

WAITE PARK CITY COUNCIL MEETING**MARCH 6, 2017**

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

MEMBERS PRESENT

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

CITY REPRESENTATIVES PRESENT

City Representatives present were City Administrator Johnson, Chief of Police Bentrud, Public Works Director Schluenz, Planning and Community Development Director Noerenberg, Attorney Hansmeier, SEH Engineer Wotzka

OTHERS PRESENT

There were no signatures on an attendance sheet.

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 Schulz, second by Member Schneider, to approve the 3/6/17 Council Agenda as amended.

- 5.B. (Add) Lexipol Police Department Policy and Procedure Manual
- 5.C. (Add) Change Order for Public Works Facility

The motion carried unanimously.

1. CONSENT AGENDA

Motion by Member Theisen, second by Member Schneider, to approve the following 2/6/17 Consent Agenda items:

- 1.A. (Pulled for voting purposes – regarding Special Council Meeting Minutes of January 30, 2017)
- 1.B. Approved Council Minutes of February 6, 2017
- 1.C. (Pulled for discussion – regarding resolution authorizing Haley Miller to remain on Police and Fire PERA)
- 1.D. Approved Tobacco Licenses for Northern Tier Retail at 29 3rd St NE, 107 28th Ave S, 1435 Division, 1013 2nd St S
- 1.E. Approved 3.2 Malt Liquor License for Northern Tier Retail at 1435 Division Street

The motion carried unanimously.

1.A. SPECIAL COUNCIL MEETING MINUTES OF JANUARY 30, 2017

Member Linquist stated he was not at the meeting and his name should be taken off of the draft minutes.

Motion by Member Theisen, second by Member Schneider, to approve the Special Council Meeting Minutes of January 30, 2017.

Ayes: Mayor Miller, Members Schneider, Schulz, Theisen

Nays: None

Abstained: Member Linquist

The motion carried.

1.C. RESOLUTION AUTHORIZING HALEY MILLER TO REMAIN ON POLICE AND FIRE PERA

Member Linqvist stated in years past if you were a part-time police officer working in the City, you did not receive PERA. He asked if this has changed. City Administrator Johnson stated that Haley Miller is eligible for PERA under state statute, but because she has changed from full-time to part-time employment, the Council is required to pass a resolution that indicates she is able to stay on the Police and Fire PERA otherwise she is required to move from the Police and Fire PERA to the Coordinated PERA plan. In the past, the Council has allowed part-time police officers to stay on the Police and Fire PERA. The rate is based on the employee's salary.

Motion by Member Linqvist, second by Member Theisen, to approve the Resolution authorizing Haley Miller to remain on Police and Fire PERA. The motion carried unanimously. **(RESOLUTION NO. 030617-01)**

2. REQUEST TO HARBOR 3 DOGS AT 126 5TH AVE NORTH

Ashley Johnson is requesting the Council to consider allowing her to house 3 dogs in her home as they just moved into the city and have had the 3 dogs for a number of years and one of the dogs is a therapy dog. The City Ordinance allows homeowners to have 2 dogs and that any additional animals would require Council approval. A copy of a letter was presented requesting this consideration.

Chief of Police Bentrud stated there have been no issues at this property. Discussion was held on whether therapy/service dogs are counted in the maximum number of dogs allowed on a property. The City Ordinance does not delineate between dogs as pets versus service dogs.

Motion by Member Schneider, second by Member Linqvist, to allow Ashley Johnson to house 3 dogs at 126 5th Avenue North. The motion carried unanimously.

3. CONDITIONAL USE PERMIT – BILLBOARD IN OFF-PREMISE SIGN CORRIDOR – FRANKLIN OUTDOOR ADVERTISING AND BRUCE HAGBERG

Franklin Outdoor Advertising, with permission of the property owner, has submitted an application to allow an off-premise sign (billboard) within the established Off-Premise Sign Corridor. The subject area is owned by the Hagberg family and is located on the western side of Highway 23, across from the entrance area to The Grande Depot. This area was annexed into the City as of December 31, 2016 and Staff was aware that there was interest in pursuing installation of new billboards in several areas of the newly-annexed area.

Installation of off-premise signage is required to go through the Conditional Use Permit process, and the sign ordinance establishes criteria which billboards must meet, including maximum sign face dimensions, setbacks, heights above grade, and minimum distances from residential districts or public or religious buildings. Also required are minimum distances between billboards, with 1,000 feet being required between "static" (non-digital) billboards. Digital billboards must be 2,000 feet from another digital billboard and 1,000 feet from another static billboard.

The proposed billboard is located nearly 2,000 feet away from the nearest off-premise billboard sign, which is located to the north. The proposal is for a static "V-style" billboard with two sign faces, one each facing north and south, which is the most common billboard design in this area. The applicants have been advised that due to the increased distances required between digital billboards, that in the event that a digital billboard is approved in a nearby area it may limit the future ability to convert the proposed billboard to a digital system, as is occasionally done. The applicants have noted they recognize this and are only interested in the static arrangement at this time.

The proposed location has received approval from MnDOT and has a permit to proceed with the installation which is valid until June 30th, 2017. The proposed setbacks meet City ordinance requirements. However, the sign face dimensions noted on the MnDOT application will need to be revised slightly to meet City standards. The MnDOT application lists proposed sign face sizes of 10' high and 40' wide, for a total of 400 square feet. City maximums are 12' high and 36' wide, with a maximum area of each sign face of 400 square feet.

The Planning Commission reviewed the request at their February 14, 2017 meeting and recommended approval of the request with the conditions as submitted. No concerns were submitted during the public hearing.

3. CONDITIONAL USE PERMIT – BILLBOARD IN OFF-PREMISE SIGN CORRIDOR – FRANKLIN OUTDOOR ADVERTISING AND BRUCE HAGBERG (Cont'd.)

Staff recommends approval of the conditional use permit to allow an off-premise sign (billboard) in the Off-Premise Sign Corridor with the following conditions:

1. A permit from the City of Waite Park shall be obtained prior to fabrication or installation of the billboard structure. Permit will not be issued unless valid MnDOT Advertising Device Permit is on file with City of Waite Park.
2. Applicant and City staff shall demonstrate that all billboards owned/operated by Franklin Outdoor Advertising have paid necessary annual licensing fees prior to issuance of permit.
3. Proposed sign face dimensions shall be revised to reflect maximum sizes of 12' height, 36' wide, not to exceed 400 square feet per City ordinance.
4. Total height of the billboard shall not exceed 36 feet above grade of adjacent southbound lane of Highway 23.
5. No more than one sign per face shall be installed at any time.
6. Future conversion to digital display requires separate review and permit via City staff. Potential to convert to digital display may be limited by other existing nearby off-premise sign installations.
7. Proposed off-premise sign is subject to annual licensing by City and payment of fee as established in Schedule of Fees and updated from time to time.

Discussion was held on whether this would interfere with the Billboard Ordinance. Planning and Community Development Director Noerenberg stated he doesn't foresee it being an issue.

Motion by Member Linquist, second by Member Schulz to approve the request for a Conditional Use Permit to allow an off-premise sign in the established Off-Premise Sign Corridor with the following Staff recommendations and Findings of Fact:

1. A permit from the City of Waite Park shall be obtained prior to fabrication or installation of the billboard structure. Permit will not be issued unless valid MnDOT Advertising Device Permit is on file with City of Waite Park.
2. Applicant and City staff shall demonstrate that all billboards owned/operated by Franklin Outdoor Advertising have paid necessary annual licensing fees prior to issuance of permit.
3. Proposed sign face dimensions shall be revised to reflect maximum sizes of 12' height, 36' wide, not to exceed 400 square feet per City ordinance.
4. Total height of the billboard shall not exceed 36 feet above grade of adjacent southbound lane of Highway 23.
5. No more than one sign per face shall be installed at any time.
6. Future conversion to digital display requires separate review and permit via City staff. Potential to convert to digital display may be limited by other existing nearby off-premise sign installations.
7. Proposed off-premise sign is subject to annual licensing by City and payment of fee as established in Schedule of Fees and updated from time to time.

The motion carried unanimously.

4. DELEGATION AGREEMENT ADDENDUM AND INSPECTION SERVICES AGREEMENT REGARDING LODGING SERVICES

The City of Waite Park has requested support from Stearns County in becoming the licensing authority for lodging facilities within the City of Waite Park. The County of Stearns is presently the licensing authority pursuant to a delegation agreement with the Minnesota Department of Health. The proposed addendum to the delegation agreement was presented that will allow the City of Waite Park to issue, administer and enforce lodging licenses. The Minnesota Department of Health has not yet approved the addendum. Also, the City of Waite Park desires to contract with Stearns County to continue conducting the lodging inspections. A proposed agreement for lodging inspection services was also presented.

Motion by Member Schneider, second by Member Theisen, to approve the Delegation Agreement Addendum and Inspection Services Agreement, and to grant authority to the Mayor and City Administrator to sign the agreements and to grant authority to the Mayor and City Administrator with

4. DELEGATION AGREEMENT ADDENDUM AND INSPECTION SERVICES AGREEMENT REGARDING LODGING SERVICES (Cont'd.)

assistance of the City Attorney to seek approval from the Minnesota Department for Health for such delegation. The motion carried unanimously.

5. COUNCIL/MAYOR

5.A. REVIEW AND APPROVE BILLS

Motion by Member Theisen, second by Member Schneider, to authorize payment of the accounts payable list (0217D1, 0217D2, 0217D3, 0217D4). The motion carried unanimously.

Mayor Miller stated a thank you letter was received from CentraCare Health for the donation to their Child Advocacy Program.

5.B. LEXIPOL POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

Lexipol is a national company that assists agencies in maintaining a current policy and procedure manual. In the City's case, it is also Minnesota case law specific. Staff is requesting that the Council approve the Police Department to enter into an agreement with Lexipol to assist the department with their department policy and procedure manual. The cost to for this service will be approximately \$9,000.

Motion by Member Schulz, second by Member Linnquist, to approve the Police Department to enter into an agreement with Lexipol to assist the department with their department policy and procedure manual. The motion carried unanimously.

5.C. CHANGE ORDER FOR PUBLIC WORKS FACILITY

Public Works Director Schluenz presented a change order for the new Public Works Facility to put in two doors to secure the public area from the rest of the building with a cost not to exceed \$12,000. The doors will be locked with a key. Member Linnquist felt \$12,000 was a high cost.

Motion by Member Schulz, second by Member Schneider, to approve the Change Order to put in two doors in the Public Works Facility to secure the public area from the rest of the building with a cost not to exceed \$12,000.

Ayes: Mayor Miller, Members Schneider, Schulz, Theisen

Nays: Member Linnquist

Abstained: None

The motion carried.

6. ADMINISTRATOR

6.A. UPDATE

City Administrator Johnson reviewed the following:

- On March 9, 2017 Council Members and Staff will be at the State Capitol to lobby for the bonding request on the amphitheater. Staff is also waiting for an update regarding prosed costs for the amphitheater.
- There may be another work session in March for Firefighter and Captain interviews.
- City Administrator Johnson will be attending the MCMA Leadership Institute March 19th through the 24th.

Member Schneider questioned a program he heard about to be able to acquire smartphones for the police officers at no cost through a Federal initiative and the program will expire at the end of March. City Administrator Johnson stated she was not aware of the program. Discussion was held on whether to acquire the phones now or not. City Administrator Johnson explained the importance of putting policies and procedures in place to deal with data, usage, procedures, etc. before the phones are in use. She also stated she does not know of another City in the area that has acquired smartphones for every police officer in their City. Discussion was also held on whether the smartphones should be given to all police officers or just to the sergeants and investigators. City Administrator Johnson also stated they have a meeting set up with Verizon to discuss these issues.

Member Linnquist questioned where the Council Chambers project is at. City Administrator Johnson stated there is an RFQ out right now on the council dais that is due in by March 15th. The tentative timeframe for construction would be the beginning of May through the middle of July.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 7:01 p.m.



Richard E. Miller
Mayor



Shaunna Johnson
City Administrator

