

**1. CALL TO ORDER**

A meeting of the Waite Park City Council was held on Monday, March 15, 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 Administrator Johnson, Deputy Clerk-Treasurer Virnig, Chief of Police Bentrud, Public Works Director Schluenz, 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 Theisen moved to approve the agenda as presented, seconded by Member Linqvist. Motion carried unanimously.

**5. CONSENT AGENDA**

5.A. Appoint 4 People to Seasonal Worker Positions in Public Works

5.B. Approve 2021 Property-Casualty Insurance

5.C. Approve Upgrade Outdoor Warning Signs to Allow Two Way Communication

Member Linqvist asked to pull item C. Approve Upgrade Outdoor Warning Signs to Allow Two Way Communication.

Member Theisen asked to pull item B. Approve 2021 Property-Casualty Insurance.

Member Linqvist moved to approve item A. Appoint 4 People to Seasonal Worker Positions in Public Works, seconded by Member Schulz. Motion carried unanimously.

Member Theisen asked if on the waiver for the 2021 Property-Casualty Insurance the option to waive the monetary limits on liability is proposed. Deputy Clerk-Treasurer Virnig confirmed that is how it is proposed.

Member Theisen moved to approve item B. Approve 2021 Property-Casualty Insurance, seconded by Member Linqvist. Motion carried unanimously.

Member Linqvist asked Chief of Police Bentrud if the City installed two new sirens last year. Chief of Police Bentrud explained that yes, the City did install two new sirens last year, but the two-way communication was an add on that was not done last year. The feature would allow communication to the Police Department in the event a siren did not sound. Member Linqvist asked if this feature had anything to do with initiating the siren going off. Chief of Police Bentrud stated that currently the siren can be alarmed from here or dispatch. Chief of Police Bentrud also clarified that two of the current sirens are old technology that the two-way communication does not work on, so this would be for four out of the six sirens. Once the two older sirens are replaced, this two-way communication technology will be able to work on them.

Member Linqvist moved to approve item C. Approve Upgrade Outdoor Warning Signs to Allow Two Way Communication, seconded by Member Schmitt. Motion carried unanimously.

## **6. REGULAR AGENDA ITEMS**

### **6.A. THE LEDGE CHANGE ORDER APPROVAL**

Public Works Director Schluenz explained as the City moves closer to the end of construction on the Amphitheater, Staff and Oertel Architects have been going over the final document phase of the project. Jeff Oertel attended the meeting through Zoom to recap the project with the Council.

Mr. Oertel provided a memo and a list of Change Orders that the Council will need to approve as a separate motion. During the meeting Mr. Oertel gave an overview of the project and the work that was put into it to make it viable.

Member Linquist stated he had a question regarding the fencing. In all of the discussions, Member Linquist was under the impression they were going to save money with the new fencing plan and now it appears they went over the intended cost. Mr. Oertel explained that the fence and gate process was complicated. In Mr. Oertel's opinion, more value was added to the current gates and fencing, but with that more material and labor was also added. The initial gate and fence design was a simpler design and with the new design they got more character, but more costs were associated with it.

Member Linquist asked when the final completion date would be. Mr. Oertel believed it would be within the next four to six weeks. Public Works Director Schluenz agreed with Mr. Oertel's timeline.

Member Linquist and Council agreed that sandblasting the rocks was a very good decision.

Member Theisen moved to approve the eight Change Orders for The Ledge Amphitheater project, seconded by Member Schulz. Motion carried unanimously.

### **6.B. CONDITIONAL USE PERMIT – TOMMY'S EXPRESS CAR WASH, 17 2<sup>ND</sup> AVE N (AMERICAN LEGION SITE)**

A request has been submitted by Tommy's Express Car Wash, with approval of the current property owner, for a Conditional Use Permit to construct and operate a freestanding car wash business in a B-2, Commercial/General Business District. The subject property is described as Lot(s) 002 & 003 & 004 Block(s) 002 Whitney Garden Lots, all in City of Waite Park, Stearns County, MN. The property is addressed as 17 2nd Ave N and is the site of the current American Legion.

The property has been marketed by the American Legion for the past year or so, and Staff has received previous inquiries into its potential as a car wash. The current American Legion building would be demolished as the American Legion considers options for potentially continuing operations elsewhere.

In the underlying B-2, Commercial/General Business District, a car wash is considered as a conditional use. The size and configuration of the property as a corner lot lends itself well to redevelopment as a carwash facility due to the involved ingress/egress planning and access points. No new accesses would be involved with the site and no access points on Division Street would be permitted. The use of the property as a car wash was previously reviewed by City Staff and Staff determined that the traffic flow and ingress/egress onto 2nd Avenue North would be acceptable, although City Staff recommends locating the access point as far north as possible to give maximum distance from Division Street. The proposal achieves that goal in the proposed site plan and utilizes a single entry/exit point.

The hours of operations proposed are 7AM – 9PM daily, with two or three employees working at a time. Per the applicant's submittal information, Tommy's Express Car Wash is a 3-lane, automated express car wash that offers single washes as well as the opportunity to join the "TommyClub" where customers pay a monthly fee for an unlimited wash package. Being part of the TommyClub allows use of the express lane that utilizes license plate reader technology which allows TommyClub members to get through the wash very quickly. The wash takes about 2-3 minutes and multiple vehicles can fit on the conveyor belt system allowing for minimal stacking and maximum efficiency. The business also offers free vacuums to paying customers. This site will have 11 vacuums located on the eastern side of the property.

Preliminary designs/elevations for the building were submitted in the elevations. These are not finalized plans but intended as a reference point, although Staff would recommend condition of approval that the building permit reflect designs the same or substantially similar to those submitted. The proposed designs and materials would be acceptable for the applicable commercial zoning district. The property is serviced by a 2" water line which the applicants have noted is acceptable for their purposes.

The site plan also depicts a compliant buffer space at the north end of the property, due to the adjacent property to the north being zoned as residential. The green space meets the depth standards, but a combination of fencing/plantings to City standard will be required. The applicants have expressed no concerns with that requirement.

**6.B. CONDITIONAL USE PERMIT – TOMMY'S EXPRESS CAR WASH, 17 2<sup>ND</sup> AVE N (AMERICAN LEGION SITE) (Cont.)**

A sidewalk is also proposed along the eastern portion of the property, which was encouraged by City staff during conversation with the applicants. The sidewalk would be a very beneficial addition to connect a gap in the sidewalk system between Division Street and the existing sidewalk further north of the site.

Staff does not have any concerns with the proposal and given the nature of the business and the commercial location, does not believe that there need to be a significant amount of associated conditions of approval. Staff would advise a condition regarding ensuring that the proposal complies with any requirements set forth by City Engineer and/or Public Works Director regarding provision and handling of water and produced wastewater associated with the request.

The Planning Commission reviewed the request at their March 9, 2021 meeting and heard comments from one nearby resident, who asked several questions but did not express any concerns with the proposal. The Planning Commission recommended approval of the request as proposed.

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

1. Final building permit plan submittals shall reflect building designs and materials the same as or substantially similar to those reviewed with Conditional Use Permit application, subject to approval of Planning & Community Development Director.
2. Proposal shall incorporate any and all requirements to deal with generated wastewater for the facility per City, State, and any other applicable governing body requirements as per City Engineer, City Public Works Director, and any other local permitting authority.
3. Signage and lighting upon the property shall adhere to all City ordinance standards.
4. Separate permitting is required for all signage upon the property and window signage is limited to no more than 50% of window area.
5. Incorporation of public sidewalk as depicted in submitted site plan shall be required.
6. A landscaping plan for the northern buffer area, compliant with City Code Section 52.27 Subd. 7.F. regarding areas abutting residential districts, shall be submitted for review/approval of Planning & Community Development Director, and ultimately incorporated into building permit application and implemented as approved.
7. A snow storage and removal plan shall be submitted for review/approval by City Staff and followed as approved. Snow may not be piled at edge of parking lot nearest intersection to ensure pedestrian/traffic visibility.

Member Linquist asked if there was intent to use any of the current building. Planning and Community Development Director Noerenberg explained that all buildings would be demolished for the new buildings.

Member Linquist moved to approve the conditional use permit and resolution to allow a car wash at 17 2<sup>nd</sup> Avenue North as proposed, seconded by Member Theisen. Motion carried unanimously. (RESOLUTION 031521-01)

**7. COUNCIL/MAYOR**

**7.A. REVIEW AND APPROVE BILLS**

Member Theisen moved to approve the 2-16-21 to 3-2-21 bills as presented, seconded by Member Schmitt. Motion carried unanimously.

Mayor Miller read aloud "Thank-You's" received for donations from charitable gambling from the Salvation Army and CentraCare.

**8. ADMINISTRATOR UPDATE**

City Administrator Johnson stated that last week The House Tax Committee testified on behalf of the City. The City has not heard when the Senate will be hearing that.

Fire Chief Aleshire informed the Council know that their firefighter numbers are still down as they had another person just resign.

Member Linquist asked Public Works Director Schluenz the status of the pickle ball courts. Public Works Director Schluenz stated they are waiting to hear back from contractors. He explained that they would be opening three of the courts as soon as possible.

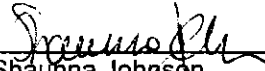
Public Works Director Schluenz informed the Council that Graniteview Road is essentially gone, and Staff is putting crushed rock in areas and hopefully work on the road will begin in a month.

**ADJOURNMENT**

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



Richard E. Miller  
Mayor



Shaunna Johnson  
City Administrator