

MINUTES
CITY OF DELANO
City Council/Economic Development Authority
Tuesday, May 8, 2018
7:00 PM

1. Call to Order

Mayor Graunke called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, May 8, 2018, to order at 7pm.

2. Roll Call & Approval of Agenda

Members Present: Dale Graunke, Mayor; Councilmembers Betsy Stolfa, Jason Franzen, Jon Sutherland

Members Absent: Holly Schrupp, Councilmember

Also Present: Phil Kern, City Administrator; Shawn Louwagie, City Engineer; Paula Bauman, Administrative Services Coordinator

Motion by Betsy Stolfa, seconded by Jon Sutherland to approve the agenda as submitted; motion carried.

3. Minutes

4. Speaker, Presentations & Awards

- A. Recognize the completion of the probation periods of Fire Fighters Dale Kimball, Luke Rassatt and Leif Borg
- B. Tour De Tonka Presentation

5. Consent Items

Motion by Jon Sutherland, seconded by Betsy Stolfa to approve the Consent Items 5A1,2&4 as submitted; motion carried

A. City

- 1. Authorize rental of Riverside Commons on Saturday, May 19, 2018
- 2. Authorize hiring part-time staff at Delano Wine and Spirits
- 3. Authorize the expenditures for replacing the plantings along US Highway 12 within the medians between Tiger Drive and County Line Road

Betsy Stolfa questioned how much of the budget is for adding additional concrete and

what is the purpose of doing do. Phil Kern stated that between the two concrete medians with plantings there will be four portions that will be filled. This is being done because of the locations of the medians and the restrictions of adding rock.

Betsy Stolfa stated she felt the medians needed some rejuvenation and Staff did a great job picking out replacements and shrubs.

Motion by Betsy Stolfa, seconded by Jason Franzen to authorize the expenditures for replacing the plantings along US Highway 12, within the medians between Tiger Drive and County Line Road; motion carried.

4. Authorize bid for painting at Central Park Concession Building
5. Motion to hire part-time staff as splashpad attendants and Public Works seasonal

6. CITY STRATEGY No. 1: Provide and proactively facilitate the delivery of quality public and community services in a planned, fiscally responsible manner.

- A. Approve necessary agreements, licenses and request for road closure for the Delano Classics on the Crow event scheduled for Saturday, June 2, 2018

Dale Graunke recused himself from discussion from items 6A and 6B and left the room; Betsy Stolfa stepped in as Mayor Pro-Tem.

The Delano Classics on the Crow Committee will be hosting a Delano Classics on the Crow community event on Saturday, June 2, 2018, from 11am-6pm. This event will be taking place throughout the downtown business district. The committee is requesting to close Bridge Avenue and Second Street North to allow the parking of classic cars and motorcycles and also for hosting a variety of events. These events include a car and motorcycle show, live music, food, games, beer and refreshments, BBQ Cook-Off Contest and a marketplace. In addition, the committee has requested the use of the public parking lots, (City Hall, Rivertown and the lot on 2nd Street North) to hold a variety of events.

The committee is requesting approve to close Bridge Avenue and Second Street North to allow for the proposed events. This proposed road closure will allow the parking of classic cars and motorcycles throughout the downtown and use of the public parking lots downtown.

Because this event is being held in conjunction with the River Street Jam, the road closures could cause issues with traffic flow downtown and parking for those attending the events. River Street North, Elm Avenue, Third Street North, and Railroad Avenue will be open to allow traffic and parking.

As a result, Staff is recommending the following:

- A. Type three barricades be used at all closed intersections
- B. Barricades at all alleys
- C. Second Street closure be moved north of Rivertown Rowhomes to allow property owners access to their driveways
- D. No parking on the west side of Third Street North. This will allow for easier traffic flow as it is used for a detour route. The committee will be required to post “no parking” signs the night prior
- E. Staff is requesting that all of 2nd Street North be re-opened by 6:30pm

Lupine Brewing Company has requested a temporary liquor license for this event. Under MN State Statute, municipalities can issue to a brewer who manufactures fewer than 3,500 barrels of malt liquor in a year a temporary liquor license.

Live music is also planned to go on throughout the day of the event. Notice has been sent to all property owners within 350 feet notifying them of the proposed road closure and outdoor music.

Staff is recommending approval of the requested road closure, temporary liquor license and outdoor music license.

James Anderle, Lupine Brewing Company, discussed the event and where all the events will be held. Betsy Stolfa questioned what a type three barricade is. Phil Kern stated it is a specific type of barricade that has three reflective panels. Mr. Anderle stated he didn't feel this type of barricade was needed. Phil Kern stated if it is not used, there would be a liability issue without the correct signage.

Motion by Jon Sutherland, seconded by Jason Franzen to approve the necessary agreement, license and road closures for the Delano Classics on the Crow event scheduled for Saturday, June 2, 2018; motion carried.

- B. Approve request from St. Maximillian Kolbe Church/School for the annual River Street Jam on Saturday, June 2, 2018

This event will also be held on Saturday, June 2nd. St. Max is requesting to host their annual River Street Jam on Saturday, June 2nd. Within this event, they are requesting a temporary liquor license and outdoor music license. The street dance will take place on River Street, between Franklin Avenue and Bridge Avenue. The applicant has contacted Wright County Department of Highway for the necessary permits to close this portion of River Street, since it is a county road. City code allows outdoor music until 12pm. Last year, the Council allowed a one-time extension of hours to 12:30pm. Staff did not receive any noise complaints during the 2017 event. Dave Carroll is requesting permission to extend the hours of this event to 1am.

The Church will supply additional garbage collection and mini-biffs for the event and security will be handled by volunteers. It is noted in the application there will be six mini-biffs

available during the event. Due to complaints received in the past, the City will require six additional mini-biffs for this event.

Dave Carroll stated this is the tenth year of the event; the first five or six years the event went until 1am. When the Ordinance was changed, the allowable time went from 1am to 12am. Mr. Carroll respectfully requested an extension to 1am stating this is a great fundraiser and community event.

Betsy Stolfa questioned the ordinance change. Phil Kern stated a few years ago staff and Council spent a considerable amount of time working on the outdoor music ordinance due to complaints received from residents. Council discussed the past River Street Jam events stating no complaints.

Motion by Jason Franzen, seconded by Jon Sutherland to approve request from St. Maximilian Kolbe Church/School for the annual River Street Jam on Saturday, June 2, 2018; motion carried.

C. Motion approving changes for Park and City Facility Rentals

The Park and Recreation Commission recently asked staff to examine City rental spaces and acknowledged that there are limited facilities in town to accommodate people and groups looking to rent space for a gathering. Staff explored a few options and felt that it would be appropriate to allow rentals in City Hall after regular hours, which is not currently allowed. Other options included renovating the fire hall and renovating the History Center and adding an elevator. Presently, staff felt that allowing additional rentals in City Hall would be the best option.

At the April Park and Recreation Commission meeting, Commissioners recommended adopting the proposed fee structure that is attached here, with the condition that Category 2 groups (in-town non-profits), which demonstrate community service and capital improvements, be credited for their rental fees. This would mean that the nominal rental fees would be waived for groups that return to the community in kind.

The Commission also supported a change to the 75% guideline for in-town non-profits. When applying fees, the Commission felt it would be more conducive to consider a group in-town if a majority of their activities take place or benefit the Delano community.

Betsy Stolfa questioned if the fees are high enough to cover costs. Justin Markon stated Staff felt it was as some fees were increased when they require additional staff and cleaning times.

Phil Kern stated the Park and Recreation Commission are concerned about available space in town. Fees will cover the short-term costs. Some long-term costs don't necessarily cover in the costs stating the carpet in City Hall is almost fifteen years old. The Park Board thoroughly discussed these factors. Would expect some price adjustments as time goes on.

Council discussed the security of the building. Phil Kern briefly discussed the security of the

building stating it wasn't an issue.

Motion by Jason Franzen, seconded by Jon Sutherland to approve changes for Park and City Facility Rentals; motion carried.

D. Discuss draft plans for pedestrian crossing concrete bump-outs

Concept plans for the proposed pedestrian bump-outs along CSAH 17 and CSAH 30 are attached for discussion/review with City Staff and the City Council, along with an estimate of the construction costs for each of the crossings. Pending staff and Council comments, construction plans will be developed and sent to the County for review and permitting.

CSAH 17/River Street. Two pedestrian bump-outs are shown connecting the parking lot on the west side of CSAH 17 to Central Park. The southern crossing connects the currently paved parking lot to the entrance to the main ballfield complex. The northern crossing will connect the parking lot extension to the bituminous path near the north pathway into Central Park.

The ribbon curb on the street side of the parking lot, along with the installation of concrete walk would allow ADA access from the parking lot to the proposed crosswalk. The concrete walk would tie into the ribbon curb at a location where "no parking" hatching is located to ensure the pedestrian pathway would not be obstructed. The concrete walk on the northern crosswalk may be installed as part of the concrete/pavement work for the parking lot extension.

Bollards are recommended to be placed at the corners of the concrete bump-outs for added pedestrian safety, and to delineate the curb line for snow plowing operations. The proposed RRFB would be placed within the bump-out.

CSAH 30/Hidden Hills Drive. A concrete bump-out is shown on the south side of CSAH 30, with no bump-out on the north side. This is because Wright County considers the bituminous shoulder on the north side of CSAH 30 a turn lane into Hidden Hills Drive. Bollards are recommended to be placed at the corners of the concrete bump-outs for added pedestrian safety, and to delineate the curb line for snow plowing operations. The proposed RRFB would be placed within the bump-out on the south side, and at the current crosswalk sign location in the boulevard on the north side.

Motion by Betsy Stolfa, seconded by Jon Sutherland to approve plans for pedestrian crossing concrete bump-outs; motion carried.

E. Adopt Ordinance amending City Code Chapter 4 as it relates to Mobile Food Units

In 2015, the city approved amendment to the city code to allow food trucks within the City on a limited basis. This ordinance change has proven to be successful in bringing new food opportunities into the city.

Currently, the City Code limits any commercial site wanting food trucks to 84 days in a calendar year. With the success of food trucks, Lupine Brewery has asked the restriction on the

number of days to be eliminated to allow sites to have food trucks year-round.

The amendment allows food trucks year round on for a qualifying site. A qualifying site must be located at least 100 feet from existing restaurants and coffee shops and meet all the required performance standards. While the amendment gives the property owner more flexibility in the use of their property it still limits the food truck operator to more than 21 days at any given site. This insures that a single food truck vendor does not become a permanent fixture at a particular location.

Motion by bs, seconded by Jon Sutherland to adopt ordinance amending City Code Chapter 4 as it relates to Mobile Food Units; motion carried.

F. Amend fee schedule structure and payment procedure as it relates to Mobile Food Units (MFU)

The City of Delano requires any Mobile Food Unit (MFU) to obtain a permit and pay associated fees prior to engaging in any such business within the City of Delano. Currently, the fee to operate an MFU is \$20/day. Following current procedure, the vendor is required to complete an application and submit payment prior to conducting business.

Currently, Staff is finding it difficult to make contact with the vendors and receive payment prior to operation. While most vendors complete the application and submit the necessary licenses, payments are not always made before operation. The \$20/day fee can be paid in person, by mail and phone payments by credit card. Most vendors do not visit City Hall to complete the application process – it's mainly done by phone and email.

Staff is recommending amending the fee structure and payment procedure slightly by allowing businesses within the community to pay the MFU fees in advance. As proposed, business owners would be allowed to pay a lump sum of \$500 to have a MFU operate on their property fifty (50) times. This would allow greater flexibility in scheduling and a break in the MFU fees. Complete applications and copy of state licenses would still be required to be kept on file and updated yearly. Staff would be dependent on the business to notify the City which vendors would be operating and the dates. The City would allow businesses to pay the \$500 three (3) times annually (January – December).

The \$20/day fee would not be removed. If businesses do not wish to pay the fees in advanced, the option to pay per time is still available.

Ice cream trucks are licensed as a Mobile Food Unit. Staff would recommend allowing the \$500 for 50 dates to be offered to Ice cream trucks and this would be paid for by the vendor.

Brent Foster, Ice Cream and Treats, stated the current fees are a bit prohibited to operate an ice cream truck within the community. Phil Kern stated ice cream trucks are currently treated as a food truck and suggested looking into a season pass. Mr. Foster questioned why the fees are so high in Delano. Council discussed the current fee schedule. Council recommended reexamining the current fee schedule as it relates to ice cream trucks.

This item was tabled to discuss at a future meeting.

7. CITY STRATEGY No. 2: Ensure the City's continued sustainability and financial stability.

8. CITY STRATEGY No. 3: Plan for the maintenance, replacement and efficient operations of the City's equipment, buildings, and infrastructure, energy and utility systems.

A. Delano West Metro Business Park Wetland Mitigation

On January 26th, 2018, staff submitted an application to the Army Corps of Engineers (ACOE) for the placement of fill material within a wetland boundary as part of the Delano Business Park development. The proposed fill placement was to create a feasible, developable site for the anticipated user, Insolution Manufacturing. The proposed impacts were the same impacts which were proposed as part of the Business Park construction project in 2014 (see Attachment 1). At that time, the City received approval by the Wetland Conservation Acts (WCA) Technical Evaluation Panel (TEP) but were denied by the ACOE due to the fact they considered the impacts speculative, since there was not a specified user for the location which required the need to impact the wetlands.

As part of the January 26th application, staff submitted concept site plans for a typical industrial user, which demonstrated the need for the fill placement. The ACOE sent a response on February 26th, stating the proposed project was still speculative, and required a site plan from the developing party. At this point in time, a design team had not been selected by the developing party. Once the design team was established, a site plan was drafted sent to the ACOE on March 16th. The ACOE responded to the submitted site plan, stating that they needed to see alternative layouts which would reduce or eliminate the proposed impacts to the existing wetlands.

Staff met with the Insolution team and discussed the challenges of developing the proposed lot associated with the existing wetlands and the need for an access road beyond existing McKinley Parkway. To address this, the proposed lot for the Insolution site was shifted to the north to allow access from existing McKinley Parkway, and reduce the length to the truck access driveway.

The location of proposed building on the new lot was also shifted to the south to reduce the amount of wetland impacts from 0.79 acres to 0.49 acres. By doing this, staff was able to apply for an alternative permit which does not requires alternative site configuration analysis for impacts below 0.5 acres and has a shorter review window. A requirement of the permit application is identifying the wetland mitigation method for the impacts. The purchase of wetland bank credits is the only mitigation method which would meet the timeline and allow proposed construction schedule.

Wetland Bank Credits. Both the ACOE and the TEP require wetland mitigation for this at a ratio of 2:1, the same which was required during the 2014 construction permitting. The ACOE has specific siting requirements for wetland bank credit purchases. The first requirement is that the purchased credits be in the same major watershed as the wetland impacts, which for Delano is the North Fork Crow watershed. The credits must also be Corps certified and be of the same

wetland type of the impacted wetland. There is currently a shortage in available credits in the North Fork Crow watershed which meet these criteria.

The proposed impact area is 0.49 acres. This requires 0.98 acres of mitigation with the required 2:1 replacement ratio. The only wetland bank with readily available credits which meet the above criteria is currently selling them at \$2.40/ft², which equates to \$102,453.12 for 0.98 acres.

The Board of Water and Soil Resources charges a fee of 6.5% for withdrawal of wetland credits which equates to a fee of \$6,659.45. Total cost to purchase wetland credits at \$2.40/ft² = \$109,112.57 (credits plus fees).

Motion by Betsy Stolfa, seconded by Jason Franzen to purchase the needed credits from the available wetland bank as it relates to the Delano West Metro Business Park Wetland Mitigation; motion carried.

- 9. CITY STRATEGY No. 4: Manage the City's growth so that it is high quality and consistent with the city's Comprehensive Plan while maintaining the City's historical culture, characteristics and features.**
- 10. CITY STRATEGY No. 5 Encourage and improve the communication of information and ideas with residents and business owners.**
- 11. CITY STRATEGY No. 6: Ensure communication and positive relationships between the Council, City Staff, Employees and Commission members.**

A. Updates from Commission Liaisons

1. Park and Recreation Commission
2. Planning Commission
 - a. Minutes of the Delano Planning Commission meeting of Monday, April 9, 2018
3. Public Safety Commission
4. Spirit of Community Commission
 - a. Draft Minutes of the Spirit of Commission meeting of Tuesday, April 10, 2018
5. Water Light and Power Commission

- a. Minutes of the Water, Light and Power Commission regular meeting of February 22, 2018
- b. Minutes of the Water, Light and Power Commission regular meeting of March 19, 2018

12. CITY STRATEGY No. 7: Ensure the City has a well-trained, productive and accountable workforce to meet the changing needs of the community.

13. CITY STRATEGY No. 8: To ensure the public's safety from crime and manmade or natural disasters.

14. CITY STRATEGY No. 9: To ensure the overall aesthetic appeal of the City.

15. Other Business

16. Communications & Announcements

17. Claims

A. City Claims | By Account

Motion by Betsy Stolfa, seconded by Jason Franzen to approve the City Claims as submitted; motion carried.

18. Adjournment

There being no further business to discuss, the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, May 8, 2018, was adjourned at 8:50pm.

Signed:

Dale Graunke, Mayor

Attest: Paula Bauman, Administrative Services Coordinator