

Pursuant to due call and notice thereof, the City Council for the City of St. Joseph met in regular session on Monday, May 16, 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, Community Development Director Nate Keller, City Clerk Kayla Klein, Police Chief Dwight Pfannenstien

Public Comments: *John Kalla, 817 Able St E, informed the Council that on Friday, a man and three kids were walking with their two dogs. One of the dogs ran onto his property. He told the group that they needed to get off his property and that they need to be in their designated place. He feels the group ignored him and/or had no regard for what he was saying.*

Approve Agenda: **Loso motioned to approve the agenda; seconded by Kluesner.**

Administrator Therese Haffner asked for an amendment to the agenda. Haffner would like to add item 10b. Change Order for the 2021 Street Improvement Project, to the agenda.

**Loso motioned to approve the agenda with the addition of item 10b. Change Order for the 2021 Street Improvement Project, seconded by Kluesner and passed unanimously.**

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

- a. Minutes – **Requested Action:** Approve the minutes of May 2, 2022.
- b. Bills Payable – **Requested Action:** Approve Check Numbers 059029-059076, Account Payable EFT #002044-002051; Payroll EFT 112225-112230, Regular Pay Period 9,9.01, Council Pay Period 5.
- c. Donations – **Requested Action:** Accept the donations as presented.
- d. Finance Report – **Requested Action:** Accept the April 2022 financial report as presented.
- e. Transfers – **Requested Action:** Authorize the 2022 transfers as presented.
- f. Calling for Hearing, Trobec's Tax Abatement – **Requested Action:** Approve Resolution 2022-023 Calling for A Public Hearing on Proposed Property Tax Abatements and Proposed Granting of Business Subsidy.
- g. Variance Extension Request, MN Home Improvements – **Requested Action:** Approve Resolution 2022-027 Extending Variance Approval for City Council Resolutions 2021-018, 2021-019, and 2021-020.
- h. 3.2 Malt Liquor License Approval – **Requested Action:** Approve the 3.2 Liquor License for the St. Joseph Joes.
- i. Repayment Agreement Satisfactions – **Requested Action:** Approve the Repayment Agreement Satisfactions for the following properties: 26 2<sup>nd</sup> Ave NE; 32 2<sup>nd</sup> Ave SE; 107 3<sup>rd</sup> Ave SE; 111 4<sup>th</sup> Ave SE; 116 1<sup>st</sup> Ave SE; 154 5<sup>th</sup> Ave SE; 200 MN St E; 208 MN St E; 503 Eastern Ct; 507 Eastern Ct.
- j. Finance Software Package – **Requested Action:** Approve the quote provided by Civic Systems to operate the City's financial and permitting software package with a payment in 2022 and one in 2023 using ARPA grant dollars. This amount includes the first-year support fees.
- k. Crack Seal – **Requested Action:** Approve the quote from Astech Surface Technologies for the crack sealing as outlined in the maintenance plan in the amount of \$12,198.00.
- l. Seal Coat – **Requested Action:** Approve the quote from Astech Surface Technologies for seal coating as outlined in the maintenance plan in the amount of \$124,024.08.
- m. Fire Contract Amendment – **Requested Action:** Approve Amendment to Fire Contract between City of St. Joseph, Town of St. Joseph and Town of St. Wendel.

Public Hearing, Special Event Requests, Sal's Bar: The Council had directed Staff to process both Special Event Applications for events on June 25th and July 9th at Sal's Bar. City Clerk Kayla Klein reminded the Council that a public hearing is required for outdoor special events that go later than 9:30

PM. Sal's Bar & Grill is requesting to have two events with concerts ending at 10:30 PM, as well as the closure of the alley to the west of Sal's Bar from noon on the day of the event until 3AM. City ordinance 701 allows each establishment to host 1 event past 9:30 per year. The applicant has provided a site map of the event area.

Schultz opened the public hearing.

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

Council discussed what was planned to occur outside after the 10:30 music end time. Klein informed them the intent is for Sal's to usher the crowd inside by 11:00. The closure is necessary to clean up the event.

**Loso moved to Approve the Special Events on June 25th and July 9th, 2022 at Sal's Bar & Grill with the following conditions: the music must end at 10:30PM; the alleyway is to be accessible at 3AM; seconded by Kluesner and passed unanimously.**

2021 Audit Presentation, BerganKDV: Janel Bitzan with BerganKDV presented the 2021 Audit Findings. The City is required to have an independent audit completed annually.

Council inquired on refuse, fines and forfeitures and lighting as they pertain to the budget and audit findings.

**Schultz moved to accept the 2021 Audited Financial Statements as presented; seconded by Kluesner and passed unanimously.**

Public Hearing, MS4 Annual Report: The City of St. Joseph is classified as a mandatorily regulated municipal separate storm sewer system (MS4) for the National Pollution Discharge Elimination System (NPDES) Phase II program. This federally mandated program was established by the Environmental Protection Agency (EPA) to implement and maintain stormwater management activities through a permitting mechanism in the City of St. Joseph. The permit requires the City to incorporate six minimum control measures into a storm water pollution prevention plan (SWPPP). The City is required to submit to the Minnesota Pollution Control Agency (MPCA) an annual report of those activities implemented as outlined in the City's SWPPP. The City is required to hold a public hearing to gain input on the annual MS4 report as part of the public participation and involvement. Public Works Director Ryan Wensmann gave an overview of last year's report.

Schultz opened the public hearing.

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

Street Closure Request, St. Joseph Lions: Clerk Klein informed the Council that the St. Joseph Lions submitted their Street Closure Request for the 4th of July parade. The Lions will work with the St. Joseph Police Department and Public Works Department regarding barricades and the blocking off of streets during the parade. The requested closure is from 9AM – 1PM on July 4th and will run from 3rd Ave NW to 17th Ave SE. No public hearing is required.

**Hazen moved to Approve the Street Closure Request for the St. Joseph Lions Parade on July 4, 2022; seconded by Beniek and passed unanimously.**

Fire Department Rescue Van: Administrator Therese Haffner shared that she adopted the five-year capital equipment plan includes the rescue van replacement. Council accepted ARPA funding and concurred the grant funds could be used for the rescue van. The fire board has reviewed and is recommending approval of the purchase. Rosenbauer has agreed to provide trade in value of \$30,000 on the existing rescue van; that could be used toward grass rig purchase. The bidding process could also be used as there has been some interest from other fire departments to purchase the rescue van.

Council discussed how funds would be allocated as they relate to joint money and the five-year capital plan.

**Hazen moved to Accept the Bid for the 2022 Rescue Van up to \$157,975 using ARPA Funds and Recommend Declaring Surplus of the Old Rescue Van and Move Forward with Requesting Sealed Bids to Sell. Proceeds up to \$30,000 from the Sale will be Applied to the New Grass Rig; seconded by Kluesner and passed unanimously.**

Engineer Reports: 10a - 2022 Street Improvements: Council directed Staff to conduct a benefit analysis for Alternate A – the drainage improvement on the south end of 17th Ave SE/north of Baker St. Two draft assessment rolls were included in the Council Packet. City Engineer Randy Sabart walked the Council through the documents and informed them that the next steps would be to approve the resolutions declaring the costs to be assessed and setting the assessment public hearing for June 6, 2022. Staff does not recommend moving forward with Alternate A.

Beniek recused herself as she lives in one of the properties benefited in the area of Alternate A.

**Loso moved to Approve Resolution 2022-024 Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment excluding Alternate A; seconded by Hazen and motion carries.**

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

**Hazen moved to Approve Resolution 2022-025 Setting Hearing on Proposed Assessments for June 6<sup>th</sup> 2022; seconded by Kluesner and motion carries.**

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

Engineer Reports: 10b - Change Order for the 2021 Street Improvement Project: Sabart informed the Council that Staff discovered a hole in the pavement and in the concrete culvert on 18<sup>th</sup> Ave. The existing culvert is a 28-inch span arch culvert that runs in the ditch line south side of Minnesota Street. This was not part of the 2021 improvements to repair. The pipe was true on the ends but obviously the hole in the middle was not visible. Staff negotiated a change order price of \$20,146.00 with the contractor. This represents the contractors proposed final price for that work.

**Loso moved to Approve the Change Order for the 2021 Street Improvements; seconded by Kluesner and passed unanimously.**

Department Reports: The department heads presented their monthly reports to the Council.

Mayor Reports: Schultz reached out to legislators and senators for districts 13,13A,14 and 14A. They will be attending the work session on June 28<sup>th</sup>.

Schultz gave an overview of the APO meeting he attended last week.

Schultz also gave an overview of the State of the City he presented to the St. Joseph Chamber of Commerce.

Adjourn: **Hazen made a motion to adjourn at 7:35PM; seconded by Kluesner and passed unanimously.**

  
Kayla Klein  
City Clerk