



# City Council

## Regular Meeting

~ Minutes ~

1408 Lake Street South  
Forest Lake, MN 55025  
[www.ci.forest-lake.mn.us](http://www.ci.forest-lake.mn.us)

Karin Derauf, Deputy City Clerk

Monday, May 22, 2023

7:00 PM

City Center - Council Chamber

[City of Forest Lake - Livestream and Recorded Meetings](#)

### 1. Call to Order

### 2. Roll Call

Attendee Name	Title	Status	Arrived
Mara Bain	Mayor	Present	
Sam Husnik	Councilmember	Present	
Hanna Valento	Councilmember	Absent	
Leif Erickson	Councilmember	Present	
Blake Roberts	Councilmember	Present	

### 3. Pledge of Allegiance

### 4. Approve the Agenda (Action)

Comments: Councilmember Roberts asked to add an Item regarding MnDOT discussion and round about maintenance.

Motion to: Approve the Agenda with the Addition of a New Item Regarding Round-A-Bout Maintenance

<b>RESULT:</b>	<b>ADOPTED [4 to 0]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Leif Erickson, Councilmember
<b>AYES:</b>	Bain, Husnik, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	Valento

### 5. Open Forum – Citizen Petitions, Requests, and Concerns

*The Open Forum is available for residents to express personal opinions for any item of business. Please limit your comments to three (3) minutes.*

Comments: Jason Steenblock, Resident, commented about the Council Workshop last week regarding developments and accepting park land versus funds. He asked how the City will manage new park land when there is difficulty managing the current parks.

### 6. Consent Agenda Considerations (Action Items)

Comments: Councilmember Erickson requested to pull item 6. b. from the Consent Agenda and vote separate on that item.



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- a) Approve City Bills
- b) Approve Minutes from May 8, 2023 Regular Council Meeting
- c) Approve Minutes from May 15, 2023 Council Workshop
- d) Lao Temple – Outdoor Entertainment Date Change Request
- e) Outdoor Entertainment Permit - Matt Arntzen - Private Party for 08-05-23
- f) Water Treatment Plant No. 4 – Contractor’s Request for Payment No. 12
- g) 2023 Crack Filling and Seal Coat Project – Change Order No. 1
- h) DigniCare Site Improvements – Letter of Credit Reduction No. 1
- i) Arts in the Park Entertainment Performance Agreements

**Motion to:** Approve Consent Agenda Items 6. a. and 6. c. through 6. i.

<b>RESULT:</b>	<b>ADOPTED [4 to 0]</b>
<b>MOVER:</b>	Leif Erickson, Councilmember
<b>SECONDER:</b>	Sam Husnik, Councilmember
<b>AYES:</b>	Bain, Husnik, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	Valento

**Motion to:** Approve Consent Agenda Item 6. b.

<b>RESULT:</b>	<b>ADOPTED [3 to 0]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Blake Roberts, Councilmember
<b>AYES:</b>	Bain, Husnik, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	Erickson
<b>ABSENT:</b>	Valento

### 7. Regular Agenda (Action Items)

- a. **Resolution 05-22-23-01 – Donations of \$5,350 from Various Donors for the 2023 Forest Lake Safety Camp**

Comments: Chief Peterson presented information on various donations totaling \$5,350 to be used for the 2023 Forest Lake Safety Camp. He also thanked the donors for their generous contributions.

**Motion to:** Approve Resolution 05-22-23-01 for Donations of \$5,350 from Various Donors for the 2023 Forest Lake Safety Camp



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**RESULT:**           **ADOPTED [4 TO 0]**  
**MOVER:**           Mara Bain, Mayor  
**SECONDER:**       Blake Roberts, Councilmember  
**AYES:**             Bain, Husnik, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**         Valento

### b. Reschedule Public Hearing - Ordinance No. 724 – Wetland Banking Text Amendment

Comments: Community Development Director Wittman commented that the Planning Commission has not made a recommendation on this proposed amendment noting she expects the Commission to approve it on Wednesday, May 24, 2023. She noted there has already been a public hearing for this item.

**Motion to:** Approve to Continue the Item to the June 12, 2023 Council Meeting

**RESULT:**           **ADOPTED [4 TO 0]**  
**MOVER:**           Mara Bain, Mayor  
**SECONDER:**       Sam Husnik, Councilmember  
**AYES:**             Bain, Husnik, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**         Valento

### c. Public Hearing for 1098 / 1148 Easement Vacations and Lot Combination

- 1) Resolution 05-22-23-02 – Easement Vacations for:  
     1098 Broadway Ave W  
     1148 Broadway Ave W
- 2) Resolution 05-22-23-03 - 1098 / 1148 Broadway Ave W. - Mr. Car Wash – Lot Combination (Plat)

Comments: Community Development Director Wittman presented information on the lot combination and easement vacation requests for the properties located at 1098 and 1148 Broadway Ave. W. She indicated the applicant is planning to reroute the public utilities line. She noted there are three requests including vacation of utility easements, approval of the lot combination, and approval of the new utility easement agreement.

Public Hearing opened at 7:14 p.m.



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No comments were given.

Public Hearing closed at 7:14 p.m.

Councilmember Husnik commented that he is okay with vacating the existing easement but asked about new easements and how the adjacent property owners perceive the changes. Community Development Director Wittman indicated everything would be done with a development agreement in place.

City Engineer Goodman commented on the utility plan that was presented is an older plan and that new one has been provided. Community Development Director Wittman noted that the utility plan was approved by the Planning Commission. City Attorney Johnson noted that the utility easement is correct on the plan presented as is the easement language. She also noted that the current easement will not be changed until other documents are recorded.

**Motion to:** Approve Resolution 05-22-23-02 for Vacation Two (2) Drainage and Utility Easements for Properties Located at 1098 and 1148 Broadway Avenue West with the Conditions as Cited by Staff

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Leif Erickson, Councilmember
<b>AYES:</b>	Bain, Husnik, Erickson
<b>NAYS:</b>	
<b>ABSTAIN:</b>	Roberts
<b>ABSENT:</b>	Valento

**Motion to:** Approve Resolution 05-22-23-03 for the West Broadway Commercial Addition Final plat with the Conditions as Cited by Staff

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Leif Erickson, Councilmember
<b>SECONDER:</b>	Sam Husnik, Councilmember
<b>AYES:</b>	Bain, Husnik, Erickson
<b>NAYS:</b>	
<b>ABSTAIN:</b>	Roberts
<b>ABSENT:</b>	Valento



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**Motion to:** Approve Easement Agreement for a 24-Foot Wide Drainage and Utility Easement for the West Broadway Commercial Addition

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Mara Bain, Mayor
<b>SECONDER:</b>	Sam Husnik, Councilmember
<b>AYES:</b>	Bain, Husnik, Erickson
<b>NAYS:</b>	
<b>ABSTAIN:</b>	Roberts
<b>ABSENT:</b>	Valento

**d. Outlot A, Headwaters Village 3rd Addition Concept Plan Review**

Comments: Community Development Director Wittman presented information regarding a concept plan for Outlot A, Headwaters Village 3<sup>rd</sup> Addition. She provided specifics as it relates to the Comprehensive Plan. She discussed underlining zoning noting that it is not consistent with the Plan. She provided additional information about the non-residential facilities that are supporting the neighborhood. She indicated the developer is looking at eighty-two (82) units with underground and surface level parking, playground area, and sidewalks. She commented the concerns of the Planning Commission regarding the addition of another apartment building in the area noting that retail services are part of the Comprehensive Plan, but are currently lacking.

Len Pratt, Developer, commented on the Comprehensive Plan and Master PUD for the parcel. He indicated that the building will be market rate apartments.

**e. Downtown Stormwater BMP Project – Approve Plans and Specifications and Authorize Ad for Bid**

Comments: Tim Olson with Bolton-Menk presented information for a Stormwater BMP Project. He provided the background of the project noting that a Memorandum of Agreement has been made with Comfort Lake Forest Lake Watershed District. He indicated that the purpose of the MOA is primarily to satisfy the Watershed regulations. He provided a map of area noting the stormwater facility plans and specs. Tim also provided the current progress as well as a schedule of the project. Mayor Bain asked about discussion with property owners and if they are being provided with information of what the finished product will look like. Tim noted that this has been discussed with property owners. There were additional questions and further clarification on the project was provided.

**Motion to:** Approve the Downtown Stormwater BMP (Best Management Practice) Construction Plans and Specifications and to Authorize the Advertisement for Bid



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**RESULT:**           **ADOPTED [4 TO 0]**  
**MOVER:**           Mara Bain, Mayor  
**SECONDER:**       Sam Husnik, Councilmember  
**AYES:**             Bain, Husnik, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**         Valento

**Motion to:** Approve the Memorandum of Agreement Between Comfort Lake-Forest Lake Watershed District and the City of Forest Lake Subject to Minor Modifications by the City Attorney

**RESULT:**           **ADOPTED [4 TO 0]**  
**MOVER:**           Mara Bain, Mayor  
**SECONDER:**       Leif Erickson, Councilmember  
**AYES:**             Bain, Husnik, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**         Valento

**f. Comfort Lake Forest Lake Watershed District Stormwater Management Agreement for Downtown Area Redevelopment**

Comments: This item was covered as part of Item 7. e.

**g. Resolution 05-22-23-04 – Abatement Authority Matters**

Comments: City Administrator Casey provided information on administrative abatement for code enforcement issues. City Attorney Johnson provided legal information on the process of abatement. She also provided information on the current abatement policy and the need for updates to that policy.

**Motion to:** Approve Resolution 05-22-23-04 for Abatement Authority Matters as Presented by Staff

**RESULT:**           **ADOPTED [4 TO 0]**  
**MOVER:**           Sam Husnik, Councilmember  
**SECONDER:**       Blake Roberts, Councilmember  
**AYES:**             Bain, Husnik, Erickson, Roberts  
**NAYS:**  
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### **h. American Legion - Carnival Permit Date Change Request**

Comments: Deputy City Clerk Derauf presented a request from the American Legion to change the date of the Carnival Permit for July 4<sup>th</sup> Events. She noted the permit was previously approved and issued and that the American Legion has requested to extend the permit by adding Thursday, June 29 to the permit. Deputy City Clerk Derauf commented on the discussions of the Special Events Staff Team noting that the emergency services and public works departments expressed some concern about adding an additional day changing the event from five (5) days to six (6) days. There was discussion regarding why the Legion requested an additional day. Councilmember Husnik commented that he will talk to the Legion Representatives to learn of their reasons for the additional day. There was further discussion and speculation as to why they wanted the additional date. Mayor Bain commented that she appreciates the transparency and the additional work done by Staff for the event.

**Motion to:** Approve American Legion Date Change Request for Carnival Permit to Include Thursday, June 30, 2023.

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Mara Bain, Councilmember
<b>SECONDER:</b>	Leif Erickson, Councilmember
<b>AYES:</b>	Bain, Husnik, Erickson, Roberts
<b>NAYS:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	Valento

### **i. American Legion - LG240B - Gambling Excluded Bingo Permit**

Comments: Deputy City Clerk Derauf presented a charitable gambling permit application for the American Legion July 4<sup>th</sup> Event. She indicated that the request was to start the permit on Wednesday, June 29, 2023 and brought the application forward to highlight the request for transparency.

**Motion to:** Approve American Legion LG240B Charitable Gambling Bingo Permit



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**MOVER:** Sam Husnik, Councilmember  
**SECONDER:** Leif Erickson, Councilmember  
**AYES:** Bain, Husnik, Erickson, Roberts  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:** Valento

### 8. Discussion

#### a. Right of Way Round-a-Bout Maintenance

Comments: Councilmember Roberts commented on the round-a-bout maintenance citing improvements he would like to see to the area. Public Works Director Adams commented on the difference between maintenance and improvement. He noted that improvements have not been budgeted for in 2023. Councilmember Roberts commented that he would like to see improvements budgeted for in 2024. Councilmember Erickson commented that the State finally came through to clean the Downtown area.

#### b. Staff Updates

Comments: Community Development Director Wittman commented that the site of the Public Works location including the Senior Center is seven (7) acres. City Administrator Casey commented on the bonding bills 669 and 667 have been passed. This includes \$4.5M for Eureka Avenue, \$5.7M for storm water, Veteran's memorial \$350,000, and a public safety bill passed and estimated to provide approximately \$900,000. He noted the total is over \$11,400,000 that the City will receive for these projects. He thanked Senator Housley for her efforts on these projects and help in securing funding. Mayor Bain thanked Ron Miller for his efforts for securing the Veteran's Memorial funding. City Attorney Johnson commented that the THC bill passed and will be effective July 1, 2023. She noted the City currently has a moratorium in place and additional information will be coming forward to Council as the City Staff maps out the next steps. Public Works Director Adams thanked Council for taking a tour of the public works building earlier in the evening. He also noted that the second part of the transient dock will be installed on Tuesday, May 23. Engineer commented that the City will receive \$219,000 for the I/I Grant. Chief Peterson noted that officers will be at Arts in the Park, Safety Camp will be held June 13, and that officers will be available for July 4<sup>th</sup> Events. Finance Director Knopik commented that he has been working with auditors noting the information will be presented at the June 12, 2023, Council Meeting.

#### c. Mayor and City Council Updates

Comments: Councilmember Husnik commented on the Civil Air Patrol being at the airport. Councilmember Erickson noted that he attended the Lake Association Meeting indicating that they





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were grateful for the dock expansion. Mayor Bain thanked Senator Housley for the efforts and work to get the bonding requests fulfilled.

d. **Adjourn**

**Motion to:** Adjourn

Comments:

<b>RESULT:</b>	<b>ADOPTED [4 to 0]</b>
<b>MOVER:</b>	Sam Husnik, Councilmember
<b>SECONDER:</b>	Leif Erickson, Councilmember
<b>AYES:</b>	Bain, Husnik, Erickson, Roberts
<b>ABSENT:</b>	Valento