

**BIG LAKE CITY COUNCIL  
WORKSHOP MINUTES**

**JANUARY 26, 2022**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Council Members present: Ken Halverson, Sam Hanson, Paul Knier, Kim Noding, and Paul Seefeld. Also present: City Administrator Clay Wilfahrt, City Clerk Gina Wolbeck, Finance Director Deb Wegeleben, Community Development Director Hanna Klimmek, City Planner Lucinda Spanier, Acting Police Chief Sam Olson, Liquor Store Manager Greg Zurbey, Streets/Parks/Fleet Superintendent Norm Michels, Big Lake Student Liaison Ella Dotzler, and Consultant City Planner Kendra Lindahl from Landform.

**3. PROPOSED AGENDA**

Council Member Seefeld motioned to adopt the proposed Agenda as presented. Seconded by Council Member Hanson, unanimous ayes, Agenda adopted.

**4. BUSINESS**

**4A. Code Revision Project Review**

Hanna Klimmek reviewed the status of the City's Code Revision project. This project has been a priority for the Community Development Department for nearly two years. The project consists of a repeal and replace of the zoning code (Chapter 10), the subdivision code (Chapter 11), and the sign code (Chapter 13). In May of 2020, The Code Revision Taskforce was created to support the project and members were ready to begin as soon as possible. The project has yet to commence due to lack of staff capacity within the department; largely due to turnover. Council discussed the project at their workshop on December 8, 2021 and directed that the project move forward by consulting the project out. At that time, Staff had obtained two informal quotes to prepare for the discussion. Through the workshop discussion, staff heard a sense of urgency from the City Council and ultimately decided it would be best to shortlist the project and ask that the lowest, most reasonable quote draft a Professional Services Proposal for the Big Lake Ordinance Revision project. The lowest and most reasonable quote was provided by the City's current planning consultant, Landform. Kendra Lindahl provided a projected timeline as well as information on how the project will be facilitated. Lindahl discussed that the project will kick-off on February 15, 2022 and is expected to be completed by Spring of 2023. The revised Subdivision, Zoning, and Sign Ordinance language will be presented to the Planning Commission for a recommendation to the City Council for final approval.

Council Member Hanson asked how many members will be on the taskforce. Lucinda Spanier reviewed that Council Members Halverson and Seefeld will represent the City Council, and we will have representation from the Planning Commission, the BLEDA, and the Parks Advisory Committee. Spanier also noted that Staff did advertise for citizen interest when the taskforce was first created but did not receive any interest.

Council Member Halverson asked how many Planning Commissioners will sit on this taskforce. Spanier reviewed that Commissioner Odens will represent the Planning Commission, Commissioner Geroux will represent the BLEDA, and the Parks Advisory Committee still needs to designate one representative from their board.

Mayor Knier discussed that there is a great group of people on this taskforce, and he is looking forward to seeing the progress they make.

Council Member Noding reviewed the proposed timeframe of the project, and inquired if revisions can be implemented in stages, or if the full rewrite will be implemented at the end. Lindahl explained that a public hearing must be held to amend these chapters of the code, and one hearing will be scheduled at the conclusion of the review. By implementing the revisions at one time, we can save some budget time, and it is particularly important to recognize that all three of these sections do really work together and it is helpful to draft changes as we go and at the end we need to be sure we don't have any conflicts between language in all three chapters. By waiting to implement at the end, it will give us the chance to do one last final edit of all three chapters to ensure consistency. Noding asked how conflicts between chapters will be determined. Lindahl discussed that proof reading will identify conflicts, and noted that one thing that happens a lot is referencing of outdated code language so this will all be cleaned up through the rewrite. Spanier explained we are doing a full repeal and replace so that will make it hard to do edits as they are reviewed. At the conclusion, we will be fully repealing the three chapters, and replacing with completely new language.

Knier asked Lindahl if her firm has experience working on this type of code rewrite. Lindahl reviewed that they are currently working on code revision projects in Lino Lakes and Corcoran, and noted that these types of projects tend to follow updates of Comprehensive Plans. Lindahl explained that Landform does full rewrites similar to Big Lake's project, as well as code amendments to pieces of specific sections for various cities. Knier asked if she is seeing variation in language based on a city's proximity to the metro area versus cities located outstate. Lindahl responded that the subdivision ordinance has very little variation from community to community because that is driven mainly by state law in terms of processes. There is a wide range within the zoning ordinance in regard to what people want because the zoning ordinance is the tool that implements a city's Comprehensive Plan, so the vision and policies are very different from city to city. Lindahl also noted that certainly within the metro area and the seven-county metro area there are Met Council requirements for certain things within the zoning ordinance that make these areas a little different as well. In terms of sections of the zoning ordinance, the idea is similar between cities, but how you deal with them is very different. Knier expressed that Landform has done a lot of work for Big Lake so they know that we are freedom loving people. Lindahl responded that she has worked with our ordinance and has some idea of where we need to clean up some areas and

have consistency with the law. They have been keeping track of areas of concern, and have been looking at types of applications that could be administratively approved versus making applicants go through Commissions and Council for approval.

#### **4B. Discuss Proposed Amendments to City Code Section 550 (Sidewalks)**

Hanna Klimmek reviewed the City's sidewalk ordinance relating to enforcement of clearing snow from sidewalk areas. In 2018, the City received a substantial amount of complaints regarding sidewalks not being consistently cleared of snow. Due to the amount of complaints, a workshop discussion was prompted that resulted in the Council directing staff to proactively enforce City Code Chapter 5, Section 550 (Sidewalks). The Council justified the activity by acknowledging that Big Lake is a walkable community and many residents, especially children and those with physical handicaps who cannot drive, rely on the sidewalk system to safely navigate their neighborhoods and access community resources and amenities. Staff designed a proactive enforcement system that is initiated by a 2" or more snow event. Property owners, by City Code, are required to remove the ice and snow from their sidewalk within 24 hours from the end of the snow event. Once the 24 hours has surpassed, staff will schedule an appropriate time to clear sidewalks that are out of compliance, and the cost for doing this is passed on to the property owner. Klimmek noted that consideration is given when there's more snow forecasted in the near future, holiday weekends, and dangerously cold temperatures. Every year, the City notifies property owners city-wide of the proactive enforcement by mail, newsletter articles, social media posts, and has also setup a notification system through the City website which will provide property owners a 24-hour notice. Since 2018, the City has contracted with Sharpline Lawn Care to clear sidewalks. In March of 2021, this vendor notified the City that they are no longer interested in contracting with the City due to the sale of their business. At that time, staff decided to utilize internal resources to enforce the Code rather than contract out in regard to both tall grass/weed complaints and proactive enforcement of snow/ice removal from sidewalks. During this winter season, staff has completed two enforcement events, and have received an excessive amount of phone calls compared to previous years. Based on conversations with property owners, it appears that the expectations of the City through its Code aren't clear, which has created frustration. Staff provided code amendment language to clarify maintaining sidewalk areas and to clearly define that 100% of the sidewalk area is required to be maintained.

Mayor Knier asked what the complaints have consisted of. Klimmek explained that some complaints have been about how much area of the sidewalk is actually required to be maintained, and how often they need to be maintained. Norm Michels discussed that there is a need for clarification on what areas of the sidewalk need to be maintained, as well as if a sidewalk needs to continue to be maintained after high winds cause the cleared sidewalk to be covered again. Michels expressed that if we are going to be a walkable community, our sidewalk system needs to be cleared of snow and ice. Knier asked what the fine schedule is for sidewalk offenses. Deb Wegeleben reviewed that the fine for the City to clear a sidewalk is \$50 for a first offense, \$100 for a second offense, and \$150 for a third offense. Michels reviewed how the Public Works Department manages sidewalk maintenance needs, and noted that the Department does have the equipment to do the work and we haven't accrued overtime yet, so they have been able to keep up with the added work.

Council Member Halverson discussed that he has no problem with the changes as proposed, and reviewed that the language will clean up the meaning of the code and make it less confrontational.

Council Member Hanson discussed language changes that would provide more clarity as far as how long the sidewalk area needs to be maintained, noting that the wording should clearly state that sidewalk areas should be maintained at all times.

Council Member Seefeld asked if we offer anything to disabled persons. Michels indicated that he has received calls from people that say they cannot clear their sidewalk areas and they are told that per City Code, the sidewalk maintenance is the responsibility of the adjacent homeowner. Lucinda Spanier explained that the City will generally waive a first offense fee one time only, if the property owner calls to discuss the issue.

Council directed Staff to move forward with bringing an ordinance amendment to clearly identify sidewalk maintenance requirements to a future meeting for consideration.

#### **4C. Honey Bee Keeping Ordinance Review**

Lucinda Spanier reviewed the draft bee keeping ordinance language that was drafted by staff in accordance with the direction provided by the City Council at their November 29, 2021 workshop.

Mayor Knier discussed that we have talked about this a number of times, and he is fine with the language as presented.

Council Member Halverson stated that he is unhappy that we are revisiting this again. He isn't sure how we are going to make it through the code revision project if we had to have four or five meetings on a bee ordinance. We have to start putting faith in our staff that they are doing the right thing. Halverson also discussed that he doesn't like that the staff recommended safety steps were removed from the initial proposed language. Halverson questioned if we can't figure out how to get through the bee ordinance, how are we going to get through the code revision project. Mayor Knier expressed that he sees no lack of faith in Staff on this, and noted that he doesn't feel Staff was recommending the safety steps. Knier reviewed that he feels the last time we discussed this item, we finished the discussion without actually dotting the i's and crossing the t's. Knier noted that he doesn't have a problem with the amount of time we spent on this review, and feels we did our due diligence and took our time in reviewing the language. Knier acknowledged that maybe we reviewed the language an extra time and apologized to Staff if it took extra time. Knier stated that he is good with the language as proposed.

Council Member Noding asked for clarification on how this ordinance will be enforced. Spanier explained that the ordinance as drafted would follow the City's code enforcement policy which is complaint-based. Noding also asked for clarification on notification requirements. Spanier reviewed the permitting process which will be a standard administrative application process. The applicant would submit a permit application, which would be evaluated administratively by Staff. If the application is deemed consistent with City ordinances, the permit would be issued by Staff. Currently the City charges a one-time \$55 fee for a zoning permit. The transaction is only between Staff and the person applying, and there is no notification requirement to neighboring properties proposed by the draft ordinance.

**4D. New Ideas Discussion**

Council Member Hanson discussed the January Big Lake Beyond the Yellow Ribbon (BLBYR) meeting, and noted that there was discussion on a Facebook post regarding a snowmobile driving through Veterans Park. Hanson asked if we could angle an existing camera towards the memorial, or possibly invest in camera equipment to monitor the area. Council Member Halverson discussed that this happened once, and also reviewed that there was some discussion on the Facebook post on if it could possibly have been a veteran driving a snowmobile and stopped to look at the memorial. Hanson discussed that camera footage could also be used in proving vandalism cases. Mayor Knier asked if maybe the American Legion would consider installing cameras at the memorial. Council Member Seefeld responded that he can't speak for the American Legion board, but noted that they might be interested. Seefeld expressed that he hopes and prays that it wasn't a veteran who drove through the memorial as it was extremely disrespectful. Knier asked if it would be different if it was a non-veteran. Seefeld responded that is extremely disrespectful for anyone to drive through a Veterans Memorial site. Mayor Knier suggested that the idea of installing cameras at the Veterans Memorial be turned over to the BLBYR and the American Legion to see if they want to install cameras in this area. Deb Wegeleben discussed that she thinks there is a possibility that we have already installed an Arlo camera at Veterans Park. Council Member Seefeld discussed that he likes the idea for a camera system to be installed at the memorial. Clay Wilfahrt discussed that Staff can coordinate this project the American Legion.

5. **OTHER** – no other items presented.

**6. ADJOURN**

Council Member Noding motioned to adjourn at 5:31 p.m. Seconded by Council Member Hanson unanimous ayes, motion carried.

Gina Wolbeck  
City Clerk

02/09/22  
Date Approved By Council