

Pursuant to due call and notice thereof, the City Council for the City of St. Joseph met in regular session on Monday, May 2, 2022, at 6:00PM in the St. Joseph Government Center.

Members Present: Mayor Rick Schultz, Councilmembers Kelly Beniek, Kevin Kluesner, Jon Hazen, Bob Loso

City Representatives Present: Administrator Therese Haffner, Finance Director Lori Bartlett, City Engineer Randy Sabart, Public Works Director Ryan Wensmann, City Clerk Kayla Klein, Police Chief Dwight Pfannenstern

Oath of Police Officer: Nathan Vossen was sworn in as the newest St. Joseph police officer.

Public Comments: *Tim Borresch, 11 3rd Ave NW, shared his feedback regarding the alleyway between 2nd and 3rd Avenues NW. He has concerns with the condition of that area and would like the City to consider tarring it now. He believes that action would be best for overall maintenance. He has concerns with where vehicles are parking. They are ruining the grass, and also possibly going against ordinance as vehicles are not supposed to park on the grass. He believes that there is not enough parking for those who utilize the ballfield and urged the Council to go to the area during a ballgame for a visual. Regardless of whether they are supposed to, the cars that park there, just keep parking there. He thinks the City could use funds more wisely and address this situation to find a solution. He suggested possibly ticketing the vehicles. He mentioned signage as well. He believes this to be a yearly issue.*

Approve Agenda: Administrator Therese Haffner asked for an amendment to the agenda. Haffner would like to add Trobec's Tax Abatement Request to the agenda.

Hazen motioned to approve the agenda with the addition of 10a, Trobec's Tax Abatement Request; seconded by Loso.

**Aye: Loso, Hazen, Schultz, Beniek
Nay: Kluesner**

Motion Carries: 4:1

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

- a. Minutes – **Requested Action:** Approve the minutes of April 18, 2022.
- b. Bills Payable – **Requested Action:** Approve Check Numbers 058991-059028; Payroll EFT 112225 – 112230; Account Payable EFT 002042-002043, Regular Pay Period 8.
- c. Performance Measurement Survey Questions – **Requested Action:** Approve conducting a survey of the City's performance benchmarks with the assistance of LMC establishing the questions discussed.
- d. Joint Powers Agreement – **Requested Action:** Approve the Joint Powers Agreement between the City of St. Joseph and the Minnesota BCA.
- e. Water Tower Cleaning – **Requested Action:** Approve the quote from KLM Engineering, Inc. to perform the exterior cleaning of the water tower for an amount not to exceed \$9,900.00.
- f. Finance Report – **Requested Action:** Accept the 1st quarter 2022 and March 2022 financial reports.
- g. Water & Sewer Financial Modeling Software – **Requested Action:** Approve the quote provided by Waterworth for financial modeling of the water and sewer funds.
- h. East Park Grant Application – **Requested Action:** Adopt Resolution 2022-022 approving grant application to the Legislative Commission on Minnesota Resources (LCCMR). Environmental and Natural Resources and Trust Fund.
- i. Job Classification and Compensation Update – **Requested Action:** Approve the quote from Flaherty & Hood, P.A. to perform a compensation update.

Public Hearing, Special Event Request, Joetown Rocks: City Clerk Kayla Klein informed the Council that a special event permit application was received from the Church of St. Joseph for Joetown Rocks.

The event will be held on July 3 & 4, 2022, and will include an outdoor concert, fireworks and street closures. The applicant has submitted plans for emergency evacuation, parking/traffic control, event

clean-up, and security & crowd control. The applicant is contracting with Security Specialists Inc. to provide 18 security officers and 1 supervisor. This is in addition to the assistance that will be provided by the St. Joseph Police Department and Stearns County. Hearing notices were sent to property owners within 350 feet of the event site. Representatives of the Church of St. Joseph are available to answer questions.

Schultz opened the public hearing.

Amber Walling, 31 2nd Ave NE, Business Administrator for the Church of St. Joseph located at 12 Minnesota St. W, informed the Council that this is the 15th Joetown Rocks Concert. It is the always the hope of the Church of St. Joseph to provide a safe and family friendly festival that celebrate the parish and the community. She highlighted the changes that the Church has made this year.

- *Live music will be done prior to the fireworks. The fireworks are planned for 10:15. In recent years music used to go until midnight.*
- *All food and beverage stands will discontinue services at 11:00PM. The Church of St. Joseph has also established an agreement with Resurrection Lutheran Church to lead the refreshment stand; the Lutheran Church will receive the majority of the proceeds from that stand. The plan is to evaluate the feedback from Resurrection Church after the event and partner with additional nonprofits in the community in the future.*

The Church of St. Joseph hopes the changes made will allow community businesses to benefit from the influx of visitors to the community.

As no one else wished to speak, Schultz closed the public hearing.

Council asked about the parade. Ms. Walling informed them that the parade was not associated with the Church, and was actually hosted by the Lions Club.

Council also asked about the safety plan. Chief Pfannenstein commented that shortening by an hour is better for his Staff and for people that have complained in the past. He also stated that he had no other concerns.

Council asked if the fireworks would be in the same place and if there was a weather communication plan. Ms. Walling replied that the fireworks would be in the same place [behind Little Saints] and that the Church does have a weather plan in place as a part of the emergency preparedness plan is the same.

Beniek moved to Approve the Special Event request submitted by the Church of St. Joseph for Joetown Rocks on July 3 & 4th, 2022; seconded by Hazen and passed unanimously.

Special Event Discussion, Sal's Bar: City Clerk Kayla Klein stated that staff received two applications from Sal's Bar for events on June 25th and July 9th. City Ordinance 701 allows each establishment to have one outdoor liquor event past 9:30PM. Both applications have the concert ending at 10:30PM. The applicant is asking that both events be allowed because they were limited in the past due to COVID. Events that end after 9:30 PM with music/alcohol are required to have a public hearing. Staff is unable to process both applications as it goes against City Ordinance and the applicant has not indicated which of the two events he would like to see go through the hearing process.

At this time Staff is looking for direction on how to proceed.

Council discussed the time frame, noise issues and anticipated crowd size. They also asked if this was a one-time request, as there was concern about setting a precedent.

Kyle Schneider, from Sal's Bar, 109 Minnesota St. W informed the Council that they originally put on the application to go 12:00AM and decided to cut it back to 10:30PM for the music to end for both events. He also informed the Council that the reason for the second request is to accommodate SBC/SJU. These

events are a collaboration with the colleges and they coincide with their reunion years. Basically, a reunion was missed due to COVID and they are trying to make that event up.

Consensus from Council was to proceed with both special event applications as long as the applicant adheres to the 10:30 timeframe for music and fulfill all other requirements.

Request for Amending Ordinance 502 – Special Event Facility: Administrator Therese Haffner reminded the Council that in 2018, the City Council approved a new rural residential district in response to annexing large portions of St. Joseph Township. She provided history of the annexation and shared the intent of the Rural Residential District Ordinance.

Recently, Ken Bellicot and Kristyn Farrell have submitted a request to amend the zoning ordinance to allow a wedding focused event center as a conditional use in the RR Rural Residential District. They are proposing to build the new event center at 28617 Jade Road, south of Woodlands of Country Manor and southwest of Kennedy Community School. The property is zoned Rural Residential District and the City's Comprehensive Plan guides the property for low density residential – single family homes.

Haffner reviewed a timeline of the conversation with the applicants as well as the steps taken by the Planning Commission. On April 11th the Planning Commission recommended denial of the amendment to the ordinance.

Haffner reviewed the actions that are before the Council.

Loso, as the Planning Commission Liaison, shared his perspective from the planning commission meetings.

Kluesner believed that now is not the right time and the annexation happened recently and its too soon to be amending ordinances.

Hazen was concerned about the rezoning being inconsistent with the Comprehensive Plan as well as the possibility of having other event centers in other Rural Residential Areas.

Beniek, Loso, and Schultz believe the use will be good for the city. Schultz opposed the proposed amendment because he believed it was too restrictive. The restrictions should be determined once the applicant applies for the Conditional Use Permit.

Haffner noted that the Council needed to act on the request by May 17th in order to meet the 60 day rule established by statute.

Applicants Ken Bellicot and Kristyn Farrell, 2244 Orchid Loop South, St. Cloud, detailed some of the planned uses for the property. Those plans include maintaining the natural habitat of the property and using the area for community and educational purposes. Mr. Bellicot stated that their intended use does not deviate far from the definition of a place of worship, which is already allowed as a conditional use within RR zoned properties. He asked the Council why now is not the right time for this kind of use. It is his feeling that their plan would operate similarly to a place of worship and guidelines would be in place, including approved restrictions set by the Council as recommended by Staff. He asked for the Council to consider table in hopes of further discussion.

Hazen moved to Approve 2022-005 Amending Ordinance 502, Section 502.04 and Section 502.27; seconded by Kluesner.

**Aye: Loso, Beniek
Nay: Kluesner, Hazen, Schultz**

Motion Fails: 3:2

Administrative Assistance Hire: The City Council discussed hiring of an Administrative Assistant at their work session on April 26, 2022. Last year during City Council budget discussions, an office specialist was included as a future hire due to the increasing administration work. Staff will continue to move forward with more automation, such as online permitting but recognize the need is still there for Staff to support

automation and to provide in-person, phone and manual services to the public. Administrator Haffner provided an overview of the duties this role would perform.

Beniek moved Approve the Administrative Assistant job description and authorize Staff to conduct the hiring process for a full-time Administrative Assistant; seconded by Hazen.

Council discussed supervision, rate and job classification, budget and qualifications of this role.

**Aye: Kluesner, Hazen, Schultz, Beniek
Nay: Loso**

Motion Carries: 4:1

Engineer Reports, 2022 Street Improvements: City Engineer Randy Sabart informed the Council that April 28th was the bid opening for the 2022 Street Improvements. Three bids were received. There is approximately \$15,000.00 between the lowest bid and the second lowest bid. The low bidder will be determined based on whether or not the Council awards the base bid plus the alternate [Alternate A].

At the public improvement hearing there was discussion on drainage conditions at the south end of 17th Ave. Staff was directed collect survey information and come up with an alternate to improve the drainage conditions. He reviewed the plans with the Council. Direction is needed on interest in proceeding with Alternate A; if so what should the cost share if any be for the benefiting properties. City appraiser would need to be consulted.

Council advised Sabart to reach out to the appraiser to find out the impact to the properties.

Trobec's Tax Abatement Request: Finance Director Lori Bartlett informed the Council that an application from Trobec's Bussing was received to rescind the original abatement and entertain a new abatement. The original agreement was approved for seven-year abatement with 75% of the taxes abated each year. The City and School District participate in that abatement.

Trobec's project was delayed a couple of years and they did not get the gap they need to cover to move forward. They would like a new agreement and are asking for a higher abatement level.

The application was reviewed by the City's bond counsel and financial advisor. Bartlett reviewed the two terms being proposed. There is some urgency to this matter as the terms should be the same for the City and the School District. The public hearing for the School District is coming up.

Hazen moved to approve Trobec's Abatement Request for the Seven-Year Term/100% Abatement Beginning 2023-2029; seconded by Beniek.

**Aye: Beniek, Kluesner, Hazen
Nay: Schultz, Loso**

Motion Carries: 3:2

Commission/Board Reports: None

Mayor Reports: Schultz reached out to our legislators and senators for districts 13,13A, 14 and 14A. They will be meeting with the Council to meet and greet; review projects and answer any questions they may have. Chief Pfannenstein and Schultz will have their last meeting with CSB this month.

Adjourn: **Loso made a motion to adjourn at 7:36PM; seconded by Kluesner and passed unanimously.**


Kayla Klein
City Clerk