 15, 2019, we will lose the right to regulate the aesthetics of these facilities. Small Cell Facilities refers to small pieces of telecommunications equipment that are attached to existing infrastructure. Recent changes to state law requires cities to allow small cell equipment to be installed in the right-of-way. This would mean that these devices could be installed on existing City infrastructure such as utility poles and light fixtures. Healy noted that once adopted, the policy can be revised at a future time if the Council wishes to deregulate the appearance of this equipment.

Council directed staff to bring this policy to Council for consideration.

#### **4D. Aeon Development Resolution of Support Discussion**

Hanna Klimmek reviewed revisions to the Aeon Development proposed project near the Big Lake Train Station site. The property is owned by Aeon Development, and they previously submitted two tax credit applications to MN Housing which did not receive approval. Aeon Development is putting together a third tax credit application which will be submitted in June 2019. The proposed project will not only include the original 54-unit structure, but will also include a Phase II portion consisting of a 100-unit apartment building for seniors aged 55+. Klimmek noted that the developer has decided not only to pursue financing for the 54-unit structure, but to also start pursuing momentum for Phase II which has the potential to be constructed simultaneously with Phase I. If all financing falls into place, the estimated commencement of both phases will be in the summer of 2020 with an estimated completion date in the summer of 2021. Klimmek presented a request from the developer seeking a Resolution of Support from the City for both phases in order to submit a completed application to MN Housing. Klimmek reviewed the extremely low vacancy rate for senior housing in the Big Lake community, and asked for Council support on moving forward the Resolution of Support to the next Council Meeting for consideration. Clay Wilfahrt reviewed the City's history with the developer which has been very positive, and noted that the Police Chief has reached out to communities that work with this developer and all communities talked highly about the end product and management at their facilities.

Mayor Wallen discussed subsidized housing income levels, and the difference between those income levels and what is considered low income. Wallen stated that he is in favor of the developer adding on the additional 55+ housing structure to address Big Lake's senior housing shortage. Council directed staff to bring a Resolution of Support to the next Council Meeting for consideration.

#### **4E. Request for Proposals for the 2020 Street Resurfacing Project**

Layne Otteson reviewed the 2020 Street Resurfacing Project and the need to designate an engineering consultant to assist with the project in relation to surveying and engineering design. Otteson recommended the City send out a Request for Proposal to three firms who offer this type of service, noting that the scope of services would be similar to the 2018 street project. Otteson reviewed the project schedule and resident communication strategies, and discussed the need to schedule open houses for affected property owners with the first open house to be scheduled in May.

Council Member Knier discussed the importance of staff doing the walkabout contact with affected property owners asking if it would make sense to do the walkabout earlier in the project. Otteson reviewed previous walkabouts done on other projects and the need to have the design phase at a specific point so he has answers for resident questions. Otteson also reviewed that sidewalk placement is determined according to the City's Complete Streets Plan.

Council agreed with the need to communicate with affected property owners and thanked staff for their efforts on past street projects. Council directed staff to send out a Request for Proposals for engineering services for the 2020 Street Resurfacing Project.

#### **4F. 2019 Street Resurfacing Project and McDowall Trail Overlay Project Bid Results Review**

Layne Otteson reviewed the bids submitted on the 2019 Street Resurfacing Project and the McDowall Trail Overlay Project, noting that the trail project has been reduced from a complete rebuild, to an overlay. Four bids were submitted and the low bid came in under budget using Schedule A, Alternate 1 which includes a complete overlay of the McDowall Trail and raising the low area that floods every year.

Council Member Knier questioned how long the overlay is projected to last. Otteson explained that the life expectancy of an overlay to an existing trail is between 15 to 20 years as long as regular maintenance is done. Discussion was held on if the City should just fix the low spot and then relook at a complete reconstruct in a few years. Otteson discussed the price of oil and how that can affect bid pricing. Council discussed the bids submitted and stressed the immediate need to complete improvements to the McDowall Trail System. Council Member Knier stated that he is undecided on moving forward with the overlay project but acknowledged that he would be in the minority. Council discussed the need for ongoing maintenance to extend the life of the overlay. Deb Wegeleben reviewed projected budgeting for maintenance on the trail system. The

general consensus of the Council was to direct staff to bring the low bid to a future meeting for consideration.

#### **4G. New Ideas Discussion**

Council Member Knier suggested that the City should consider bringing in a micro-surfacing firm to price out street sealcoating services to prolong the life of our streets. Layne Otteson reviewed surfacing technologies that could potentially extend the life of asphalt. Council directed staff to pull together more information on this type of service and companies that provide it.

#### **5. OTHER**

Hanna Klimmek discussed the SHIP grant that is on the Consent Agenda at tonight's regular Council Meeting. Klimmek reviewed past funding from this program and how these funds have benefitted the City. The current SHIP grant awards the City a \$2,000 grant towards wayfinding signage at McDowall Trail. Klimmek noted that the total project cost is expected to be \$8,825. Deb Wegeleben noted that the remaining balance after the \$2,000 reimbursement from the SHIP grant has been allocated in the Capital Improvement Fund as well as an in-kind contribution from the Public Works Department for the labor tied to installation. Klimmek noted that hard costs for the City are expected to be \$4,425 along with approximately \$2,400 for in-kind labor costs. Staff asked for Council feedback on acceptance of this grant. Discussion was held on benefits of wayfinding signage which provides users easy access to information, directional information to runners, walkers and trail users, that signage can provide a common demarcation point for the community, and provide educational opportunities along the trail. Clay Wilfahrt reviewed that the grant agreement would allow the project to move forward, and that design of the signage has not yet been determined. Deb Wegeleben recapped funding for the City's portion of the project noting that funds are currently allocated in the Capital Improvement Fund.

Council Member Knier discussed his concern with the amount the City would have to contribute, noting that he doesn't want to spend tax payer dollars on something that we can put on our website or use QR Codes for citizens to obtain information. After further discussion, the general consensus of the Council was to move forward with the grant agreement approval.

Michael Healy provided an update on topics brought up under the New Ideas portion of the Workshop. Healy informed Council that planning/building staff mainly focus their time on applications/permits submitted during the summer months, noting that topics brought up during New Ideas have been generally planning related and will be addressed as time allows. Items currently under review are the animal ordinance to allow chickens, and revisions to the accessory structure ordinance. Healy informed Council that the chicken ordinance more than likely will come back to the next Workshop for further review, but that the accessory structure amendments will take more time to research and prepare and most likely won't come back to Council until after the summer season. Council thanked Healy for the update and for being upfront about potential delays in bringing items back to Council.

**6. ADJOURN**

Council Member Hansen motioned to adjourn at 5:51 p.m. Seconded by Council Member Knier, unanimous ayes, motion carried.

Gina Wolbeck  
City Clerk

04/24/19  
Date Approved By Council