

WAITE PARK CITY COUNCIL MEETING**JANUARY 9, 2017**

A meeting of the Waite Park City Council was held at Waite Park City Hall on Monday, January 9, 2017 beginning at 6:30 PM.

MEMBERS PRESENT

Members present were Mayor Miller, Councilmembers Linquist, Schneider, and Schulz.

CITY REPRESENTATIVES PRESENT

City Representatives present were City Administrator Johnson, Deputy Clerk-Treasurer Virnig, Chief of Police Bentrud, Public Works Director Schluenz, Planning and Community Development Director Noerenberg

OTHERS PRESENT

Don Meredith, Robert McManus

OATH OF OFFICE

City Administrator Johnson administered the Oath of Office to Richard E. Miller (Mayor), Mike Linquist and Chuck Schneider (Councilmembers).

OPEN FORUM

Mayor Miller invited anyone wishing to speak during the open forum to step forward, but no one came forth.

COUNCIL AGENDA

Motion by Member Linquist, second by Member Schneider, to approve the 1/19/17 Council Agenda as presented. The motion carried unanimously by those members present.

1. CONSENT AGENDA

Motion by Member Schneider, second by Member Linquist, to approve the following 1/9/17 Consent Agenda items:

- 1.A. Approved Council Minutes of December 19, 2016
- 1.B. Approved Temporary Gambling Permit for the Apollo Diamond Club at the Ultimate Sports Bar & Grill on April 8, 2017
- 1.C. Approved Proposal for Engineering Services for Well #6
- 1.D. (Pulled for discussion – regarding Contributing \$200,000 to Fund the Extension of the Lake Wobegon Trail)
- 1.E. (Pulled for discussion – regarding Joint Cities Legislative Priorities Resolution)
- 1.F. Approved Declaration Deed Restriction for Lake Wobegon Trail located in Rivers Edge Park
- 1.G. Approved Resolution Supporting a Grant Application for the Local Trail Connections Program **(RESOLUTION NO. 010917-01)**
- 1.H. Approved Deed Grant Application for Silver Leaf Development
- 1.I. Approved Resolution Adopting Joint Powers Agreement between State of Minnesota and the City of Waite Park Re: Minnesota Internet Crimes Against Children Task Force (ICAC) **(RESOLUTION NO. 010917-02)**

The motion carried unanimously by those members present.

1.D. CONTRIBUTING \$200,000 TO FUND THE EXTENSION OF THE LAKE WOBEGON TRAIL

Member Linquist questioned why the County is only asking for \$200,000 from Waite Park when the Waite Park's portion was proposed at \$400,000. City Administrator Johnson stated the County was successful in obtaining more grant funds, so it reduced the contributions that were needed.

1.D. CONTRIBUTING \$200,000 TO FUND THE EXTENSION OF THE LAKE WOBEGON TRAIL
(CONT'D.)

Motion by Member Schneider, second by Member Schulz, to approve contributing \$200,000 to fund the Lake Wobegon Trail Extension. The motion carried unanimously by those members present.

1.E. JOINT CITIES LEGISLATIVE PRIORITIES RESOLUTION

Member Linquist questioned whether everyone was in agreement with the list of legislative priorities presented. City Administrator Johnson stated the list really hasn't changed from last year other than adding bonding requests and a few other items the area cities added in. The area City Administrators and Mayors met with the local Legislatures and discussed these items.

Motion by Member Schneider, second by Member Schulz, to approve the Joint Cities Legislative Priorities Resolution. The motion carried unanimously by those members present.

2. REZONING AND PRELIMINARY AND FINAL PLAT REVIEW – WINDSOR GREENE 3RD ADDITION – MCMEREDITH DEVELOPMENT, INC.

The request has been submitted by McMeredit Development, Inc. for review of preliminary and final plat of Windsor Greene 3rd Addition and for rezoning from R-1, Single Family Residential District to RM-12, Moderate Density Multiple Family Residential District.

The subject property is described as Outlot A, Windsor Greene 2nd Addition. The property is located on the northern portion of the existing Windsor Greene residential development and to the west of Waite Ave. Nearby adjacent land uses include single-family homes to the south, an apartment complex to the west, a condominium development to the northeast, and commercial uses to the north and east.

The intended end use of the property, provided both requests would be approved, would be for a three-story senior apartment complex, of similar nature and design to the Willow Park Apartments, which was recently constructed by the applicant at 500 Heritage Court in the southern area of the community and has been highly successful.

A general concept site and floor plans of units has been provided for review, as is required for any rezoning request. Assuming that the rezoning would be approved as requested and that there are no special deviations from the applicable ordinance required in order for the project to proceed, there would not be a need for the Planning Commission and/or City Council to further review the specifics of the project. Staff would coordinate with the applicants and their design/engineering firms to ensure the project meets applicable requirements, including exterior design and material treatments, interior building codes, landscaping, and stormwater retention.

The subject property is currently zoned R-1, Single-Family Residential District. The original concept plans for the subject property depicted development as additional single-family lots, similar to the areas in the first phases of the development immediately to the south. However, after undertaking the development of the senior living facilities at Willow Park Apartments within the community, the applicants have advised of a high level of success with that project and considerable interest in undertaking an additional similar complex to serve the senior market. A rezoning would be required to accommodate the desired use. A Planned Unit Development would not be appropriate in this case as the project is not being considered with additional facilities of a different design or density from the onset.

Given the proposed number of units (61) and the 7.6 acre area of the parcel, the overall density of the project would be about 8 units per acre. This density level would be in line with the lowest established multiple-unit residential dwelling district established under the current City ordinance, which is RM-12. RM-12 allows for up to 12 units per acre. An apartment building at a density of up to 12 units per acre is considered as a permitted use within the RM-12 zoning district.

The City's established land use plan map designates the subject property as Low Density Residential. Reviewing and consideration of the land use plan designation is a requirement for the rezoning process.

However, in staff's opinion, the requested rezoning would be sensible given the adjacent land uses, and current planning practices encourage the buffering of a lower-density residential area (such as that located to the south) from a more active commercial area (such as those located to the north in the form of the Marketplace center, Dick's Sporting Goods, Fresh Thyme Market, and Five Below) via establishment of a medium-density housing area.

2. REZONING AND PRELIMINARY AND FINAL PLAT REVIEW – WINDSOR GREENE 3RD ADDITION – MCMEREDITH DEVELOPMENT, INC. (Cont'd.)

Additionally, several of the properties which would be most impacted by the development, which are the parcels located on the northern side of Waterford Lane, are still under ownership of the applicant. As such, anyone considering purchase of these properties would be aware of the proposed use from the onset.

The proposed concept building configuration was designed with input from City staff in regards to location of parking and open space amenities, both for current residents to the south and potential future residents of the building. The proposal would maintain a high degree of open space and landscaped areas that would not be available if the area were to be developed as single-family lots as originally proposed.

Staff did receive several emails and letters noting opposition to the request, which were presented for review. These residents are largely within a condo complex adjacent to the subject property, which itself has a much higher density than would be associated with the proposed new building, given the number of units and the land areas. However, many residents of the Windsor Greene area are supportive of the request and have expressed their support in conversations with the applicant.

The applicants previously held an open house with area residents as well, to present and discuss their concept and request. This was held at the Willow Park Apartments to give people insight into the general kind of project being considered.

After review and consideration, Staff is supportive of the requested rezoning from R-1, Single Family Residential District to RM-12, Moderate Density Multiple Family Residential District. The Planning Commission, after consideration, discussion, and hearing comments during the public hearing, recommended approval of the rezoning as proposed at their December 13th, 2016 meeting.

As the property was previously platted as an outlot and intended to be reserved for future development at the time when Windsor Greene 2nd Addition was reviewed, replatting to a lot/block designation is required prior to any development of the property.

The property would be arranged as a single lot and block, which would be permissible and appropriate for a building such as that proposed by the applicants. A wetland delineation report was previously prepared for the area and has been submitted for review. The applicants have expressed intent to avoid impacts to wetland areas where possible, with the potential to utilize them for stormwater management purposes if feasible.

As it would not be reasonable to proceed with in-depth building design and civil engineering until there is an assurance that the project could move forward with the required rezoning, the applicants have thus far not finalized building plans and proposed impacts to any of the defined wetland areas. Staff would coordinate with them to ensure that wetland impacts are either avoided or that they are subject to the review and authorization processes as required per City ordinance and Wetland Conservation Act and Minnesota Board of Soil and Water Resources (BWSR).

As the property was previously platted, payment-in-lieu of parkland dedication has been paid and no further payment is required.

Easements have yet to be defined on the plat as discussions regarding need for City access for potential maintenance of ponds and other utilities are ongoing with City staff. Design considerations are also being given to ensure access by fire trucks and other emergency vehicles. Staff would review easements to ensure conformance with City requirements prior to having necessary City signatures affixed to the final plat.

It is possible that site design for emergency vehicle access may result in a need for access from Wellington Circle to the south, which currently dead-ends at a stub to the subject property. This road would have originally looped through the area. Depending on proposed designs, the applicant may opt to later request a vacation of that small portion of Wellington Circle, which would remove need for City maintenance and plowing. Any such request would need to be reviewed and approved by the City Council separately.

Staff is supportive of the preliminary and final plat as submitted. The Planning Commission also recommended approval of the preliminary and final plat.

Staff recommends approval of the preliminary plat with the following conditions:

1. Dedication of easements shall be required to satisfaction of City staff prior to submittal of the final plat copies for affixing of City signatures.

2. REZONING AND PRELIMINARY AND FINAL PLAT REVIEW – WINDSOR GREENE 3RD ADDITION – MCMEREDITH DEVELOPMENT, INC. (Cont'd.)

2. Development upon the property may be subject to a Development Agreement with the City, to ensure access to and maintenance of required stormwater retention facilities and associated facilities.
3. Any proposed impacts to delineated wetlands upon the property are subject to standard City ordinance requirements, MN State Board of Water and Soil Resource (BWSR) and Wetland Conservation Act requirements. Separate review and approval process for impacts may be required.

Provided that conditions of the preliminary plat are satisfied, Staff recommends approval of the final plat.

Discussion was held on whether a Development Agreement is required and it was determined that typically they are required in these kind of developments. Parking was also discussed. The water table is too high for underground parking, but the current layout has enough proposed parking on the property and garages could be added later if needed. There is also enough ingress and egress proposed for traffic flow. There is also proposed landscaping and open space on the property. Elevators will also be required in the plan.

Motion by Member Schulz, second by Member Schneider, to approve the rezoning of the subject property from R-1, Single Family Residential District to RM-12, Moderate Density Multiple Family Residential District. The motion carried unanimously by those members present.

Motion by Member Linquist, second by Member Schneider, to approve the preliminary and final plat of Windsor Greene 3rd Addition with the following conditions:

1. Dedication of easements shall be required to satisfaction of City staff prior to submittal of the final plat copies for affixing of City signatures.
2. Development upon the property may be subject to a Development Agreement with the City, to ensure access to and maintenance of required stormwater retention facilities and associated facilities.
3. Any proposed impacts to delineated wetlands upon the property are subject to standard City ordinance requirements, MN State Board of Water and Soil Resource (BWSR) and Wetland Conservation Act requirements. Separate review and approval process for impacts may be required.

The motion carried unanimously by those members present.

3. COUNCIL CHAMBERS PROJECT

Staff has been working on improving the audio/visual and security for the Council Chambers over the last year. Presented was a proposal from Tierney that addresses making the necessary improvements to the audio/visual system. There are two parts to the Tierney proposal. The first portion includes all the improvements needed for the Council Chambers that totals \$152,120.85. The second portion of their proposal includes the lobby signage that totals \$9,100.34. Staff has reviewed this proposal with Tierney and the Council. Staff believes the revised proposal addresses all the concerns expressed and recommends approval of this proposal. The costs associated with this proposal will be paid for with franchise fees.

The second portion of this project addresses the security improvements and some acoustical improvements as well to the council chamber. It changes the layout of the council dais to allow staff to be repositioned; it adds acoustical ceiling panels, new lighting, and a glass entry door into the Chambers. Staff has been working with Oertel Architects on the layout and design of this portion of the project. Presented for review and consideration was a cost estimate related to this project. The City intends to act as its own general contractor on this portion of the project with some assistance from Oertel as needed. Oertel will be putting together the necessary drawings for required permits. As part of this project, staff has also identified some building maintenance that is recommended to be completed at this time. The cost associated with the new construction is estimated to be \$85,000 and the maintenance portion is estimated to be \$50,000. Costs associated with this will be paid for with franchise fees for improvements related to our broadcast system with the remaining costs for building maintenance to be paid for out of the general fund budget. Staff recommends that the Council approve the estimate with the condition that any

3. COUNCIL CHAMBERS PROJECT (Cont'd.)

improvements that are not included or projected to go over the total project cost be required to come back to the Council for consideration.

If the Council plans to proceed with the project and approves the project, Staff will then work with the contractors to develop a plan for construction that minimizes the time associated with the Council Chambers being under construction.

Staff recommends that if the Council chooses to move forward that both action items be approved at the same time. The project would need to be revised if both items were not considered at this time.

Discussion was held on where the money will come from to pay for the project. Most of the project costs will come out of franchise fees and the rest of the project costs will come out of the general fund budget. Proposed updated pictures of what the Council Chambers would look like were also reviewed and discussed.

Motion by Member Schneider, second by Member Schulz, to approve the Tierney Proposal that includes the proposal for the Council Chambers Update and the proposal for the Lobby Signage as presented and approve the City Council Chamber Cost Estimate for security improvements as presented. The motion carried unanimously by those members present.

4. COUNCIL/MAYOR

4.A. REVIEW AND APPROVE BILLS

Motion by Member Schulz, second by Member Schneider, to authorize payment of the accounts payable list (0916M1, 0916M2, 1016M1, 1016M2, 1216D2). The motion carried unanimously by those members present.

Mayor Miller stated a thank you card was received from the Child Advocacy Center Staff for the donation to the Child Advocacy Center.

Mayor Miller stated he went and inspected the new fire truck. It will be delivered around February 1, 2017.

Mayor Miller proposed that a committee be formed for the Amphitheater Project. Discussion was held on having a couple people from the public, a Park Board member, a Planning Commission member, a Council member and two citizens.

5. ADMINISTRATOR

5.A. UPDATE

City Administrator Johnson reviewed the following:

- Two representatives from New West Productions will be meeting with the Council, Staff and possibly some committee members on January 30th and 31st regarding the Amphitheater Project.
- There may be a Joint Cities Meeting on January 31st.
- Lobbying Day at the Capital is on February 1, 2017.
- A Stearns County Municipal League meeting will be held on Tuesday, February 17, 2017 at Waite Park City Hall.
- Fresh Thyme will hold their ribbon cutting on January 24, 2017 at 3:45 p.m.
- City Administrator Johnson has been asked to serve on the League of Minnesota Cities Board for a six-month period to replace another board member that was a Mayor and is now a County Commissioner and can no longer be on the board.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 7:13 p.m.



Richard E. Miller
Mayor



Shaunna Johnson
City Administrator

