

WAITE PARK CITY COUNCIL MEETING**January 22, 2019****1. CALL TO ORDER**

A meeting of the Waite Park City Council was held at Waite Park City Hall on Tuesday, January 22, 2019, beginning at 6:30 PM.

MEMBERS PRESENT

Members present were Mayor Miller, Councilmembers Linqvist, Schulz and Theisen. Member Schmitt was present after he was a Councilmember and given the Oath of Office.

CITY REPRESENTATIVES PRESENT

City Representatives present were City Administrator Johnson, Deputy Clerk-Treasurer Virnig, Chief of Police Benrud, Public Works Director Schluenz, Planning and Community Development Director Noerenberg, Attorney Storm, SEH Engineer Wotzka

OTHERS PRESENT

Jim Rakhshani, David VanVeldhuizen, Barb Ruprecht, Peter J. Wilson.

2. PLEDGE OF ALLEGIANCE**3. OPEN FORUM**

Peter J. Wilson, 1108 Celebration Drive, Sartell, stated he arrived at 5 pm tonight for the meeting and the doors were locked. He thought that the Work Session started at 5 pm but was informed it started at 5:30 p.m. and the doors were unlocked before the meeting started. Mr. Wilson then stated he looked at some of the applications for the City Council appointment and stated many of the applicants seem to be similar in nature to the current councilmembers now and he was wondering if the City Council was looking for a member with the same thought process or someone with fresh and innovative thoughts. He then talked about starting to request documents having to do with Refugee Resettlement.

Gary Morgenroth, 1125 Cherrywood Court, Waite Park talked about what transpired at the last City Council Meeting when he brought up sustainability goals and the League of Minnesota Cities. He stated the Council must answer questions the residents and public ask them.

4. COUNCIL AGENDA

Motion by Member Linqvist, second by Member Schulz, to approve the 1/22/19 Council Agenda as presented. The motion carried unanimously by those members present.

5. CONSENT AGENDA

Motion by Member Linqvist, second by Member Theisen, to approve the following 1/22/19 Consent Agenda items:

- 5.A. Approved 12-3-8 City Council Minutes
 - 5.B. Approved 12-17-18 City Council Minutes
 - 5.C. Approved 1-7-19 City Council Minutes
 - 5.D. Approved Resolution Supporting Grant Application to DNR for Glacial Lakes Trail
(RESOLUTION NO. 012219-01)
 - 5.E. Approved Temporary Gambling Permit for Apollo Diamond Club Boosters
 - 5.F. Approved Conditional Job Offer to Justin Goff for Patrol Officer Position
 - 5.G. Authorized Plans and Specs for 2019 Street Projects
 - 5.H. (Pulled for discussion – regarding Pay Equity Report)
- The motion carried unanimously by those members present.

5.H. PAY EQUITY REPORT

Member Linquist requested an explanation of the results. City Administrator Johnson stated that it is a State report where the City's jobs and salaries were entered into the State's database and then the results of that are generated by the State's system. This report is compiled every three years. Essentially Pay Equity is ensuring the City's compensation for both genders are equitable. The report presented explains the City is in compliance. This report is required to be approved by the City Council and then submitted to the State and to the City's bargaining units.

Motion by Member Linquist, second by Member Theisen, to approve the Pay Equity Report as presented. The motion carried unanimously by those members present.

6.A. COUNCIL VACANCY APPOINTMENT

The City of Waite Park has a vacant council member position. The City accepted applications for the position through Friday, January 18th at 3 PM. Applications were forwarded on to the City Council to review ahead of tonight's meeting. The City Council will need to determine the next steps for selection. The City Council could consider appointing an eligible candidate at the meeting if they are comfortable. If the Council chooses to do this, the selected candidate could be effective once the motion has approved. The Council could also take additional time to further review applications or could also choose to set up interviews and make a selection at a future meeting. It is up to the Council to determine their next steps in the process. Things to consider upon selection of a candidate: Minn. Stat. 412.02(a) provides "In case of a tie vote in the council, the Mayor shall make the appointment." and any selection made will have to have the candidate be sworn in prior to being able to participate in any meetings, which can be done right after the motion is made by the City Council. A candidate would begin participating in a meeting as a Councilmember as soon as the Council makes a decision.

Mayor Miller highlighted some of the qualifications of the three people that applied in the order the applications were received at City Hall: Ken Schmitt, Shawn Blackburn and Gary Morgenroth.

Motion by Mayor Miller, second by Linquist, to appoint Ken Schmitt to the vacant City Council seat.

Discussion was held on making sure the Council was conforming to the laws regarding appointing someone for a vacancy of a City Council seat. Member Theisen stated he would like to wait on the appointment and make sure the City is in compliance with the process. City Administrator Johnson reviewed the different options for the Council to consider. Member Schulz stated he supports the nomination but would like to see that person resign from the Planning and Park Boards first and then be appointed at the next City Council Meeting. City Administrator stated the resignations from the Planning and Park Boards would be effective immediately as a person cannot be a member of the Planning and Park Boards while being a City Councilmember. All three candidates were thanked for applying.

Ayes: Mayor Miller, Members Linquist

Nays: Member Schulz, Theisen

Abstained: None

The motion failed.

It was mentioned that based on MN Statute 412.02(a), in case of a tie vote in the council, the Mayor shall make the appointment. Mayor Miller appointed Ken Schmitt to the vacant City Council seat.

City Administrator Johnson administered the Oath of Office to Ken Schmitt as a Councilmember.

6.B. AMPHITHEATER PLANS AND AUTHORIZE GOING OUT FOR BIDS

The City has been working with Oertel Architects on the design of a new proposed Amphitheater. Copies of the plans for the Amphitheater were presented, along with the proposed cost estimates. The next step in the process to move this project forward would be to consider approving the plans and specifications that Oertel Architects has prepared and authorize them to go out for bid on this project.

The plan would be to have a bid opening on this project February 28th with Council review of the bids in early March. If approved, work could begin on the Amphitheater in early Spring and construction would be estimated to be completed Summer of 2020. Staff is recommending approval of the Amphitheater Plans and Specifications and authorize going out for bids on the project.

Public Works Director Schluenz reviewed the plans and specs with the Council. It was mentioned that depending how the bids come out, the project may be built in phases. The total project is about \$12.4-\$12.5 million. Phase I and II are estimated to be around \$10 million with half coming from sales tax

6.B. AMPHITHEATER PLANS AND AUTHORIZE GOING OUT FOR BIDS (Cont'd.)

revenue and the other half coming from the bond from the State. The other \$2 million comes from the Phase II alternates that were added to the proposed budget and will be included if the bids come in under budget.

Member Theisen stated he does not like the cabled railing that is proposed and would like to see the plans and specs sent back to Staff to propose a different kind of railing.

Motion by Member Theisen to send the plans and specs back to Staff to come up with a different plan for the railing. There was no second to the motion. The motion dies.

Motion by Member Linquist, second by Member Schulz, to approve the Amphitheater Plans and Specifications and authorize going out for bids on the project with the architect looking into additional fencing that would be adequate for security and visibility.

Ayes: Mayor Miller, Members Linquist, Schmitt, Schulz

Nays: Member Theisen

Abstained: None

The motion carried.

6.C. ORDINANCE AMENDMENTS-SECTION 52.11 A-1 AGRICULTURAL/RURAL RESIDENTIAL DISTRICT CUP AND IUP AND ESTABLISHMENT OF ORDINANCE 52.56, ZONING-SOLAR AND WIND ELECTRIC-GENERATING FACILITIES REGULATION

Motion by Member Schulz, second by Mayor Miller, to reconsider the Ordinance Amendments to Section 52.11 A-1 Agricultural/Rural Residential District Conditional Use Permit and Interim Use Permit, and Establishment of Ordinance 52.56, Zoning – Solar and Wind Electric-Generating Facilities Regulation. The motion carried unanimously.

Motion by Member Schulz, second by Member Theisen, to table the ordinance updates as submitted and proposed by Staff as being overly broad and uncomprehensive.

Discussion was held on the rush at the end to get this ordinance approved before the end of the moratorium and the concerns still not addressed. He also mentioned of projects already being discussed for that area. Member Schulz had questions on the interim use permit criteria and wind turbines versus cell towers heights. It was mentioned that the moratorium expires on February 16, 2019 and cannot be extended.

Ayes: Members Schmitt, Schulz, Theisen

Nays: Mayor Miller, Member Linquist

Abstained: None

The motion carried.

Planning and Community Development Director Noerenberg stated all inquiries were told there is a moratorium on the issue. He stated he has no control over property owners taking to the solar companies themselves.

There will be a Council Work Session scheduled for January 24, 2019 at 5 pm to discuss the proposed ordinance amendments in more detail and then the issue will be brought back to the City Council Meeting on February 11, 2019.

7. COUNCIL/MAYOR

7.A. REVIEW AND APPROVE BILLS

Motion by Member Theisen, second by Member Schulz to approve the 10-1-18, 10-18-18 and 11-1-18 to 1-31-18 bills as presented. The motion carried unanimously.

Mayor Miller stated a thank you card was received from Chuck Schneider's family and also a sympathy card from St. Augusta's City Council and Staff on the loss of Councilmember Chuck Schneider.

There is a Newly Elected Officials training that Member Schmitt can attend. He will talk to City Administrator Johnson if he is interested in attending.

8. ADMINISTRATOR UPDATE

City Administrator Johnson reviewed the following:

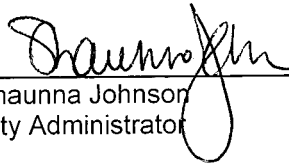
- The Coalition of Greater Minnesota Cities Legislative Day is on January 30, 2019.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 7:23 p.m.



Richard E. Miller
Mayor



Shaunna Johnson
City Administrator