

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

A meeting of the Waite Park City Council was held at Waite Park City Hall on Monday, April 1, 2019, 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, Sergeant Jensen, Public Works Director Schluenz, Planning and Community Development Director Noerenberg, Attorney Storm, SEH Engineer Wotzka

OTHERS PRESENT

Peter Wilson

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

Gary Morgenroth, 1125 Cherrywood Court, Waite Park, brought up the issue again as he did at a previous meeting regarding the public being informed of the expenditures of the City and also the projected annual revenues to support the recent amphitheater investments. He also stated he would like to be appointed as the local liaison to the League of Minnesota Cities.

Peter Wilson, 1108 Celebration Drive, Sartell, brought up the issue again as he did at a previous meeting regarding 5G and the effects on the community.

4. COUNCIL AGENDA

Motion by Member Schulz, second by Member Linquist, to approve the 4/1/19 Council Agenda as presented. The motion carried unanimously.

5. CONSENT AGENDA

Motion by Member Theisen, second by Member Schmitt, to approve the following 4/1/19 Consent Agenda items:

- 5.A. Approved 2-11-19 Council Minutes
- 5.B. Approved 3-7-19 Council Minutes
- 5.C. Accepted Kwik Trip's Sign Agreement Annual Donation
- 5.D. (Pulled for Discussion – regarding hiring process for part-time CSO, Police Officer and Utility Operator)
- 5.E. (Pulled for discussion – regarding Tri-County Humane Society contract for animal control services)
- 5.F. (Pulled for discussion – regarding Joint Powers Agreement for Internet Crimes Children Investigations)
- 5.G. Authorized SEH to Complete Preliminary Design on West Ave/2nd Street North

The motion carried unanimously.

5.D. HIRING PROCESS FOR PART-TIME CSO, POLICE OFFICER, AND UTILITY OPERATOR

Member Schulz stated he has a concern with the fact that the current CSO is not monitoring handicap parking in the City as was previously discussed. He would find it difficult to support hiring another CSO if they are not going to be monitoring handicap parking in the City.

Motion by Member Schulz, second by Member Theisen, to authorize hiring process for part-time CSO, Police Officer and Utility Operator as presented. The motion carried unanimously.

5.E. TRI-COUNTY HUMANE SOCIETY CONTRACT FOR ANIMAL CONTROL SERVICES

Member Linquist stated he had concerns with the wording regarding the animal and the possibility of being euthanized after a length of stay at the humane society. It was explained that the Humane Society will adopt out any animals they can.

Motion by Member Schmitt, second by Member Theisen, to approve the Tri-County Humane Society Contract for Animal Control Services.

Ayes: Mayor Miller, Members Schmitt, Schulz, Theisen

Nays: Member Linquist

Abstained: None

The motion carried.

5.E. JOINT POWERS AGREEMENT FOR INTERNET CRIMES CHILDREN INVESTIGATIONS

Member Linquist asked Sergeant Jensen to give a little bit of a background on the Joint Powers Agreement. Sergeant Jensen stated this Joint Powers Agreement allows the City to work with other agencies within the state to share information and access to additional resources, equipment and training as needed in the future.

Motion by Member Linquist, second by Member Schulz, to approve the renewal of the Joint Powers Agreement for Internet Crimes Against Children Task Force as presented. The motion carried unanimously. **(RESOLUTION NO. 040119-01)**

6.A. CONSIDER AWARDING AMP PARK PROJECT

Bids were received on February 28, 2019 for the second phase of the amphitheater project. A total of 7 bids were received. One of the 8 pre-registered contractors chose not to bid. All of those attending the bid opening, and submitting bids, did so on time. There were no irregularities, all bidders submitted the forms required and all bidders also included their bid bonds.

In general, there was a somewhat tight range of bids given the complexity of the project. From low to high, the spread was a little under 10% of the total construction cost. The lowest apparent bidder is Alliance Building Corporation, out of the St. Cloud area. The base bid was \$7,009,000.00. When any combination of base bid and alternates are considered, Alliance Building Corporation is the low bidder under any scenario.

Although Oertel Architects has not worked with Alliance Building Corporation in the past, Jeff Reiter knows them fairly well and has indicated that they are a good company with a good baseline of projects and that Alliance Building Corporation specializes in wood frame construction, similar to the concession/restroom buildings.

The project manager/lead bidder for Alliance Building Corporation indicated that he felt covered with their bid and, to date, is not aware of any issues. It was indicated that the City needs to determine which alternates to include in the base bid, if any, and to determine the total contract amount and scope. It was also noted that the City may wish to add alternates at a later date, as is possible.

The base bid and alternates were within a fraction of our overall estimate, but the base bid alone was higher than our estimate.

It is the understanding of the Oertel Architects that the most likely contract, at this point, would include the base bid along with the alternate for siding at the stage area. The contract would then amount to \$7,009,000.00 for the base bid and \$20,000.00 for the metal panel alternate #4, for a contract amount of \$7,029,000.00.

If the base bid is selected without any of the larger alternates, it means that there would be no actual buildings which include restrooms and concessions in the contract. The box office, stage, bowl area, actual amphitheater and performers area, along with the phase 2 site improvements would be under contract. Any future changes in adding alternates would need to be done so via change order.

Discussion was held on the base bid and the alternates.

Motion by Member Schulz, second by Member Theisen, to approve awarding the amphitheater Park Improvement Project – Phase II to Alliance Building Corporation including Alternate #4. The motion carried unanimously.

6.B. PRELIMINARY AND FINAL PLAT OF 3RD STREET NE DEVELOPMENT

This request has been submitted by Jim Rakhshani (dba Globe Enterprises Inc.). As follow-up to the Planned Unit Development review for new mixed-use at 205 3rd Street NE which was recently reviewed and recommended for approval by the Planning Commission, the request to plat the property is now being processed. Platting of property must occur prior to any new construction upon it, and the platting was also a recommended condition of approval of the Planned Unit Development. The property is being configured as a simple single-lot, single-block parcel and functionally no changes will occur. The platting is essentially a formality required under City ordinance as part of the redevelopment. As the property has not been previously platted, Staff is recommending a payment-in-lieu of parkland dedication in the amount of \$5,464, calculated based on City fee schedule of \$683 per dwelling unit (8 units). Due to the location of the property along Stearns County right-of-way (3rd Street), the information and request has been provided to Stearns County Highway Department staff for review and comments/conditions of approval via their provided certification, which must be filed at time of recording of the approved plat. Staff received their comments and certification and they have no concerns with the request. Staff is supportive of the preliminary and final plats as-submitted. The Planning Commission reviewed the request at their February meeting and recommended approval of the preliminary and final plat.

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

1. Development upon the property may be subject to a Development Agreement with the City, if deemed necessary.
2. Property is subject to requirement for payment-in-lieu of Parkland Dedication, as recommended by Park Board and established by City Council, in the amount of \$5,464.00. Any required parkland dedication fees must be paid prior to affixing of City signatures upon the plat. Provided that conditions of the preliminary plat are satisfied, staff recommends approval of the final plat.

Member Linquist had concerns regarding parking and discussion was held on a cross easement with the adjacent property. Discussion was also held on the snow removal of the property.

Motion by Member Schmitt, second by Member Theisen, to approve the preliminary and final plat as presented with the following conditions:

1. Development upon the property may be subject to a Development Agreement with the City, if deemed necessary.
2. Property is subject to requirement for payment-in-lieu of Parkland Dedication, as recommended by Park Board and established by City Council, in the amount of \$5,464.00. Any required parkland dedication fees must be paid prior to affixing of City signatures upon the plat. Provided that conditions of the preliminary plat are satisfied, staff recommends approval of the final plat.

The motion carried unanimously.

7. COUNCIL/MAYOR

7.A. REVIEW AND APPROVE BILLS

The bills were added to the agenda earlier in the day as they were forgotten when the agenda was prepared.

Motion by Member Schulz, second by Mayor Miller to approve the 1-3-19, 2-1-19 to 2-28-19 and 3-1-19 to 3-31-19 bills as presented.

Ayes: Mayor Miller, Member Schulz

Nays: Member Linquist, Schmitt, Theisen

Abstained: None

The motion failed as three of the members wanted more time to review the bills. The bills will be added to the next City Council meeting agenda.

Mayor Miller stated thank you for the donations was received from the Paramount Center for the Arts, Anna Marie's Alliance and Boys and Girls Club.

Mayor Miller reviewed a letter received regarding the Foster Grandparents Program. In 2018, five volunteers served 3,369 hours. These volunteers include S. Maurita Niedzielski, Kay Heins, David Leslie, Mary Schill and Aggie Steichen and they were recognized for their service. National Service Recognition Day is on April 2, 2019.

Mayor Miller received comments and thanked the Public Works Staff for the great job in snow plowing this season.

8. ADMINISTRATOR UPDATE

City Administrator Johnson reviewed the following:


- The Board of Review and Equalization Meeting is April 8, 2019 at 6:30 p.m.
- There will be a meeting on April 2, 2019 at 6 p.m. in the City Council Chambers to discuss the West Avenue/2nd Street improvements with the property owners.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 6:56 p.m.



Richard E. Miller
Mayor



Shauna Johnson
City Administrator