

City of Becker
City Council Regular Meeting of July 30th, 2019

The Becker City Council met in regular session at 5:00 pm on Tuesday, July 30th, 2019 at 12060 Sherburne Avenue, Becker. Present: Mayor Tracy Bertram, Council Members Rick Hendrickson, Troy Cox, Mike Doering, and Becky Olmscheid. Guests were in attendance.

1. Mayor Tracy Bertram called the July 30th, 2019 Council Meeting to order at 5:00 pm.
2. The Pledge of Allegiance was recited.
3. Minutes from the July 16th, 2019 City Council Meetings were reviewed. Cox / Olmscheid motioned to approve the minutes. Mayor Bertram and Council Members Cox and Olmscheid voted in favor of the motion. Council Members Hendrickson and Doering abstained. The motion carried.
4. Doering / Cox motioned to approve the agenda for July 30th, 2019. All Council Members present voted in favor of the motion. The motion carried.
5. Roger Bigalke stepped forward to speak of the groundbreaking taking place that evening for the Veteran's Memorial. He thanked the Council for their efforts to help make this happen. The Mayor and Council Members left chambers to take a photo for the groundbreaking.

Next, Gertie Sakry stepped forward. She stated she is on the Cemetery Board and that the City had deeded them some property. They were having an issue with people driving through the property. She stated they had posted "No Trespassing" signs, but they still had a problem with people driving through. Police and other staff would look into it.

Mayor Bertram invited any other guests to speak during the Guests and Open Forum with no response.

6. Council reviewed committee meetings.
 - Golf Committee went over the forecast and midseason numbers year-to-date compared to last year. The numbers were up. Recreation & Leisure Assistant Director, Josh Kuha was looking into a different golf fleet. They went over some events they just had, including the Minnesota Limited Golf event which went great.
 - Joint Planning had only one issue, a denial of an interim use permit for the township area.
 - Planning Commission discussed a Conditional Use Permit (CUP) for a private well and septic system. The recommendation from the planning commission was on the agenda for this meeting. There would be a Public Hearing at the end of August to discuss Chapters 4, 5 and 11 of the City Code Book.

7. Chief of Police, Brent Baloun, presented Resolution 19-47, a Resolution in Support of the Tobacco 21 Ordinance in Sherburne County. Sherburne County Public Health and the County Attorney's Office had approached the City of Becker for support of their proposed Tobacco 21 Ordinance. The ordinance would raise the legal age within Sherburne County from 18 years of age to purchase tobacco products to 21 years of age. Over 40 counties (as of 7/23/19) had already raised the age to 21 and Benton County had already approved this ordinance and Stearns and Wright Counties were in the process.

Current tobacco use by kids under the legal age had gone up and this was one way to hopefully combat the number of kids that are coming into possession of tobacco products. In addition, the schools were seeing an ever-increasing number of kids vaping and using tobacco products.

Amanda Larson from Sherburne County Public Health stepped up to present what the County is proposing and why. There was much discussion on this topic. Some concerns were raised about taking away civil liberties and whether it was the government's place to do so. There was also concern about how it would affect individuals who purchased it legally in a different county, city, etc. After further discussion, the Council decided not to take action on Resolution 19-47. They would, however, send a letter to the County with a statement of opinion and listing questions and/or concerns. Cox / Olmscheid motioned to send a letter to the County with a statement of discussion.

8. Community Development Director, Marie Pflipsen, presented Ordinance 213, 2nd Series adding Section 11.12, Subdivision 8. In 2018, the City annexed an area for the proposed Jet Stream LLC data center and as required by the City code that property, upon annexation, was zoned Agricultural (AG). The property owners had requested that the property be rezoned to Power Generation – Industrial (I-PG) and Public (PUB). This rezoning would allow for the proposed data center to be a permitted use for the property. The proposed rezoning was in conformance with the surrounding area and land use plan. The Planning Commission held a public hearing on July 29th, 2019. The Planning Commission then recommended approving Ordinance 213, 2nd Series. Hendrickson / Doering motioned to approve Ordinance 213, 2nd Series, an ordinance adding Section 11.12, Subdivision 8, (30) Rezoning Property from Agricultural (Ag) to Power Generation Industrial (I-PG) and Public (PUB). All Council Members present voted in favor of the motion. The motion carried. Hendrickson / Doering motioned to approve Ordinance 213, 2nd Series Summary for publication purposes. All Council Members present voted in favor of the motion. The motion carried.
9. Community Development Director, Marie Pflipsen, presented Ordinance 214, 2nd Series, amending the definition of "Data Center." The Becker Planning Commission held a public hearing on July 29th, 2019. The Planning Commission then recommended approving Ordinance 214, 2nd Series. Hendrickson / Doering motioned to approve Ordinance 214, 2nd Series, an ordinance amending the definition of "data center." All Council Members present voted in favor of the motion. The motion carried. Hendrickson / Doering motioned to approve Ordinance 214, 2nd Series Summary for


publication purposes. All Council Members present voted in favor of the motion. The motion carried.

10. Community Development Director, Marie Pflipsen, presented Resolution 19-44. Northstar Bank (owner) / Matt Westin (Applicant) had applied for a conditional use permit (CUP) for a private well and septic system to be installed on the property identified as 60-129-3105. The property was currently zoned R-2 (Medium Density – Residential), which requires that properties be served by City water and sewer. The property had an existing single-family home that had been vacant for several years and would be considered a non-conforming use. A private well and septic for a single-family home would not be in conformance with the City's comprehensive land use plan and would prevent the future orderly development of the area. The Planning Commission held a public hearing on July 29th, 2019. After which the Planning Commission recommended denying the CUP. Doering / Olmscheid motioned to approve Resolution 19-44, a resolution denying a conditional use permit for a private well and septic system for a single-family home on the property identified as 60-129-3104 (11310 150th Avenue SE) in Becker, Sherburne County, Minnesota. All members present voted in favor of the motion. The motion carried.
11. City Engineer, Randy Sabart, presented Resolution 19-45 to award the 2019 Business Park Expansion bid. The City received six bids that were opened at City Hall at 11:00 am on Wednesday, July 24th, 2019. The low bid was submitted by R.L. Larson Excavating, Inc. of St. Cloud, Minnesota in the amount of \$5,784,233.81, which was lower than the engineering estimate. After a brief discussion, Hendrickson / Cox motioned to approve Resolution 19-45, a resolution awarding a contract for the 2019 Business Park Expansion. All Council Members present voted in favor of the motion. The motion carried.
12. City Administrator, Greg Pruszinske, presented the Consent Agenda consisting of the following:
 - Hiring and Termination Reports for Becker Community Center and Pebble Creek Golf Club
 - TEDi Grant letter of support
 - Resolution 19-46 accepting donationsDoering / Hendrickson motioned to adopt the Consent Agenda as presented. All Council Members present voted in favor of the motion. The motion carried.
13. Hendrickson / Cox motioned to pay the bills including checks 91039 through 91238 and checks 98057 through 98171. All Council Members present voted in favor of the motion. The motion carried.
14. Mayor Bertram announced the anniversaries for the month of August.
 - Josh Kuha, Parks & Recreation, 1 year
 - Trevor Wolseth, Police Department, 2 years

- Mark Wolters, Public Works, 15 years

15. Mayor Bertram asked if there was anything else for the betterment of Becker with no response.

16. Doering / Hendrickson motioned to adjourn the July 30th, 2019 Regular City Council Meeting at 6:07 pm. All Council Members present voted in favor of the motion. The motion carried.



Susan Nache, Deputy Clerk