

WAITE PARK CITY COUNCIL REGULAR MEETING**MAY 17, 2021****1. CALL TO ORDER**

A meeting of the Waite Park City Council was held on Monday, May 17, 2021, beginning at 6:30 PM.

MEMBERS PRESENT

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

CITY REPRESENTATIVES PRESENT

City Representatives present or on the call were City Administrator Johnson, City Clerk/Accountant Virnig, Finance Director Lindberg, 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 Schulz. Motion carried unanimously.

5. CONSENT AGENDA

- 5.A. Approve 4-12-21 Board of Appeal & Equalization Minutes
- 5.B. Approve On-Sale Liquor & Sunday Sale for Southern Hospitality Concessions LLC
- 5.C. Approve Renewal of JPA with the State of MN for the Police Department to Access State Records (**RESOLUTION 051721-01**)
- 5.D. Approve Sergeant Promotion
- 5.E. Approve Proposed Site-Wide Internet Proposal at The Ledge

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

6. REGULAR AGENDA ITEMS**6.A. 2019 AUDIT REVIEW AND FUND TRANSFERS**

Justin McGraw, representing the accounting firm of Conway, Deuth & Schmiesing, presented the City's financial statement and audit report for the fiscal period ending December 31, 2019. Mr. McGraw highlighted:

- Financial statements are the responsibility of the City's management.
- The firm's responsibility is to express opinions on these financial statements based on the audit.
- The audit was conducted in accordance with Generally Accepted Auditing Standards and Government Auditing Standards.
- Obtained reasonable assurance financials are free from material misstatement.
- Financial statements are presented fairly in their opinion.
- Presented a Statement of Net Position, which is a snapshot of the assets and liabilities. The main effect to this was the cash balances that changed because of the Amphitheater project.

6.A. 2019 AUDIT REVIEW AND FUND TRANSFERS (Cont.)

- Presented graphs showing percentages of 2019 General Fund Revenues and Expenditures. Revenues increased from 2018 to 2019 and expenditures decreased a little from 2018 to 2019. This then increased the Fund Balance. The overall effect is the City has about 8.5 months of reserves, which is very good for the General Fund.
- Presented a graph on Major Capital Project Funds.
- Presented information regarding water and sewer fund cash and investment balances.
- The operating and nonoperating revenues in the water fund increased a little from 2018 to 2019 and the operating and nonoperating expenses decreased a little from 2018 to 2019. The revenues of this fund are covering the expenses. The cash balance of the fund has come a long way in the past five years.
- The Sewer Fund had a cash increase from 2018 to 2019. The expenses are still surpassing the revenues a little, but some of this is because of depreciation.
- Reported no instances of noncompliance and there were no difficulties in performing the audit. General recommendations or items auditors want the council to be aware of include upcoming Government Accounting Standards Board Statement No. 95; recommend putting a credit card policy in place; recommend an electronic funds transfer policy.

Member Schulz moved to approve the fund transfers and accept the 2019 Audit Report as presented, seconded by Member Schmitt. Motion carried unanimously.

6.B. FINAL PLAT - PARK SQUARE THIRD ADDITION (MARKETPLACE)

The request has been submitted on behalf of Marketplace LLC, who previously purchased the Marketplace and Marketplace Annex properties and has been coordinating with City Staff over the past year regarding updates and improvements to the property, as well as potential for an additional new pad site building in the current parking lot on the northern side of Marketplace. To that end, the applicant, after meeting with City Staff regarding the proposals in late 2019 and early 2020, opted to submit application for a Planned Unit Development to consider the improvements to the properties, as well as deviations from current City Code standards regarding minimum lot sizes.

The Planning Commission reviewed and recommended approval of the request in April 2020, and the City Council thereafter approved the request. However, one of the requirements was that the final plat of the property must be submitted for formal review/approval. The final plat of the project, Park Square Third Addition, is being reviewed at this time to complete and finalize the project.

The properties will remain and will function in largely the same manner as current, and Staff would note that several of the deviations requested, such as setback requirements for the existing buildings and total impervious coverage ratios, are not considered to be problematic under City Ordinance as they are considered legal non-conforming uses and their existing configurations cannot be held as an issue against the property. The configurations would not change for the establishment of a new building on a pad site in the northern area of the parking lot. Rather, the issues are being noted out of an abundance of caution and for full disclosure in consideration of the project as a whole.

The applicant notes that the rationale for the separation of these parcels is to make the properties adaptable to market changes, and that the creation/sale of the new pad site would also fund the overall improvements to the properties as well.

A sign update package has been reviewed by City Staff, which will both update current signage and bring them in line with current standards. Staff has already approved the sign package as proposed as they met existing sign ordinances. Aging signs will be replaced, one removed, and updates including LED dynamic displays to advertise the businesses across the properties are proposed. The applicant has noted that they hope the use of the permanent LED displays will also reduce the frequent use of temporary signs at some of the businesses.

The major component of the request for Planned Unit Development approval is to subdivide portions of the properties below the applicable B-2, Commercial/General Business District standard of a minimum lot area of 30,000 square feet. Currently, Fuji, the fitness and smokeshop building, and the Marketplace Annex are on a single parcel, and Starbucks and Marketplace are on a single parcel.

The request would parcel off Fuji, the smokeshop/fitness building, and Starbucks onto their own parcels, as well as create a new parcel pad site for building at the north end of the Marketplace parking

6.B. FINAL PLAT - PARK SQUARE THIRD ADDITION (MARKETPLACE) (Cont.)

lot. All four of these parcels would be below the minimum lot area of 30,000 square feet; specific dimensions were noted on the presented concept and plats.

The applicant notes that the rationale for the separation of these parcels is to make the properties adaptable to market changes, and that the creation/sale of the new pad site would also fund the overall improvements to the properties as well.

Due to the property having frontage on State Highway 23, the plat has been submitted to the regional MnDOT office for review/comment. No access changes are proposed and MnDOT comments are expected to be minor.

Staff has reviewed the final plat and has found that it conforms to the requirements set forth as part of the previous approval for Planned Unit Development and Preliminary Plat for the property.

The plat was reviewed at the April 2021 Planning Commission meeting and recommended for approval. No concerns or public comments were raised.

Member Theisen moved to approve the final plat and adoption of the resolution as presented. Motion seconded by Member Linquist. Motion carried unanimously (**RESOLUTION 051721-02**).

6.C. NONPROFIT GROUP TO UNPACK CHAIRS

The City Council on May 3, 2021, approved a donation of \$2,500 to any nonprofit group to unpack and rack 5,000 chairs for The Ledge. City Staff sent out to twenty-four (24) Non-Profit organizations for the opportunity to receive the donation. Staff received back five requests. Council was provided copies of applications from the groups that would like the opportunity for the donation.

Public Works Director Schluenz stated that Babe Ruth withdrew their application. This leaves four applications for Council to consider. The four applications included Boy Scouts, Apollo Diamond Booster Club, Apollo Football, and St. Cloud Pride. Public Works Director Schluenz confirmed that any of the groups would be able to accomplish the task.

Member Theisen moved to approve the Boy Scouts to unpack the chairs and receive a \$2,500 donation for doing this as outlined in the agreement and to sign a waiver form, seconded by Member Schmitt. Motion carried unanimously.

6.D. CONSIDER POLICE OFFICER CANDIDATES FOR HIRE

The City Council at the work session interviewed five candidates for police officer positions. The City Council has the opportunity to choose to hire up to three candidates.

Member Linquist moved to approve hiring three officers conditioned upon completion of the employment screening, with hiring dates staggered as listed, and setting the eligibility list to expire on December 31, 2021:

1. Derek Nelson, Pay Grade 7, Step 9
2. Joshua Brown, Pay Grade 7, Step 9
3. Brent Fandel, Pay Grade 7, Step 1

Motion seconded by Member Theisen. Motion carried unanimously.

7. COUNCIL/MAYOR

7.A. REVIEW AND APPROVE BILLS

Member Schulz moved to approve the bills as presented, seconded by Member Schmitt. Member Theisen asked if ServiceMaster cleaning was an ongoing thing. City Administrator Johnson clarified that it was as there is an agreement for them to do additional cleaning during COVID. Public Works Director Schluenz clarified that they come in after events at Community Park and do general areas, i.e. public bathrooms, three times a week, which will be carried through the summer. City Administrator Johnson stated some of that was paid for by the CARES Act and Staff is now waiting to hear about any additional funding. Motion carried unanimously.

8. ADMINISTRATOR UPDATE

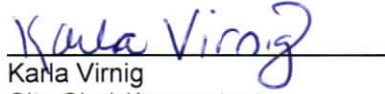
City Administrator Johnson stated that the City Council is scheduled to meet with GovHR on Tuesday, May 25th at 4:30pm.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 7:02 pm.



Richard E. Miller
Mayor



Karla Virnig
City Clerk/Accountant