

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES**

MAY 8, 2019

1. CALL TO ORDER

Mayor Mike Wallen 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, Seth Hansen, Rose Johnson, Paul Knier, and Mike Wallen. Also present: City Administrator Clay Wilfahrt, Finance Director Deb Wegeleben, Community Development Director Hanna Klimmek, Public Works Director Mike Goebel, City Engineer Layne Otteson, Police Chief Joel Scharf, City Clerk Gina Wolbeck, City Planner Michael Healy, Liquor Store Manager Greg Zurbey, and Fire Chief Ken Halverson.

4. OPEN FORUM

Mayor Wallen opened the Open Forum at 6:01 p.m. No one came forward. Mayor Wallen closed the Open Forum at 6:02 p.m.

5. PROPOSED AGENDA

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

6. CONSENT AGENDA

Council Member Hansen motioned to approve the Consent Agenda with the removal of item no. 6D for separate consideration. Seconded by Council Member Johnson, unanimous ayes, consent agenda approved. The Consent Agenda consists of: 6A. Approve Council Workshop

Minutes of April 24, 2019, 6B. Approve Regular Council Meeting Minutes of April 24, 2019, 6C. Approve the Appointment of Alexis Nau, Savannah Hines, Alan Chuba, and Julie Kvznia to Seasonal Part-time Public Works Positions, ~~6D. Approve Employment Termination of Non-Returning Seasonal Part-time Public Works Employees~~, 6E. Approve Changing Second Meeting in June to Tuesday, June 25, 2019 for the League of MN Cities Annual Conference, 6F. Approve Resolution No. 2019-30 Authorizing the Sale of City Owned Land – Parcel No's 65-019-4405, 65-019-4419 and 65-563-0020, and 6G. Approve Advanced Resignation Notice Policy.

6D. Approve Employment Termination of Non-Returning Seasonal Part-time Public Works Employees

Mike Goebel reviewed Seasonal Part-time Public Works employees who are not returning to work this season. Goebel noted that Nicole McConnell has now decided to stay on so she has been removed from the termination list.

Council Member Knier motioned to approve the termination of four Seasonal Part-Time Public Works Employees including Emily Sabel, Seth Paulson, Kayla Wesley, and Mariah Berthiaume. Seconded by Council Member Johnson, unanimous ayes, motion carried.

7. BUSINESS

7A. Ordinance Amending Chapter 390 to Allow the Keeping of Chickens in the City Limits

Michael Healy reviewed past discussions on the legalization of backyard chickens where the Council directed staff to produce ordinance language using a medium regulation approach similar to the City of Ramsey, and limiting the amendment to the animal licensing section of the code. Healy noted that after resident comments, and further review of the ordinance, Staff is recommending limiting the height of coops to six feet, and exempting coops under 30 square feet from counting towards the maximum number of detached accessory buildings, not counting towards the 1,200 square foot allowance, and not counting as an impervious surface.

Council Member Johnson asked that the language under 390.04, item M be amended to clearly state that the City reserves the right to require the property owner to eliminate all fowl and poultry within City limits if a pandemic regarding fowl and poultry is declared. Johnson stated that the property owner should be required to pay the costs to eliminate the fowl and poultry instead of City taxpayers covering that cost.

Council Member Knier motioned to approve Ordinance No. 2019-07 approving an amendment to Chapter 390 allowing backyard chickens as presented with changes as

identified under Section 390.04, item M, and approve Resolution No. 2019-31 authorizing a summary publication notice. Seconded by Council Member Hansen, unanimous ayes, motion carried.

Council Member Johnson encouraged residents that intend to have chickens at their residential property to communicate with their neighbors beforehand. Healy noted that Staff has prepared an information pamphlet that will be available at City Hall and on the City Website.

Council Member Knier asked for clarification if small coops less than 30 square feet will be required to obtain a permit. Healy explained that all chicken coops will require a permit regardless of size.

7B. Big Lake Car Condos – PUD Concept Plan Review

Michael Healy reviewed the planners report for the development application submitted by Richard Hinrichs for the proposed Big Lake Car Condos Development. The Applicant is seeking PUD Concept Plan review of his proposal to construct a “car condo community” on a six acre vacant lot located directly south of the Friendly Buffalo across 198th Avenue NW. Healy noted that the Applicant has also purchased the vacant two acre parcel to the west, and that property may be included in the final project. The Concept Site Plan that has been submitted appears to show the entire car condo community only on the six acre parcel at this time. Healy described a Car Condo Community which is a community of storage buildings that are designed for use by car enthusiasts. Each storage unit is large enough to be converted into a recreational storage/hangout area, and each storage unit is owned individually as a condo unit. The entire community would be governed by a homeowner’s association that would enforce the rules of the car condo community. Healy noted that owners will not be allowed to run businesses out of their units or make alterations to the building exterior. Each unit owner would have authority to make improvements to their specific unit as long as they are meeting building and zoning code requirements, and they have received necessary building permits. The units will be initially sold as unfurnished empty shells. Healy noted that the concept plan shows six car condo buildings, each consisting of seven units. The concept plan also shows a community room with public bathrooms and a display area for small car shows. The intent of the development is to create an area where people can store their cars if they don’t have room at home and to create a social hub for car enthusiasts. Healy discussed the Planned Unit Development (PUD) that is required for any project with more than one building on a lot, and that the Applicant wishes to deviate from the City’s design standards for exterior building materials. Early renderings indicate the building exterior materials exceeding the 50% coverage by metal siding which is not allowed in any of the City’s zoning districts except for the Innovation Industrial park (I-4) district. The site is located on Outlot A of the Big Lake Marketplace Third Addition Plat. Healy noted that the property would be required to be

platted into lots and blocks before it could be considered buildable. Healy also noted that the site is currently zoned I-1 (Industrial Park), but that the 2018 Comprehensive Plan Land Use map steers it towards business development. The City Attorney has advised that a car condo use is most likely more appropriate for an industrial zoning district rather than a commercial zoning district, which would require that the Applicant apply for a Comprehensive Plan Amendment. Healy noted that the Applicant would also be required to apply for a text amendment to the zoning code to add "Luxury Garage" as a Conditional Use in the I-1 zoning district. The City Attorney also asked that the City consider the long-term performance of this type of development and how it would look under different economic scenarios. The City Attorney also asked Council to consider that ultimately, some of the unit owners could end up attempting to run small businesses out of their units regardless of HOA rules or zoning rules. Healy noted that the Planning Commission held a public hearing on May 1, 2019, and one resident spoke in favor of the application. The Planning Commission was generally supportive of the concept and supportive of the proposed site configuration. The Commission also stated their preference that the Applicant adhere to the I-1 zoning standard regarding not allowing more than 50% of the exterior of the building to be comprised of metal. The Planning Commission's support for the final design of the Car Condo project will most likely come down to landscaping and curb appeal. Healy stated that the Applicant will be required to obtain approvals for Preliminary and Final Plat, PUD, Comprehensive Plan Amendment to see the parcel towards Industry or Office, a Zoning Code amendment to add Luxury Garage as a Conditional Use in the I-1 Zoning District, and will be required to obtain Conditional Use Permit approval.

Council Member Knier stated that he would like to see the Applicant's landscaping design. Council Member Hansen stated that he feels the Planning Commission was too focused on the landscaping design at this point in the process. Council Member Johnson stated that she likes the concept, and doesn't see parking as an issue. Council Member Backlund stated that the plan looks good, and that he feels there are too many regulations needed in the process. Mayor Wallen stated that while he understands the 50% metal siding requirement, he feels there are many different styles of metal materials that can be used and look very nice. Wallen stated that he is looking forward to seeing their final design. Richard Hinrichs presented exterior materials that they plan to use on the buildings.

Council advised that they are in favor of the Applicant moving forward with the application process.

7C. Proclamation – Designating May 12 – 18, 2019 as Police Week

Mayor Wallen read a Proclamation proclaiming the week of May 12 through May 18, 2019 as "Police Week" in the City of Big Lake. Council thanked the Police Department staff for their dedicated service.

Council Member Knier motioned to approve Resolution No. 2019-32 proclaiming May 12 through May 18, 2019 as “Police Week” in the City of Big Lake. Seconded by Council Member Hansen, unanimous ayes, motion carried.

7D. Donations – Big Lake Veteran’s Memorial

Gina Wolbeck reviewed cash donations received from various organizations, businesses and individuals towards the construction of the Big Lake Veteran’s Memorial. Wolbeck noted that a total of \$18,059.10 was donated towards the project from October 11, 2017 through April 23, 2019, bringing the total cash and in-kind donations, along with interest earned from the fund, to \$88,103.39. This leaves a shortfall of approximately \$5,588.66. Council thanked all contributors to this project.

Council Member Johnson motioned to approve Resolution No. 2019-33 accepting cash donations from various organizations, businesses and individuals towards the Big Lake Veteran’s Memorial Fund totaling \$18,059.10. Seconded by Council Member Backlund, unanimous ayes, motion carried.

7E. Donations – Big Lake Farmer’s Market Program

Corrie Scott reviewed cash donations received from various organizations and businesses towards the Big Lake Farmer’s Market Program. Scott noted that donations are for signage, operations, the Power of Produce program, Music at the Market activities, and in-kind volunteer activities. Council thanked all financial and in-kind contributors to this project.

Council Member Knier inquired about the budget for this program. Scott explained that market vendors pay a fee, and donations are collected to fund the project. Any funds left over at the end of the season are put towards the next year’s program expenses.

Council Member Hansen motioned to approve Resolution No. 2019-34 accepting cash and in-kind donations from various organizations and businesses towards the Big Lake Farmer’s Market Program. Seconded by Council Member Knier, unanimous ayes, motion carried.

7F. Donations – Big Lake Movie in the Park Events

Corrie Scott reviewed donations provided for Movie in the Park events scheduled in 2019. Donated funds will be used towards costs associated with Movie in the Park events, and Scott noted that these events are completely funded through donations. Council thanked the local organizations for their generous donations towards this free community event.

Council Member Hansen motioned to Approve Resolution No. 2019-35 accepting cash donations and in-kind contributions towards the Big Lake Music in the Park series. Seconded by Council Member Knier, unanimous ayes, motion carried.

7G. Monthly Department Reports

Fire Department – Ken Halverson provided statistical information on calls for service for the month of April. Halverson also discussed department training for the month of May, and debriefings held on recent structure fires. Halverson noted that responding to these incidents was a joint effort of the Fire Department, the Big Lake Police Department, and mutual aid, and thanked those entities for their continued support. Halverson reminded citizens that the burning of garbage and construction debris is illegal, noting that these products need to be disposed of appropriately. Halverson also informed Council that the Department's new truck will be delivered in August.

Police Department – Joel Scharf updated Council on police statistics, calls for service, and self-initiated policing activities for the month of April. Scharf also provided information on upcoming community events the department will be participating in including the Independence Elementary Family Fun Night, Senior Night Out, and the Running for Justice Event. Scharf also discussed staff's attendance at the Chief's Day at the Capitol, presented the new Incident Command Vehicle, noted increased Officer patrol of the City's parks and trails system, noted that National Police Week is next week, and discussed the Nextdoor.com online neighborhood portal. Council Member Knier thanked the Police Department for their continued efforts in building relationships with youth in the community.

Engineering Department – Layne Otteson provided an engineering update on various projects underway in the City. Otteson noted that the signal project was completed in April, and informed Council that Staff will be scheduling an open house sometime in May for the 2020 Street Rehabilitation Project.

Public Works Department – Mike Goebel reviewed activities in the various areas of the Public Works Department. Goebel reviewed snow and ice control data relating to plowing and salt use, reviewed usage at the City's ice rinks, reviewed well and wastewater data, presented the Department's MPCA 2018 Certificate of Commendation for the Wastewater Treatment Facility compliance, and reviewed lake elevations for 2018. Goebel also discussed the I-Lids program, crack filling efforts, and improvements at the Sanford Select Acres Park.

8. LIST OF CLAIMS

8A. Consider List of Claims

Council Member Hansen motioned to approve the List of Claims dated 04/18/19 through 05/02/19 with the removal of Check No. 79866 for separate consideration, and approve payroll no. 09. Seconded by Council Member Johnson, unanimous ayes, motion carried.

8B. Consider Audio Communications Payment

Council Member Hansen motioned to approve payment of Check No. 79866 in the amount of \$1,195.55 payable to Audio Communications for services rendered. Seconded by Council Member Knier, vote passed with a vote of 4 to 0 with 1 abstention with Council Members Hansen, Johnson, Knier and Wallen voting aye and Council Member Backlund abstaining. Motion carried.

9. ADMINISTRATOR'S REPORT

Clay Wilfahrt provided an update on upcoming improvements to the Wastewater Treatment Facility, and informed Council that the April Highway 25 Coalition meeting was cancelled but that the subcommittee continues to meet. Wilfahrt also discussed a petition circulating regarding the Big Lake Community Lake Association's request to close the Mitchell Boat Launch, noting that Staff is working on gathering historical data regarding this boat launch. Wilfahrt also informed Council that the Personnel Committee will be conducting his mid-year performance evaluation at their next meeting.

10. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Mayor Wallen: Reviewed his attendance at the MN Mayor's Conference. Mayor Wallen also attended the 100th Birthday Celebration for Gold Star Mother Stella Huso, and noted that the American Legion will be celebrating their 100th anniversary this year.

Council Member Backlund: Discussed the 2nd Quarter Fire Board Meeting.

Council Member Hansen: Reviewed the May Planning Commission Meeting.

11. OTHER – No other.

12. ADJOURN

Council Member Knier motioned to adjourn the meeting at 7:26 p.m. Seconded by Council Member Johnson, unanimous ayes, motion carried.

Gina Wolbeck
Clerk

05/22/19
Date Approved By Council