

**BIG LAKE CITY COUNCIL
REGULAR MEETING MINUTES
MARCH 23, 2022**

1. CALL TO ORDER

Mayor Paul Knier 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: Ken Halverson, Sam Hanson, Paul Knier, Kim Noding, and Paul Seefeld. Also present: City Administrator Clay Wilfahrt, Deputy City Clerk Janette Rust, Finance Director Deb Wegeleben, Community Development Director Hanna Klimmek, City Planner Lucinda Spanier, City Engineer Layne Otteson, Acting Police Chief Sam Olson, Liquor Store Manager Greg Zurbey, Streets/Parks/Fleet Superintendent Norm Michels, Water/Wastewater Superintendent Dan Childs, and Big Lake Student Liaison Ella Dotzler.

4. OPEN FORUM

Mayor Knier opened the Open Forum at 6:01 p.m.

No one came forward.

Mayor Knier closed the Open Forum at 6:01 p.m.

5. PROPOSED AGENDA

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

6. CONSENT AGENDA

Council Member Noding motioned to approve the Consent Agenda with the removal of item no. 6H for separate consideration. Seconded by Council Member Seefeld, unanimous ayes, Consent Agenda

approved. The Consent Agenda consisted of: 6A. Approve List of Claims, 6B. Approve Council Workshop Minutes of March 9, 2022, 6C. Approve Regular Council Meeting Minutes of March 9, 2022, 6D. Approve Amendments to the City Financial Policies, 6E. Approve Surplus Equipment Donation to The Wave, 6F. Accept Resignation of Part-time Liquor Clerk Carter Hansen, 6G. Accept Resignation of City Administrator Clay Wilfahrt, ~~6H. Approve Interim City Administrator Employment Agreement with Hanna Klimmek~~, 6I. Approve 2022 Summer Farmers Market EBT and Market Bucks Agreement, 6J. Approve Parks Advisory Committee By-Laws Amendment, 6K. Approve Appointment of Parks Advisory Committee Members Scott Creighton and Cory Ellingson, 6L. Approve Reclassification of the Police Administrative Assistant Position to Police Specialist I, 6M. Approve Consumption and Display Permit Renewal for the Carousell Works, and 6N. Approve Resolution No. 2022-28 approving a Civil Penalty Resolution for the Kwik Trip, Inc. Liquor Violation.

6H. Approve Interim City Administrator Employment Agreement with Hanna Klimmek

Council Member Halverson asked for this item to be removed from the Consent Agenda for separate consideration to discuss the option in the agreement that after a six-month period Klimmek could decide if she would like to be the permanent City Administrator. Halverson stated the need to be transparent and stay consistent in our hiring practices and that Department Head positions should be opened up to both internal and external applicants. Halverson stated he did not believe the Personnel Committee was being transparent and this should have been brought to a Council Workshop session for consideration.

Council Member Halverson motioned to appoint Hanna Klimmek as the Interim City Administrator, adjust her salary to reflect the increase in duties, and start the hiring process for a permanent City Administrator. Mayor Knier asked for a second to the Motion. There was no second to the Motion. Motion failed for lack of a second.

Knier discussed that the contract states both Council and Klimmek would have to agree to appoint Klimmek as permanent City Administrator, this was brought to a previous Council Workshop session and the decision if this would be what Council wants is being made at this meeting. Halverson inquired as to how the wording in the contract to offer Klimmek the permanent position was decided upon when the only previously discussed item was appointing Klimmek as Interim City Administrator. Knier stated that his view has always been that Klimmek would be a great option to fill the immediate need and if she were willing and Council agreed she was capable that it would be a perfect fit to appoint Klimmek as City Administrator. Halverson stated it's not about Klimmek, it's about the process and being transparent to the tax payers of Big Lake. Knier stated he didn't think they've shown a lack of transparency but have been forthright on this. Seefeld commented he didn't second Halverson's motion because he didn't know the details of the process Halverson is considering. Halverson clarified that he didn't know what the process is and we should appoint Klimmek as Interim City Administrator, adjust her salary, and bring it to workshop to develop a process. Seefeld stated he agreed with appointing Klimmek as Interim City Administrator and adjusting her salary and would be open to

bringing it to workshop. Wilfahrt discussed the reason this is moving more quickly is due to the timing of his resignation and believes the longer you wait it creates uncertainty and anxiety with staff. Wilfahrt also expressed that he has spoken with most of City Hall Staff and they all respect Hanna and view the shift from working with him to working with Hanna as seamless because they share similar personalities. Wilfahrt also stated the goal was not to go around the process but as they discussed the issues, the Personnel Committee believed that for the stability of the organization it made the most sense to have the option to appoint Klimmek as permanent City Administrator after a six-month trial period. Knier stated they are having the discussion now at this public meeting and aren't doing anything in secret. Knier also commented that not every item needs to be brought to workshop two or three times, that they can discuss and vote on an item at a regular Council meeting. Noding asked if there would be an option to appoint Klimmek as permanent City Administrator prior to the six-month interim period if both Council and Klimmek agree or would she have to re-apply for the position. Wilfahrt stated that Council or Klimmek could modify the contract at any time during the six-month period. Wilfahrt also commented that the way the contract is written is that at the end of six months Council and Klimmek would evaluate if both parties want to move forward on establishing Klimmek in a permanent role and that process that would be defined by Council.

Council Member Knier motioned to approve the Interim City Administrator Employment Agreement with Hanna Klimmek. Seconded by Council Member Seefeld. Council Members Hanson, Knier, Noding, and Seefeld voting aye, Council Member Halverson abstaining. Motion carried.

Mayor Knier inquired why Halverson was abstaining. Halverson replied that he was not voting against Klimmek, but rather he was voting against the process. Seefeld stated if Halverson doesn't vote it's counted as in favor of the motion. Mayor Knier asked Wilfahrt how it works if a council member abstains in this type of situation. Wilfahrt replied that to gain a clear understanding it would be best to discuss with an attorney but that his understanding is an abstention is only valid if there is a conflict of interest.

7. BUSINESS

7A. Recognitions – Employee Years of Service

Mayor Knier presented years of service certificates to City employees who reached a milestone year of service. Those employees recognized included Layne Otteson (5-years), and Greg Zurbey (5-years). Council thanked the recognized employees for their years of service.

7B. Big Lake Public Library Annual Report

Great River Regional Library Services Coordinator, Jeannette Burkhardt, presented an annual report on services provided by the Big Lake Public Library. Burkhardt provided a system-wide overview, noting that they generated 408 new cards in 2021, and discussed new hours established

in 2021 which were geared towards improving customer service. Burkhardt also reviewed their Locally Grown fundraiser that raised \$538 towards craft supplies for outreach and prizes for the summer reading program, and discussed the new Story Stroll partnership with Sherburne County Parks and Recreation, SHIP, and the Great River Regional Library System. Burkhardt reviewed continued outreach efforts with the Big Lake Food Shelf by providing Take and Make kits in June, July, August, and December and their continued partnership with ECFE in the Park. Burkhardt also discussed newly purchased furniture in the children's section of the Library. Mayor Knier inquired about the new hours and Burkhardt explained that the Board of Trustees granted many of the smaller libraries with 3 additional hours and those hours are reflected in their Tuesday hours being extended until 5 p.m.

7C. Prairie Meadows Third Addition Environmental Assessment Worksheet (EAW) Record of Decision

Lucinda Spanier reviewed the Prairie Meadows Third Addition development that was presented to the City for Concept Review of an attached townhome development. Due to the presence of a natural environment lake and its sensitive shoreland, the development concept requires mandatory environmental review pursuant to MN state statute in the form of an Environmental Assessment Worksheet (EAW). The property owner contracted with the City and Bolton & Menk, Inc. for completion of the EAW. As the responsible Governmental Unit (RGU), the City collects, compiles, and responds to substantive comments received. Once the comment period closes, the City Council is asked to make a determination on whether the data provided suggests that the project has the potential for significant environmental effects and thus would warrant a more detailed environmental review in the form of an Environmental Impact Statement (EIS). Spanier reviewed the Prairie Meadows Third Addition EAW and stated that based on the analysis completed by Bolton and Menk, Inc. for the EAW, the proposed development does not appear to result in significant environmental harm and further analysis in an Environmental Impact Statement (EIS) is not anticipated at this time. Spanier noted that the Planning Commission received a presentation on the EAW and found that based on the analysis completed for the EAW, the proposed development does not appear to result in significant environmental harm and further analysis in an EIS is not warranted. Spanier asked for Council comments and ultimately for approval on a resolution making a negative declaration on the need for an EIS for the project.

Council Member Seefeld motioned to approve Resolution No. 2022-29 making a negative declaration on the need for an Environmental Impact Statement for the Prairie Meadows Third Addition Development Project. Seconded by Council Member Hanson, unanimous ayes, motion carried.

7D. Prairie Meadows Third Addition Development Applications – Preliminary Plat, Development Stage PUD, Variance, and Conditional Use Permit

Lucinda Spanier reviewed the planners report for the development application for the Prairie Meadows Third Additional development submitted by Todd Olin from Landform Professional Services who represents the owner, Little Red Hen Properties LLC. Spanier discussed that the Applicant is requesting approval for Preliminary Plat, Development Stage Planned Unit Development, a Variance to City Code Section 1011.07, Subd. 6, 2, a, and a Conditional Use Permit pursuant to City Code Section 1047.08, subd. 1, 6, b. The project completed the concept plan review on October 27, 2021, and has incorporated feedback from the MNDNR, the Planning Commission, the Parks Advisory Committee and the City Council into their submittal. The 14.67 acre development features 34 twin homes in 17 buildings, and 41 townhomes in 11 buildings. Spanier reviewed existing and surrounding zoning and land use, setbacks, architecture and building materials, buildings/unit dimensions, traffic circulation, utilities, stormwater management, landscaping, off-street parking/loading, neighborhood recreation, park dedication, phasing, Development Stage Planned Unit Development. Spanier discussed the Variance application which would allow for a reduction in the amount of open space within the Shoreland Overlay district, noting that the Planning Commission and Staff found the request to be minimal and warranted due to the challenges inherent in developing a high density residential project in the Shoreland Overlay district. The Applicant is also requesting approval of a Conditional Use Permit to allow the impervious surface area to exceed 25% in the area located within the Shoreland Overlay district. The Planning Commission and Staff have found the request to be in conformance with all required factors as established in City Code Section 1007. Spanier informed Council that all landscaping requirements have been satisfied with the developers landscaping plan including enhanced landscaping around the perimeter around the entire property with a buffer on the west side between the development and Big Lake Township land. Spanier also stated that due to the proximity of the development to two dedicated parks, Bluff Park and Hudson Woods, the developer has not proposed any dedicated park, therefore, their requirement would be \$2500 per dwelling unit allocated to the parks and trails development fund.

Spanier noted that the Planning Commission held a public hearing on March 2, 2022 and no public input was provided or received. The Planning Commission unanimously recommended approval of the applications contingent upon all Staff comments being addressed. Spanier introduced the development team to Council, William Discher of Cavaliera Homes and Engineer Todd Olin with Landform Professional Services. Council thanked the development team. Mayor Knier commented on the decks and Spanier stated she was unsure if the decks would be constructed with the units.

Council Member Seefeld motioned to approve Resolution No. 2022-30 approving the Prairie Meadows 3rd Addition Preliminary Plat, Development Stage PUD, Variance to City Code Section 1011.07, Subd.6, 2, a, allowing 47.2 percent open space, and Conditional Use Permit pursuant to City Code Section 1047.08, Subd. 1, 6, b. allowing 30 percent impervious surface. Seconded by Council Member Noding, unanimous ayes, motion carried.

7E. Department Reports

Streets/Parks/Fleet Department - Norm Michels provided an update on the Streets/Parks/Fleet Department for the months of January and February. Michels reviewed snowplowing services the department has provided this winter season, the start of spring pothole repair, clearing catch basins to allow for the spring thaw, and Powell Park playground equipment replacement. Michels also discussed OSHA training, preparing equipment for spring, removal of dead trees, and right-of-way tree trimming. Michels announced that ice skating rinks are now closed, crack-filling will be starting next week and road restrictions are now in force. Halverson asked if the police department has been made aware of all the semi-trucks that use the city streets and commented that there is a group that every day travels on Ormsbee, which is a 5-ton road, when we just spent hundreds of thousands of dollars to repair Ormsbee. Otteson stated that Ormsbee is a state aid route and is built to a minimum of 7 ton. Halverson said it was posted at 5 ton and then stated he meant Tarrytown Road. Otteson said Tarrytown Road is also a state aid route and 7-ton road. Halverson said last year it was posted as a 5-ton road. Halverson said he would talk with Otteson later regarding these roads. Knier inquired about how the trees that Public Works removed had died. Michels stated that it's pretty common and Public Works needed to address the dead trees on the trails because of safety concerns.

Water/Wastewater Department - Dan Childs provided an update on the Water/Wastewater Department. The utilities department provided 28,515,000 gallons of safe drinking water in January and another 25,650,000 gallons in October, and we treated 22,292,000 gallons of wastewater in January and 20,469,000 gallons in February.

8. ADMINISTRATOR'S REPORT

Clay Wilfahrt announced that this was his last meeting and thanked all council members past and present, staff, residents, and businesses and stated he has learned a lot from them. Council thanked Wilfahrt and congratulated him on doing a great job for the City.

9. MAYOR & COUNCIL REPORTS and QUESTIONS/COMMENTS

Mayor Knier: Discussed the March BLEDA Meeting and announced Wilfahrt's going away party and invited all citizens to attend.

Council Member Halverson: None

Council Member Hanson: Discussed the March Big Lake Beyond the Yellow Ribbon Meeting and thanked the community members who attended the chili feed fundraiser.

Council Member Noding: Reviewed the recent BLEDA Meeting.

Council Member Seefeld: None

10. OTHER

Council Member Seefeld motioned to recess the regular session at 7:09 p.m. to go to Closed Session for item 11. Consider the Purchase of Real Property (Parcel No. 65-477-0115) allowed per MN Statute 13D.05, subd. 3c3. Seconded by Council Member Noding, unanimous ayes, motion carried.

11. CLOSED SESSION – Consider the Purchase of Real Property (Parcel No. 65-477-0115) allowed per MN Statute 13D.05, subd. 3c3

Council Member Hanson motioned to open the March 23, 2022 Closed Session at 7:16 p.m. Seconded by Council Member Noding, unanimous ayes, motion carried.

Council Members present: Ken Halverson, Sam Hanson, Paul Knier, Kim Noding, and Paul Seefeld. Also present: City Administrator Clay Wilfahrt, Deputy City Clerk Janette Rust, Finance Director Deb Wegeleben, Community Development Director Hanna Klimmek, Acting Police Chief Sam Olson, City Engineer Layne Otteson, and Streets/Parks/Fleet Superintendent Norm Michels.

Clay Wilfahrt reviewed the potential purchase of parcel no. 65-477-0115.

No action was taken by Council during Closed Session.

Council Member Halverson motioned to close the Closed Session and reconvene the regular meeting at 7:31 p.m. Seconded by Council Member Hanson, unanimous ayes, motion carried.

12. ADJOURN

Council Member Halverson motioned to adjourn at 7:32 p.m. Seconded by Council Member Seefeld, unanimous ayes, motion carried.

Janette Rust
Deputy City Clerk

Date Approved By Council April 13, 2022