

Pursuant to due call and notice thereof, the City Council for the City of St. Joseph met in regular session on Monday, May 3, 2021, at 6:00 PM in the St. Joseph Government Center.

Members Present: Mayor Rick Schultz. Councilors Bob Loso, Brian Theisen, Kevin Kluesner, Kelly Beniek

City Representatives Present: Administrator Therese Haffner, City Clerk Kayla Klein, Finance Director Lori Bartlett, Community Development Director Nate Keller, Public Works Superintendent Ryan Wensmann, Police Chief Dwight Pfannenstein, City Engineer Randy Sabart

Public Comment: Jacob Czech, SJU Senate spoke to the Council regarding CASE day. Czech read the article he published in The Record advising students to be smart and respectful.

Approve Agenda: Loso made a motion to approve the agenda, moving item 7. Knife River Development Agreement/Final Plat to item 12; seconded by Theisen and passed unanimously.

Consent Agenda: Theisen made a motion to approve consent agenda; seconded by Loso and passed unanimously.

- a. Minutes – **Requested Action:** Approve the minutes of April 5, 2021 and April 19, 2021.
- b. Bills Payable – **Requested Action:** Approve check numbers 057653-057688, Accounts Payables EFT #1983, Payroll EFT 112063-112069 and Regular Pay Period 8, 8.01.
- c. Application for Payment, Final Payment – **Requested Action:** Approve application for payment 6 for the 2019 Bituminous Street & CIP Improvements to Knife River Corporation in the amount of \$36,068.00.
- d. Stray Animal Impound Agreement – **Requested Action:** Approve the Stray Animal Impound Agreement between Tri-County Humane Society and the City of St. Joseph for 2021.

Public Hearing – Fee Schedule Amendment: The 2021 fee schedule was adopted in December, 2020. Since then, staff recognized minor changes and additions. To adopt, the City Council would need to hold a public hearing and adopt an amending ordinance.

Schultz opened the public hearing. As no one wished to speak on the matter, Schultz closed the public hearing.

Loso moved to adopt Ordinance 2021-07 An Ordinance Amending the 2021 City Fee Schedule; seconded by Theisen and passed unanimously.

Schultz moved to approve Resolution 2021-023 Authorizing Summary Publication of Ordinance 2021-07; seconded by Theisen and passed unanimously.

Street Closure Request – Weathered Revivals: Weathered Revivals submitted a special event application for an event to be held on June 23, 2021 from 5PM – 8PM. The alley closure request prompted Council approval.

Theisen moved to approve the street closure request submitted by Weathered Revivals for an event to be held from 5-8PM on June 23, 2021; seconded by Beniek and passed unanimously.

Ordinance Amendments, Site Plan Review: The Planning Commission conducted a public hearing and recommended approval of the ordinance amendments at their April 12th meeting. Currently, the city requires new multi-family, commercial, or industrial construction projects to obtain site plan review and approval before a building permit can be submitted. Staff recommended putting a trigger point on when site plan approval is needed. When a project results in an expansion of 25% or more of the existing building footprint area or if a detached structure is proposed that is greater than 50% of the size of the principle building.

Kluesner moved to adopt Ordinance 2021-08 Amending Section 502.12, Subd. 14 of the City Code; seconded by Schultz and passed unanimously.

Ordinance Amendment, Outdoor Dining/Sidewalk Café: The council provided comments at the April 5th meeting and staff brought back revised language that was approved by the Planning Commission at their April 12th meeting.

The proposed changes to the ordinance are meant to be flexible, and streamline the approval process but also maintain minimum standards that are reflective of the City's character and expectations. Currently the ordinance requires Planning Commission and City Council approval for proposed outdoor patios and sidewalk cafes. The amendment would eliminate those approval requirements and allow for staff to approve administratively.

Beniek moved to adopt Ordinance 2021-09 Amending Section 502.22 Outdoor Dining/Sidewalk Cafes; seconded by Schultz and passed unanimously.

Schultz moved to approve Resolution 2021-025 Directing Summary Publication of Ordinances 2021-08 and 2021-009; seconded by Theisen and passed unanimously.

Public Works Summer Seasonal: The Public Works Department requested approval of two summer seasonal positions at a wage of \$15.00/hour.

Loso moved to approve two summer seasonal positions and approval of the wage increase to \$15.00 per hour; seconded by Beniek and passed unanimously.

Community Center Fundraising: In 2019, the City Council approved a fundraising study presented by Fair Winds Consulting. At that time the Council also recommended sending that report back to the Community Center Committee for review and recommendation.

The Council discussed how the RFPs should be vetted; whether to include the committee in the discussions or just have staff complete the vetting.

General consensus was to have staff prepare an RFP for fundraising efforts with the vetting process similar to that of the RFP for the design of the community center.

Entrance Sign Request for Proposals: Schultz prepared an RFP for entrance signs. Potential locations are MN Street and County Road 2 and on County Road 75 W.

Loso wanted the RFP to reference electronic signage.

Haffner noted that for signage, Cities do not typically go through an RFP process. Rather, staff can solicit 3 quotes with schematics for the project and bring back to council.

Theisen made a motion authorizing staff to move forward with a bidding process or RFP for entrance signs; seconded by Beniek and passed unanimously.

Social Media Policy: Councilmember Beniek wanted clarification that the City's Social Media Policy applies to councilmembers.

City Clerk Klein read an excerpt from the policy that stated: "This policy also covers the private use of the City's social media accounts by all City representatives, including its employees and agents, Councilmembers, appointed board or commission members and all volunteers to the extent it affects that City."

Council consensus was that the current policy language was sufficient.

Knife River Development Agreement/Final Plat: CLC Partners proposed to final plat portions of parcels 84.53350.0310 and 84.53350.0295. The intent of the plat was to facilitate the sale of the land and future construction of a rail spur/trans loading station which would connect from the south. Staff outlined two options in the draft Development Agreement for consideration.

Option 1 put forth the various triggers that would determine when the roadway improvements would occur and would place responsibility on the “benefitting” properties through assessments. Benefitting properties are those that are directly adjacent to the roadway extension. Triggers for option 1 included: property development either through a site plan application, re-plat, or final plat. Option 1 was non-traditional and the vast majority of plats follow option 2.

Option 2 follows standard platting procedure and places the responsibility of construction of the roadway extensions onto the developer who is platting the land. The Development Agreement has a timeline of 2026, or sooner, if the property further develops, to construct the extensions. Option 2 was the recommendation by staff. If the site does not develop in the intended timeline, the Developer can request an extension.

Those in attendance on behalf of the applicant included: Corey Ehlert, Kevin Cox, Tim Trobec, John Quade

Discussion topics included:

- Whether the Development Agreement should be between the City and CLC Partners or between the City and Knife River.
- Whether to table decision until the Council can get a better grasp on the request.
- Having the Development Agreement with the Developer platting the property is a requirement of the City’s Subdivision Ordinance.
- What the outcome would be if the Council went against the Subdivision Ordinance. The Council recommended having staff obtain legal advice.
- Approval of just the final plat with the removal of Outlot G in order to extend the cul-de-sac to the east.
- Quade provided an overview of Knife River’s intent with the property.

Loso moved to approve Resolution 2021-024 Approving the Knife River Addition Final Plat with the removal of Outlot G; seconded by Theisen.

Aye: Beniek, Kluesner, Theisen, Loso
Nay: None
Abstain: Schultz

Motion Carried 4:0:1

Neither Development Agreement options were acted upon. Staff was directed to contact legal regarding the zoning ordinance and any potential amendments to the Development Agreement.

Engineer Reports: Sabart provided a brief update on a survey on the beltway. The survey will be on the City’s website as well as the APO’s.

Mayor Reports: Schultz reported on the following:

- The APO is conducting a study on the top 15 regional project priorities
- The Park Board met and discussed a possible baseball camp organized by Al Newman at Millstream Park; surveys for Hollow Park and Klinefelter Park will be conducted; a youth disc golf clinic will take place on June 7th at Millstream Park
- Schultz contacted CSB regarding the sale of the lot to the north of the Government Center. The lot to the south is for sale but it is also larger and more expensive

Other Business: One application was received for the Recreation Director. Six applications were received for the police officer position. The next Council work session is May 25th at 5:30PM.

Adjourn: Theisen made a motion to adjourn at 8:10 PM; seconded by Schultz and passed unanimously.



Kayla Klein
City Clerk