

WAITE PARK CITY COUNCIL REGULAR MEETING**JUNE 7, 2021****1. CALL TO ORDER**

A meeting of the Waite Park City Council was held on Monday, June 7, 2021, beginning at 6:30 PM.

MEMBERS PRESENT

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

CITY REPRESENTATIVES PRESENT

City Representatives present or on the call were City Clerk/Accountant Virnig, Chief of Police Bentrud, Planning and Community Development Director Noerenberg, City Attorney Storm, and SEH Engineer Halter

OTHERS PRESENT

None

2. PLEDGE OF ALLEGIANCE**3. PUBLIC INPUT**

No public comment was given.

4. COUNCIL AGENDA

Member Schulz moved to approve the agenda as presented, seconded by Member Schmitt. Motion carried unanimously.

5. CONSENT AGENDA

- 5.A. Approve 5/3/2021 City Council Meeting Minutes
- 5.B. Approve 5/17/2021 City Council Meeting Minutes
- 5.C. Approve 5/25/2021 City Council Special Meeting Minutes
- 5.D. Approve Appointing Public Works Seasonal Positions
- 5.E. Approve Full Off-Sale Liquor License for El Patron Liquor LLC
- 5.F. Approve Off-Sale Brewer License, On-Sale Taproom & Sunday Liquor License for Back Shed Brewing

Member Linqvist asked to pull item D. Approve Appointing Public Works Seasonal Positions.

Member Theisen asked to pull item C. Approve 5/25/2021 City Council Special Meeting Minutes.

Member Schulz moved to approve all the other items, seconded by Member Linqvist. Motion carried unanimously.

Member Linqvist moved to approve item C. Approve 5/25/2021 City Council Special Meeting Minutes, seconded by Member Schmitt.

Ayes: Members Linqvist, Miller, Schmitt, and Schulz

Nays: None

Abstain: Member Theisen

Absent: None

Motion passed 4-1.

Member Linqvist believed that the City is over the number of seasonal hires budgeted for the year. Member Schulz asked if these seasonal hires were for lawn maintenance or if it included part-time help for the Amphitheater as well. Mayor Miller said some of the previous hires were for the Amphitheater. City Clerk/Accountant Virnig thought the three proposed hires on the agenda were the gatekeepers for the Amphitheater.

5. CONSENT AGENDA (Cont.)

Member Linnquist expressed that all these hires for the Amphitheater are too much for the supervisors of these departments. Member Linnquist would like the Department Heads to come to the Council and ask permission for these positions.

Member Theisen thought during budget season that they approved for hiring 10-15 seasonal workers. Member Linnquist said it was 10.

Member Schmitt moved to table item D. Approve Appointing Public Works Seasonal Positions until the next council meeting to get more clarification on where these positions will be working. Motion seconded by Member Schulz. Member Theisen expressed fear that these workers may not be here by the next Council meeting.

Ayes: Members Linnquist and Schmitt

Nays: Members Miller, Schulz and Theisen

Abstain: None

Absent: None

Motion failed 2-3.

Member Theisen moved to approve item D. Approve Appointing Public Works Seasonal Positions. Motion was seconded by Member Schulz. Mayor Miller asked City Clerk/Accountant Virnig to request a list from Public Works Director Schluenz regarding the number and where all the Public Works seasonal workers are working.

Ayes: Members Miller, Schmitt, Schulz and Theisen

Nays: Members Linnquist

Abstain: None

Absent: None

Motion carried 4-1.

6. REGULAR AGENDA ITEMS

6.A. PLANS & SPECIFICATIONS FOR THE 2021 STREET IMPROVEMENTS

City Engineer Halter presented the City Council with a list of projects to be considered for the 2021 Street Improvements. They included:

Frontage Road North: 4-inch Mill and Fill of Frontage Road North (near movie theatre), along with some miscellaneous concrete repairs.

1st Street South: 4-inch Mill and Fill of 1st Street South (near Culvers), along with some miscellaneous concrete repairs.

6th Avenue Alley Removal: Remove bituminous pavement for the alley and restore with grass. Also included in this alley removal is modifications where the alley ties into 5th Avenue North and 6th Avenue North.

3rd Avenue NE Drainage Improvements: The improvements include adding a drainage ditch on the west side of the road to alleviate drainage issues in the NW quadrant of 3rd Avenue NE and 3-1/2 Street NE. The ditch will be quite flat but will have positive slope and discharge into the existing railroad ditch. As discussed previously, the ultimate fix is reconstruction of this neighborhood with the addition of storm sewer pipes and treatment; but the intent of this project is to improve the drainage until the neighborhood is reconstructed with more permanent drainage solutions implemented.

City Engineer Halter stated the CIP budget was \$1,200,000, but projected costs are coming in closer to \$1,640,000. Halter did explain that the City still has to go through a bidding process and did explain that the Graniteview Road project is going over estimated costs due to some issues that they ran into.

Member Linnquist asked if there was any private right-of-way on 6th Avenue. Mayor Miller stated that's what the City is removing. City Engineer Halter explained that the alley is being vacated, but a utility easement will remain.

Member Linnquist moved to approve the Plans & Specifications for the 2021 Street Improvement project, and advertise for bids as presented, seconded by Member Schmitt. Motion carried unanimously.

6.B. CONSIDER POLICE OFFICER CANDIDATE

The City Council interviewed five candidates for police officer at the work session on May 17, 2021. They chose to hire three of these candidates. One of those approved for hire has decided to stay at his current position. Council will need to approve the appointment of the next candidate from the eligibility list. Her name is Rebecca Okerstrom, and it is recommended to start her at a Pay Grade 7, Step 1.

6.B. CONSIDER POLICE OFFICER CANDIDATE (Cont.)

Member Linquist moved to approve hiring Rebecca Okerstrom, Pay Grade 7, Step 1, for police officer conditioned up completion of the employment screening, seconded by Member Theisen. Motion carried unanimously.

6.C. VACATE ALLEY – ULTIMATE SPORTS BAR

Staff has coordinated with the owner/operator of the Ultimate Sports Bar since late 2020 on potential vacation of the north/south public alley as described in the presented documents to accommodate building and parking lot improvements for the rebuilding of the property. The issue of the vacation was also discussed at the previous City Council meeting at time of variance approval for the building.

The building and required improvements have been completed, and Staff would like to formalize the vacation and require some minor improvements now that City Staff has been able to see how the property has been operating with the de-facto vacation completed. Allowing this to occur has proven beneficial in noting proposed conditions of approval that would not have otherwise been identified had the request been processed and approved earlier. The completed work and drive lane area will be compiled into an easement document to be recorded with Stearns County.

The vacation process requires a public hearing and public notice was previously published. No comments or objections to the vacation have been received as of June 3, 2021.

Public Works Staff has monitored the parking lot usage since the opening of the business and has asked that the following improvements be made conditions of approval for the vacation of alley request:

- Provision of painted east/west traffic lane to connect with remaining alley with multiple "no parking" markings painted to limit parking in area and keep lane open for neighboring traffic.
- Installation of minimum four "no parking" posts and signage on northern side of lane, signage facing south.
- Property owner to be responsible for periodic maintenance/replacement of signage and marking as above as determined and notified by City.
- City requires plan for the above-described work to be submitted to City for review/approval of the Public Works Director prior to any work being performed.
- All work as per above shall be completed to satisfaction of Public Works Director by July 15th.

Mayor Miller opened the public hearing at 6:47pm. No public comment was given.

Member Theisen moved to close the public hearing, seconded by Member Linquist. Motion carried unanimously. Public hearing closed at 6:48pm.

Member Theisen asked City Engineer Halter if it was okay to retain an easement instead of having the new alignment of that property titled back to the City. City Engineer Halter stated that was fairly standard to do it this way.

Member Theisen moved to approve the vacation portion of the alley as described on submitted survey and presented resolution and completed by July 15, 2021. Motion seconded by Member Schmitt. Motion carried unanimously. **(RESOLUTION 060721-01)**

6.D. COMMERCIAL VEHICLE NO PARKING ZONES & PARKING FEES

The proposed changes to the Fee Schedule related to Parking Fees and the designation of certain streets as No Commercial Vehicle Parking – Tow Away Zones came from talking to other cities about what they are charging. For example, our current rate for vehicles parked on a city street is \$10.00 while most cities in this area are between \$20-25 per violation. There was no differentiation for Commercial vehicles that could be found, so accordingly the rates proposed for Commercial Vehicle violations was arrived at by looking at the cost to have a local tow company put on a wheel-boot and/or have a semi towed.

Presented are resolutions designating Third Street South, Park Meadows Drive, Progress Road and Prosper Drive as No Commercial Vehicle Parking – Tow Away Zones. Also enclosed are the proposed changes to the Fee Schedule pertaining to Ordinance 61.

Member Schmitt stated Chief of Police Bentrud has it labeled, cars, trucks, and commercial vehicles, and is wondering if there is a going to be a differentiation between the size of trucks. Chief of Police Bentrud stated he would not differentiate between those sizes. Unless it's a boxed truck or semi, he would consider that a \$25 parking fine. Member Schmitt wondered if the language needs to be clarified. Member Theisen agreed that the fee schedule needs to be more specific to differentiate between all of the

6.D. COMMERCIAL VEHICLE NO PARKING ZONES & PARKING FEES (Cont.)

different types of trucks and commercial vehicles. Member Linquist agreed that there should be definitions between the types of trucks and commercial vehicles to help clarify.

City Attorney Storm stated, currently, in Ordinance 61 there are a list of definitions that are tied to the Minnesota Statutes. He also stated in MN Statute there are definitions for everything in question. Attorney Storm recommended that he look through the MN Statute and determine if there is a definition that would work for Chief of Police Bentrud and make that change in the ordinance. Attorney Storm thought it would be difficult to define based on weight if the Statute already has established definitions.

Mayor Miller recommended not taking any action and bringing the item back at the next Council meeting.

Member Theisen stated he felt the minimum parking fee should be \$30, not \$25.

7. COUNCIL/MAYOR**7.A. REVIEW AND APPROVE BILLS**

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

8. ADMINISTRATOR UPDATE

There was no update.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 7:04 pm.



Richard E. Miller
Mayor



Karla Virnig
City Clerk/Accountant