

1. CALL TO ORDER

A meeting of the Waite Park City Council was held on Wednesday, January 18, 2023, beginning at 6:30 PM.

MEMBERS PRESENT

Members present were Mayor Miller, Members Blackburn, Linqvist, Schmitt, and Theisen

CITY REPRESENTATIVES PRESENT

City Representatives present or on the call were City Administrator Johnson, Finance Director Virnig, Public Works Director Schluenz, Police Chief Bentrud, Planning and Community Development Director Noerenberg, City Clerk Brenny, SEH Engineer Blommel, City Attorney Storm,

OTHERS PRESENT

Amie Schwinghammer
Georgie Canto
Heim Bahkta – Coratel Hotel Owner

2. PLEDGE OF ALLEGIANCE**3. OATH OF OFFICE**

Mayor Miller, and Members Theisen and Blackburn read and signed the Oath of Office.

4. PUBLIC INPUT

Logan Magnan (930 2nd Ave S, Waite Park) asked for an update regarding the water quality letter that went out to all residents. Magnan also asked about the thoughts of putting in stop signs on the newly completed 2nd Ave roadway.

Public Works Director Schluenz said that the MN Department of Health is monitoring the PFAS levels monthly. The City is waiting to hear from the EPA as they were supposed to have set the acceptable levels at the end of 2022 but now will be announcing those numbers in March. The City is working on an RFP to design the treatment needed for the PFAS. The MN Department of Health has not notified the City of any violations since the limits have not been set by the EPA. The PFAS levels are staying consistent to where they were at when the notice went out.

Magnan asked if people were still drinking the water. Mayor Miller said yes, they were, but that was also up to each person's preference.

Administrator Johnson said the quarterly newsletter was also going out soon that was going to have more follow up information in it.

Magnan said that he is one of the houses that is towards the edge of town and cars drive very quickly past that area. Magnan said that speed signs have been installed but doesn't think people pay attention to them. Public Works Director Schluenz said they haven't discussed putting stop signs out in that area. They want to see how the speed signs work. Magnan said that he thinks a stop sign in a couple locations might be helpful.

5. COUNCIL AGENDA

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

6. CONSENT AGENDA

- 5.A. Approve 12/19/22 City Council Meeting Minutes
- 5.B. Approve Purchase of Side by Side
- 5.C. Approve Resolution Accepting Donations to the City
- 5.D. Approve Tri-County Humane Society Agreement
- 5.E. Approve 2023 Axon Body & Mobile Camera Data Storage Renewal
- 5.F. Approve Fire Fighter Appointment

6. CONSENT AGENDA (Cont.)

- 5.G. Approve Fire Department PPE Purchase
- 5.H. Approve Settlement Agreement

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

7. REGULAR AGENDA

7.A 2023 APPOINTMENTS

This item was brought back from the 12/19/22 City Council meeting. During that meeting Member Linquist asked that he be appointed to the Acting Mayor position, that is currently held by Member Theisen. Mayor Miller asked that this item be brought back at the next Council meeting as Member Theisen was not present.

Member Linquist asked to be put back into the position as Acting Mayor.

Member Theisen said he would like to keep the position.

Member Schmitt moved to approve the appointments as written – Member Theisen as acting Mayor, seconded by Member Blackburn. Motion carried unanimously.

7.B. CONDITIONAL USE PERMIT – 110 2ND ST S (MARKETPLACE) – BANFIELD ANIMAL HOSPITAL

This request has been submitted by Marketplace LLC and Banfield Pet Hospital, with permission to operate an animal hospital business in a B-2, Commercial/General Business District. The proposed use would be located entirely within existing tenant space at Marketplace, 110 2nd Street South. Banfield Animal Hospital has a location within the Petsmart located nearby, although it is unclear if that location will remain – the Petsmart location is within a different zoning classification.

Details regarding the proposal, including proposed floor plan and typical Banfield Animal Hospital business operation details, are enclosed for review. There are several other pet hospitals operating within the City, some of which are located in the same zoning classification but do not have a Conditional Use Permit associated with them as they predate current ordinance requirements. City staff has never experienced any issues or cause for concern with these veterinary clinic/animal hospital operations, including the current Banfield location within Petsmart.

The proposed business information submitted by the applicant demonstrates that the proposed use would fit well within the tenant space. There are no aspects of the proposal that would involve the exterior of the building or otherwise be located outside, such as kennels or runs. These components of such clinics are where most typical conditions of approval would be utilized to ensure that animals do not disrupt neighboring properties. Only minimal conditions of approval are recommended by staff.

The Planning Commission reviewed and held public hearing at their December 27th meeting. No comments were received regarding the request. The Planning Commission recommended approval.

Staff recommends approval of the conditional use permit with the following conditions:

1. Applicant shall apply for and obtain all necessary permits prior to construction.
2. Exterior signage requires separate permit review/approval prior to fabrication/installation of signage.
3. No animal or kennel run shall be located outside without separate City review/approval.

Member Linquist asked if it could be an interim use. Planning and Community Development Director Noerenberg said that it is specifically listed as a conditional use in the ordinance.

Member Theisen moved to approve the conditional use permit to allow for animal hospital at 110 2nd St S (Marketplace) as presented, seconded by Member Linquist. Motion carried unanimously.

7.C. CONDITIONAL USE PERMIT – 408 3RD ST N – SCHULTE TRANSMISSION

This request has been submitted by Schulte Transmission, with permission of current property owner Greg Poganski, to pursue a Conditional Use Permit to operate a major automotive repair business in a B-2, Commercial/General Business District location at the current site of Poganski Automotive, 408 3rd Street N. If the request is ultimately approved, Schule Transmission intends to move forward with a

7.C. CONDITIONAL USE PERMIT – 408 3RD ST N – SCHULTE TRANSMISSION

(Cont.)

purchase of and relocation to the property from their current location at 18 2nd Ave N (behind Great Harvest Bread Co.).

The request requires a Conditional Use Permit for two reasons. First, the work Schulte Transmission performs is considered "major" automotive work by ordinance, which requires a Conditional Use Permit in that area. Secondly, similar approval via Conditional Use Permit which was previously granted to current Poganski Auto operation was previously revoked by the City due to repeated nuisance issues throughout the property, although they were authorized to continue with auto work considered "minor" per ordinance.

The applicant has noted that they have four full-time and two part-time employees, with no plans to change the number upon a relocation. Schulte Transmission would utilize the existing business as a "turn key" operation, utilizing the existing facilities and service bays and similar tools/equipment currently in use for Poganski Auto.

The applicant has submitted a site sketch (attached for review) and advised that they would intend to make improvements to the existing site, including sections of new pavement, new and additional fenced areas, and a new dumpster enclosure. Fully fenced/screened areas may be utilized for limited outdoor storage provided they do not become nuisance conditions such as junk or inoperable/unlicensed vehicles.

Staff is generally supportive of the request and has recommended conditions of approval intended to help ensure the proposal blends with the adjacent neighborhood area.

The Planning Commission reviewed the request at their December 27th, 2022 meeting. One comment was received from public in support of the request. A slight modification to recommended condition number 5 was discussed and is reflected in the resolution and this agenda report, related to junk vehicles, as there is possibility that vehicles needing transmission work may not technically be roadworthy.

Staff recommends approval of the conditional use permit with the following conditions:

1. A parking plan shall be submitted for review/approval of Planning & Community Development Director. Parking plan shall include striping of parking stalls and shall be configured in such manner that every vehicle parked must have direct-in/direct-out access without being blocked by another vehicle and should follow the same design as a typical commercial parking lot. Upon approval by Planning & Community Development Director the parking plan shall be implemented and adhered to accordingly.
2. Vehicles onsite shall not exceed the number of available parking stalls as approved per parking plan.
3. New fencing requires review and building permit prior to installation.
4. Hours of operation are limited to 7AM through 6PM daily.
5. No unlicensed vehicles or vehicles in visibly exterior junk condition or visibly nonroad worthy shall be located on the property, unless within a hard surfaced and fully-screened area as approved by Planning & Community Development Director.
6. No junk materials or scrap parts shall be stored outside or otherwise allowed to accumulate upon the property. Any such items found to be onsite shall be removed and disposed of immediately upon request of City staff.
7. All vehicles onsite shall be kept clear of snow accumulation.
8. Any new exterior signage (including ground and wall signs) shall require a permit prior to installation or fabrication of signage to provide for review and approval.
9. Utilization of building or portions thereof shall be subject to review and approval as per City of Waite Park Building Official. All exterior and interior work shall be subject to necessary building, plumbing, electrical, and other permits as deemed required by City staff.

Member Linqvist asked that the applicant of the conditional use permit to keep the property up better than the current owner. The applicant said that his dad started the business in Waite Park in 1994 and doesn't recall ever having any issues with the City and intends on keeping it that way.

Administrator Johnson thanked the applicant for being a Waite Park business and for wanting to stay in the City.

Member Linqvist moved to approve the conditional use permit to allow for major automotive repair at 408 3rd St N as presented, seconded by Member Schmitt. Motion carried unanimously.

7.D. CONSIDER BAKER TILLY PROPOSAL FOR PAY COMPENSATION PLAN

Staff has been discussing with the City Council the need to complete an external market study on our employee positions to ensure that we remain competitive in the market with pay and compensation for employees. The City last completed a full compensation study that looked at job descriptions and classification back in 2019-2020. Given the labor market, many conditions have changed since then making the need to review the external study important. Included for your consideration is a proposal from Baker Tilly, which is the consulting firm we have used for several years when it comes to these plans. Their plan proposal includes the pieces of what an entire pay compensation plan review would entail. At this point, we are only recommending completing the Market Study portion listed under Article 1 in the attachment. The cost of completing the Market Study in Article 1 is \$10,500. No additional work is being recommended at this time. Staff would recommend using ARPA funds to pay this fee.

Member Theisen thought it was a very long contract for that. Administrator Johnson explained that the person they have worked with in the past at Baker Tilly is no longer there, so they laid out an entire proposal of all of their services. Out of that contract, the City will be utilizing the market study. Also, the contract then shows any additional services the City could engage in with Baker Tilly.

Member Theisen moved to approve moving forward with Baker Tilly's Pay Compensation Plan proposal, Article 1, using ARPA Funds in the amount of \$10,500 as presented, seconded by Member Schmitt. Motion carried unanimously.

8. COUNCIL/MAYOR

8.A. APPROVE BILLS

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

Mayor Miller said he received a thank you from Vic Schulz from his time on Council. Mayor Miller also had a thank you from the St. Cloud Area Chamber of Commerce for continuing to be a member.

9. ADMINISTRATOR UPDATE

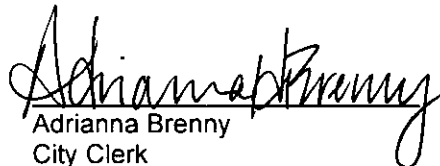
Administrator Johnson listed the dates of the next Council meeting and when New West would be here for Council to meet with them.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 6:56PM.



Richard E. Miller
Mayor



Adrianna Brenny
City Clerk