

**1. CALL TO ORDER**

A meeting of the Waite Park City Council was held on Monday, July 17, 2023, beginning at 6:30 PM.

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

**CITY REPRESENTATIVES PRESENT**

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

**OTHERS PRESENT**

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC INPUT**

**4. COUNCIL AGENDA**

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

**5. CONSENT AGENDA**

- 5.A. Approve A4, LLC Tobacco License
- 5.B. Approve Additional Animal License
- 5.C. Approve Resolution Regarding Accepting Donations to the City
- 5.D. Approve Service Agreement with John Hammond
- 5.E. Approve Temp Gambling Application for the Church of St. Joseph
- 5.F. Approve Job Description for Police Cadet
- 5.G. Approve Appointment for Anthony Nohava to Position of Police Cadet
- 5.H. Approve Job Posting/Eligibility List for CSO
- 5.I. Approve Police Sergeant Appointments
- 5.J. Approve Friends Bar 2AM Liquor License Renewal

Member Linqvist asked to pull item I. Approve Police Sergeant Appointments.

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

Regarding item I. Approve Police Sergeant Appointments, Member Linqvist thinks the police department will be ten officers short soon. Member Linqvist feels that four sergeants is too many. Member Linqvist said the Chief needs to come up with a plan on replacing and filling the officer positions.

Member Theisen said he has reasons to say yes to having a fourth sergeant. Member Theisen said that the time to get the sergeants trained is when they are down officers so that the sergeants are trained. Once the police positions start filling, the new officers have adequate training and supervision from the sergeants. Member Theisen also said that Chief Reznicek is a new Chief, and this is when Theisen feels like they can give him a little leeway to try new things and see what works for the department.

Member Linqvist doesn't feel like all the police officer positions will be filled at one time. Member Linqvist thinks the department can have an FTO. Member Linqvist doesn't think pay is the only issue for not having officers come to Waite Park. Member Linqvist thinks promoting two to have three total sergeants is fine.

## **5. CONSENT AGENDA (Cont.)**

Member Schmitt said that if they promote the three sergeants and have four total, then there is almost supervision every day.

Chief Reznicek said that in his time with Waite Park PD, they normally have staffed sergeants when the department is fully staffed. Reznicek said that the department has never been fully staffed. Reznicek believes that method has not worked well for the last ten years, and this is his way of trying something different. Reznicek thinks it will work because sergeants can still do the line level jobs, which means they aren't losing anything on the road. Sergeants can respond to calls just like an officer. This also gives the sergeants more time to get some supervisor experience and training under them, before new officers come on board.

Member Theisen moved to approve I. Approve Police Sergeant Appointments, seconded by Member Schmitt.

Ayes: Mayor Miller, Members Blackburn, Schmitt and Theisen

Nays: Member Linquist

Abstain: None

Absent: None

Motion carried 4-1.

## **6. REGULAR AGENDA**

### **6.A. RIGHT-OF-WAY ORDINANCES**

Administrator Johnson explained The State of MN has changed some rules regarding fiber and franchises recently. Companies are able to come to cities and place fiber in the right-of-way without franchise agreements and cities don't have much of a choice but to allow them. The City's only protection is our right-of-way ordinance. Staff has asked for assistance updating our ordinance from Brian Grogan, an Attorney with Moss & Barnett. Mr. Grogan specializes in right-of-way and franchise type situations.

Per Mr. Grogan's suggestion, staff has sent out a draft copy of the proposed ordinance updates to all utility and fiber companies that currently have utilities in the City's right-of-way to give them the opportunity to respond with any input or concerns. As of 7/13/23, staff have not received any comments from the utility companies.

Also presented was proposed ordinance 33A: Public Property & Improvements. Ultimately, this ordinance gives the City authority to designate areas in the City where they can require utilities to go in the right-of-way instead of having poles and overhead lines.

Staff are recommending approval of both ordinances.

Clerk Brenny reiterated that this proposed ordinance was sent out to all utilities currently in Waite Park's right-of-way and to the company looking at placing fiber in the right-of-way next year. That company said the proposed ordinance was very similar to what they were used to seeing in Cities, specifically St. Cloud as they just started work there this summer. No issues or concerns were raised by any of the companies.

Member Linquist asked about the item in the ordinance not allowing the replacement of poles over 50 feet. City Clerk Brenny said that the poles fiber companies go on our already existing poles owned by Xcel Energy, they don't put up any new poles. Administrator Johnson said that must be common language for other Cities, otherwise Mr. Grogan would not have proposed it.

Member Linquist asked if the City does the inspecting for repairs and items to put back correctly after the fiber companies place their equipment. Administrator Johnson confirmed that City staff does do that and that was the biggest driver of updating the ordinance was to make sure these companies were restoring the areas back to their original state.

Member Linquist moved to approve Ordinance 33 Right-of-Way and Summary Publication as presented, seconded by Member Schmitt. Motion carried unanimously.

Member Theisen moved to approve Ordinance 33A Public Property & Improvements and Summary Publication as presented, seconded by Member Linquist. Motion carried unanimously.

**7. COUNCIL/MAYOR**

**7.A. APPROVE BILLS**

Member Theisen had a question about a bill from Erickson Electric about a low temp indicator light on the warming house. The cost seemed high and was hoping for more clarification on that invoice. Administrator Johnson said she would get the answer and email it out to Council.

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

Mayor Miller had a thank you from Junior Achievement for their donation for charitable gambling.

**8. ADMINISTRATOR UPDATE**

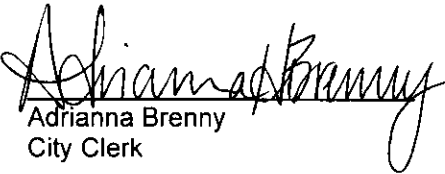
Administrator Johnson said that the Joint Cities Meeting will be held on August 29<sup>th</sup>, at 5:30PM in Sauk Rapids.

The next Council meeting will be August 7<sup>th</sup>.

**ADJOURNMENT**

Mayor Miller declared the meeting adjourned at 6:48PM.

  
Richard E. Miller  
Mayor

  
Adrianna Brenny  
City Clerk