

WAITE PARK CITY COUNCIL REGULAR MEETING JANUARY 27, 2020

1. CALL TO ORDER

A meeting of the Waite Park City Council was held at Waite Park City Hall on Monday, January 27, 2020, beginning at 6:30 PM.

MEMBERS PRESENT

Members present were Mayor Miller, Councilmembers Linquist, Schmitt, Schulz, and Theisen

CITY REPRESENTATIVES PRESENT

City Representatives present were City Administrator Johnson, Deputy Clerk-Treasurer Virnig, Finance Director Lindberg, Chief of Police Benrud, Public Works Director Schluenz, Administrative Associate Brenny, City Attorney Storm, SEH Engineer Wotzka

OTHERS PRESENT

Jane Knott with Stearns County; Mark Latterell with Stearns County; Hem Bhakta owner of Asteria Hotel

2. PLEDGE OF ALLEGIANCE

3. COUNCIL AGENDA

Member Schulz moved to approve the Council Agenda as presented seconded by Member Schmitt. Motion carried unanimously.

4. CONSENT AGENDA

- 4.A. Approve 12-2-19 City Council Meeting Minutes
- 4.B. Approve 12-16-19 City Council Meeting Minutes
- 4.C. Approve 12-18-19 City Council Emergency Meeting Minutes
- 4.D. Approve 2019 Body Worn Camera Audit
- 4.E. Approve 2019 City Emergency Operations Plan Approval
- 4.F. Approve Change Order #6 – River's Edge Park PH 3
- 4.G. Approve Off-Site Gambling License for the St. Cloud Boxing & Wrestling Club
(RESOLUTION 012720-01)
- 4.H. Approve Election Judges for the Presidential Nominating Primary
- 4.I. Approve Resolution to Increase the Benefit Level for Firefighters Who Are Vested in the SVF Retirement Plan **(RESOLUTION 012720-02)**
- 4.J. Purchase Two New Police Vehicles for the Police Department
- 4.K. Approve Fire Department On-Call Rates
- 4.L. Approve Resolution Approving Gambling Premises Permit for Crooked Pint Ale House
(RESOLUTION 012720-03)

Member Schmitt asked to pull item A. Member Theisen asked to pull item F. Member Linquist asked to pull item J.

Member Linquist moved to approve all other Consent Agenda items, seconded by Member Theisen. Motion carried unanimously.

Member Schmitt requested that Mayor Miller's name be corrected in the 12/2/19 meeting minutes. Theisen moved to approve the 12-2-19 City Council Meeting Minutes as corrected, seconded by Member Schmitt. Motion carried unanimously.

Regarding Item F, Member Theisen requested clarification if this was an irrigation system that the City paid to install and are now paying to cap off. Engineer Wotzka explained that irrigation heads were

4. CONSENT AGENDA (Cont.)

placed between the two fields, but the long-term plan for that area is to be concrete. SEH Engineer Wotzka also explained that the Babe Ruth expressed that they didn't want the area sprinkled as it was causing moisture problems. Member Linquist asked if they pulled the whole system out. Wotzka and Public Works Director Schluenz confirmed the heads in that area were capped. Member Theisen moved to approve Change Order #6 – River's Edge Park PH3, seconded by Member Schulz. Motion carried unanimously.

Regarding Item J, Member Linquist asked if the two new police vehicles would be adding to the fleet or replacing. Staff confirmed the new vehicles would be replacing older vehicles. Member Linquist moved to approve item J, seconded by Member Schmitt. Motion carried unanimously.

5. REGULAR AGENDA ITEMS

5.A. CONSIDER ASTERIA HOTEL LICENSE RENEWAL

Building Official Jeff Howe recapped what Council decided back in June 2019. Council revoked the Hotel license for 90 days with a nine month probationary period, during which time, in each of those months the property will be inspected by Stearns County Health Department, City Building Department and the City Police Department, with all inspection costs being paid by the property owner and revocation would go into effect June 18, 2019. Mr. Howe explained that all improvements have been made in the East (Main) building. The roof has been repaired; all mold has been abated by Service Master; the asbestos in the affected rooms has been abated by Service Masters' licensed subcontractor; the ceilings and walls have been replaced or repaired; fire alarm panel has been replaced; the State Fire Marshal has inspected the Hotel's East building and they had some violations, which a number of them have already been completed. The items that have not been completed yet include documentation for emergency evacuation drills, extension cords that need to be removed, more emergency lighting, which they were given 60 days to remedy, and make sure that all the doors close and latch. There are also some glass panes that need to be replaced as they are broken, but that is on order and should be completed by the end of the week, but those rooms will not be rented until the windows are fixed.

Mr. Howe explained the Hotel's West building is currently empty and cannot be used at this time. It will require renovation and updating before use. The only rooms that will be available for rent are in the East building.

Mr. Howe said there are very minor things left, but nothing that would prevent anyone from having a comfortable stay.

Member Linquist expressed that their motion back in June stated that all work needed to be completed before reopening and it appears that all work has not been completed.

Mayor Miller stated he wouldn't approve the license as they still have items to complete on the East building. Mayor Miller agreed that it has to be all complete because if they allow the East building to open, all of a sudden people will be staying in the West building.

Member Schmitt agreed with the other statements that the council wanted everything done on the property.

Member Linquist moved to deny the renewing of Asteria's Hotel License, seconded by Member Schulz.

Mr. Howe expressed that the owner has done a lot of work on the East building and the few items that are left are very minor and scheduled to be done. Mr. Howe stated that he was uncertain if the West building will ever open. Mayor Miller stated the West building needs to be knocked down then.

The owner of Asteria, Mr. Bhakta, confirmed that he wasn't sure if he would be opening the West building since that is where most of the problems were. Mr. Bhakta stated all of the items have been removed from that building and is almost empty. Mr. Bhakta estimated that he was 80% sure he isn't going to reopen it. Mr. Bhakta reiterated that he only has one extension cord to move that he was unable to before inspection because of a pop machine and three windows that need repair in the East building. Mr. Bhakta stated that the Fire Marshal is requiring two additional safety lights and was given 90 days to complete, but if he needs to complete it earlier, he will. Mr. Howe explained the reasoning behind the Fire Marshal's concern and requesting two more additional emergency lights.

5.A. CONSIDER ASTERIA HOTEL LICENSE RENEWAL (Cont.)

Mayor Miller stated there was a motion to deny Asteria's Hotel License on the table. Mayor Miller explained that when all the issues are taken care of and when Mr. Bhakta has a plan with the West building, then come back and see Council. Member Theisen questioned how Council knows what will become of the West building if they don't address it now; that there needs to be a plan. Administrator Johnson explained that Mr. Bhakta will have to come back to the Council when he has a plan but can do that as soon as he is ready.

Motion carried unanimously.

5.B. SALES TAX ROADS CRITERIA

Council was presented a proposed determination for setting the criteria for which roads in the City of Waite Park are eligible for sales tax projects/mains for snowplowing. The criteria are:

1. All State Aid Roads
2. All Major and Minor Arterials
3. All Major and Minor Collector
4. Any roads used by Metro Bus
5. All roads fronting educational facilities
6. And limiting no more than three blocks of travel, from a side street to a main road.

Member Linquist questioned if the City could include any infrastructure like water and sewer and extend what we have. Administrator Johnson clarified that this item and action is just putting distinctions on roadways that are regional in significance. This isn't the resolution talking about the specific projects.

Public Works Director Schluez clarified on the map it shows that First Avenue South, between Division and 23 is a County/State road, that is an error and will be corrected on the map. Public Works Director Schluez also reiterated that the main criteria for the sales tax roads is what the City plows for mains, which takes into account anything that goes by a school, if it is a major or minor arterial, major or minor collector and if it is a bus route.

Member Theisen moved to approve presented road criteria, seconded by Member Schmitt. Motion carried unanimously.

5.C. CONSIDER RESOLUTION ON ADDITIONAL SALES TAX

The City Council has expressed an interest in seeking legislative approval to consider an addition of a one-half of one percent sales tax to allow the City to complete additional regional capital projects. In order to be considered for this, the City Council is required to approve a resolution and then will need to seek legislative approval before taking it to a referendum vote. Staff has been working with the City Council on identifying projects over the last several months.

Administrator Johnson went back to Member Linquist's earlier question regarding infrastructure being included in the potential projects, the information that was received from Flaherty and Hood is that if our services are being used in other surrounding areas and the City is paying for it then it could be considered, but the City can't use the money to replace existing infrastructure, it has to be used for capital projects, which are typically streets, community facilities, parks, trails.

Member Linquist asked if the City develops a regional park on the South side and needs to extend services for that project would that be included. Administrator Johnson stated it would be the utilities only in the park that would be included.

Administrator Johnson read aloud the projects that Staff, and Council have identified could be done with the sales tax dollars, which included:

1. 10th Avenue Regional Corridor
2. Regional Trail Connections
3. South Side Regional Park Development
4. Public Safety Facility

Administrator Johnson confirmed that Flaherty and Hood has reviewed the projects and the City has made the changes that they requested. Flaherty and Hood feels very confident that what the City has put forward is really following what the Legislature truly intended to do for those dollars.

5.C. CONSIDER RESOLUTION ON ADDITIONAL SALES TAX (Cont.)

Member Linquist moved to approve the proposed resolution (**RESOLUTION 012720-04**), seconded by Member Schmitt. Motion carried unanimously.

5.D. 2020 STREET IMPROVEMENTS PLAN APPROVAL

City Engineer Wotzka explained the plans and specifications for 2020 street improvements which include:

Section A: Full street and utility (sanitary sewer and water) reconstruction of 2nd Street N (between Waite Ave and 2nd Ave N), West Avenue, and the Frontage Road (between 1st Ave N and 2nd Ave N). Engineer Wotzka pointed out a few easements that the City was working on obtaining yet. Member Linquist asked if full curb was going in or the roll over curb. Engineer Wotzka confirmed that full curb would be going in, but no sidewalk. Engineer Wotzka explained that roll over curb is not desirable for snow plowing purposes. Engineer Wotzka explained that there are new storm water regulations requiring the City to put in an infiltration unit for treatment, which will be buried within the street right-of-way. New storm water collection will be added to Frontage Road since there is a drainage issue in that area. 2nd Street North will be 32 feet wide. West Avenue will be 30 feet wide. Frontage Road will be a 12-foot-wide, paved alley way. Member Linquist asked about park on 2nd Street. Engineer Wotzka explained that 32 feet will accommodate three lanes and typically don't restrict parking on those streets but will have to see how it works and most streets generally don't have a problem. If it gets to the point where people are consistently parking on both sides of the street and blocking two-way traffic, parking restrictions might need to be considered. Engineer Wotzka explained the phases of the project. The first phase would be from Waite Avenue to First Avenue and get that completed so the entire area isn't blocked off. The project is estimated to take three months to complete. Engineer Wotzka also explained that there will be some widening at the Waite Avenue intersection to allow for a right turn/straight through, and a left turn and a straight through on the other side. There will be three lanes of traffic and no parking in the first couple hundred of feet in that area so that it lines up with the traffic signal and the lanes across the street. There are some updates with the traffic control signals, making them to ADA standards with regard to push buttons, sidewalks and pedestrian ramps. Public Works Director Schluenz also stated that Xcel will be making improvements to their utilities in this area as well.

Section B: Reclamation and paving of Graniteview Road from the 33rd Street Roundabout to CR 6. The project also includes replacement of a culvert in a DNR designated trout stream, and wetland impacts along the border of a DNR designated "outstanding biological significance" area. The permitting process is nearing completion and Staff hopes to have DNR approval soon. Engineer Wotzka believes the solution to the problem involves a 102-inch-wide span concrete culvert with two – 21-inch relief culverts installed along side. The culvert will be buried slightly to replicate stream conditions. This is what moved the project from being completed in 2019 to 2020. The paved area will be 24 feet wide with a 2-foot gravel shoulders on each side. Engineer Wotzka clarified that this approval would be contingent upon DNR approval.

Section C: Bus turnout lane off Parkway Drive. The total length of the bay is about 350 feet.

Total estimated project construction cost is:

Section A = \$1,347,120
 Section B = \$662,906
 Section C = \$93,442
 Total = \$2,103,468.

Member Theisen moved to approve the plans and specifications for the 2020 street improvement project as presented. Seconded by Member Schmitt. Motion carried unanimously.

5.E. ORDINANCE AMENDING SECTION 22.2 OF ORDINANCE 22 – CIVIL SERVICE BOARD

The proposed amendments to Ordinance 22 include removing the position Planning and Zoning Coordinator position (no longer a position within the City) and adding the Facility Events Coordinator position to the list of exempt positions from the Civil Service Board.

5.E. ORDINANCE AMENDING SECTION 22.2 OF ORDINANCE 22 – CIVIL SERVICE BOARD (Cont.)

Member Theisen moved to approve the proposed amendments as presented, seconded by Member Schulz. Motion carried unanimously.

5.F. CONSIDER POSITION APPOINTMENTS

Administrative Associate: The City Council held interviews for the Administrative Associate position at their work session on January 27, 2020.

Member Schulz moved to appoint Heidi Freking to Administrative Associate, starting at Pay Grade 4, Step 4, with 10 days of vacation, pending successful completion of the background check and extending the eligibility list to July 31, 2020, seconded by Member Theisen. Motion carried unanimously.

Fire Captain: The City Council held interviews for the Fire Captain position at their work session on January 27, 2020. The position is vacant due to Adam Theisen being appointed as Assistant Fire Chief. The appointment of the Fire Captain will be to complete the remaining portion of the vacant term which is set to expire on December 31, 2020.

Member Theisen moved to appoint Jason Urzi to Fire Captain, seconded by Member Schmitt. Motion carried unanimously.

Facility Event Coordinator: The City Council completed interviews for the Facility Event Coordinator position. The recommendation the City Council is moving forward for this position is Meredith Lyon. This approval is contingent upon a successful completion of the employment screening process.

Member Schulz moved to appoint Meredith Lyon to the Facility Event Coordinator, starting at Pay Grade 8, Step 1, with 15 days of vacation, pending successful completion of the background check and maintain the eligibility list until July 31, 2020, and include a six-month evaluation which would move her to Pay Grade 8, Step 2, seconded by Member Theisen.

Roll Call

Councilmember Michael Linqvist: No

Councilmember Ken Schmitt: Yes

Councilmember Vic Schulz: Yes

Councilmember Frank Theisen: Yes

Mayor Richard Miller: Yes

Abstain: None

Absent: None

Motion carried.

6. COUNCIL/MAYOR

6.A. REVIEW AND APPROVE BILLS

Member Theisen asked for clarification regarding a bill that included the replacement of a water pump on vehicle 208, which cost about \$5,000. It was confirmed that was for a Police Department vehicle, but staff would have to follow up with more information.

Member Theisen moved to approve the bills as presented, seconded by Member Linqvist. Motion carried unanimously.

Mayor Miller stated he received "thank you" cards from the Boys and Girls Club and The Paramount for the donations that Council gave to them. Mayor Miller also received a plaque from the Area Planning Commission for all of the years the City Council Chambers was used for their meetings.

6.B. PUBLIC INPUT SUMMARY

No public input was given.

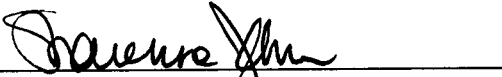
7. ADMINISTRATOR UPDATE

The coalitions lobbying day is coming up in March. The next council meeting will be Tuesday, February 18th. No State of the Cities Address in February.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 7:18PM


Richard E. Miller
Mayor


Shaunna Johnson
City Administrator