

**MINUTES**  
**CITY OF DELANO**  
**City Council/Economic Development Authority**  
**Tuesday, February 7, 2017**  
**7:00 PM**

**1. Call to Order**

Mayor Graunke called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, February 7, 2017, to order at 7:00pm.

**2. Roll Call & Approval of Agenda**

**Members Present: Dale Graunke, Mayor; Councilmembers Betsy Stolfa, Jason Franzen, Holly Schrupp, and Jon Sutherland**

**Also Present: Phil Kern, City Administrator; Bob Kirmis, City Planner; Shawn Louwagie, City Engineer; Scott Dornfeld, Building Official; Mackenzie Krause, City Intern; Paula Bauman, Recorder**

**Motion by Betsy Stolfa, seconded by Holly Schrupp to approve the agenda for the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, February 7, 2017, as submitted. Motion carried.**

**3. Minutes**

**4. Speaker, Presentations and Awards**

A. Puck in the Park Recap

**5. Consent Items**

A. City

**Motion by Holly Schrupp, seconded by Jon Sutherland to approve the City Claims items as submitted. Motion carried.**

1. Final Pay Request No. 2 for the 2015 Pavement Improvements Project.
2. Approve the Pay Equity Implementation Report.
3. Approve the resignation of Jake Kittok from the Delano Fire Department.
4. Approve the resignation of Merle Wagner from the Park and Recreation Commission.
5. Approve temporary liquor license for St. Maximilian Kolbe event on Saturday, March 4, 2017.

6. Approve outdoor music events for Lupine Brewing Company. *Attachment:* Outdoor Dance Ordinance | Notice to property owners | Narrative from Lupine Brewing Company describing the events

Michael Dumas, Lupine Brewing Company, discussed their upcoming events for outdoor music.

**Motion by Jason Franzen, seconded by Betsy Stolfa to approve outdoor music events for Lupine Brewing Company as submitted. Motion carried.**

7. Approve temporary outdoor sales permit for Lupine Brewing Company. *Attachment:* Section 417.01 Temporary Outdoor Sales Code | Narrative from Lupine Brewing Company
8. Pay Request No. 1 for the Delano Schools Watermain Relocation Project.

B. EDA

**Motion by Holly Schrupp, seconded by Jon Sutherland to approve the EDA Consent items as submitted. Motion carried.**

1. Quarterly Financial Report of the Delano EDA/Crow River Villa Apartments for the 3rd Quarter of fiscal year 2016-17.
2. Approve the Operating Budget for FYE 03/31/18 for the Delano EDA/Crow River Villa Apartments to be submitted to HUD.

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

A. Motion authorizing bid to complete environmental services on former Daily Grinde site.

The City acquired this property in 2007. It has had many uses, including the latest as the home of the Daily Grinde coffee and gift shop. During demolition of the property, the City encountered an abandoned underground fuel tank that provided evidence of leakage. The City reported it to the MPCA and entered the voluntary process to monitor the groundwater for contamination.

The City consulted with Millsop & Associates in 2011 to perform the work required by the MPCA. Millsop installed the groundwater wells and conducted the analysis consistent with the proposal for work. The well installation, sampling, and reporting work dictated by that work order was completed in 2013. The MPCA has since required additional monitoring.

The City transferred the monitoring to Wenck and it has continued to monitor and report on the

well activities on the City's behalf. Last fall, the MPCA has determined that no additional monitoring is needed and authorized the removal of the wells. Therefore, staff is recommending the approval for Bergerson-Caswell to remove and cap the wells. Following this action, no further work will be needed on the site.

**Motion by Betsy Stolfa seconded by Holly Schrupp to authorize bids to complete environmental services on former Daily Grinde site. Motion carried.**

- B. Motion authorizing quit claim deed of property to Arlene Litfin. *Attachment:* Survey | Quit Claim Deed

With the process of examining surveys along Railroad along Railroad Avenue, there is a boundary line issue between the parcels owned by Arlene Litfin and the City of Delano. The parcels share a property line – the eastern side of the Litfin Property and the western edge of the City property. The legal descriptions create an irregular overlap – starting with an overlap of 0.8 feet on the north side of both properties and ending with a 1.49 foot overlap adjacent to Railroad Avenue.

The least expensive alternative is for the City to simply deed the area of conflict to the Litfins. It does not create any non-conformities for the City's parcel and the potential buyer of the City's Warehouse facility agrees this is the best option. Staff is recommending this resolution to clear the title of the City's property and avoid a disagreement in the future.

**Motion by Jason Franzen, seconded by Jon Sutherland to authorize a quit claim deed of property to Arlene Litfin. Motion carried.**

- C. Consider ordinance amending Delano City Code Chapter 5. *Attachments:* Surrounding City Codes regarding theaters | Emagine Theater proposed menu | Draft Ordinance

- 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.**
- 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.**

- A. Consider request from Wright Neighborhood LLC for preliminary and final plat adjustment for Lot 18, Wright Neighborhood 3rd Addition. *Attachment:* Exhibit.

The applicant is requesting the abandonment of a looped water main in Block 2 of the Wright Neighborhood 4th Addition. The abandonment of the 4th addition water main is contingent on resolution of this looped water main issue. In this respect the replat of Lot 18 to protect this looped water main influences the 4th Addition approval. To expedite this correction city staff

is recommending that the Planning commission recommend approval of the revised preliminary and final plat based on the submitted concept plan subject to the following conditions:

1. The applicant submit a preliminary plat showing the new lot 18 location with the following support plans that must be approved by the city engineer. a. Grading and Drainage plan for the new lot. b. Utility plan for the new lot.
2. The applicant submit a final plat showing the new lot 18 location and provide side lot line easements along both Lots 17 and 18. The width and location of this easement must be approved by the city engineer and DMU.
3. The applicant shall provide documentation of the Northern Natural Gas approval of the Trail relocation and design to the city.
4. This replat will be governed under the Development agreement for the Wright Neighborhood 3rd Addition.

1. Conduct Public hearing

**Motion by Holly Schrupp, seconded by Jason Franzen to open the public hearing to consider request from Wright Neighborhood LLC for preliminary and final plat adjustment for Lot 18, Wright Neighborhood 3<sup>rd</sup> Addition. Motion carried.**

Mayor Graunke called for public comment three times. None was heard.

**Motion by Betsy Stolfa, seconded by Holly Schrupp to close the public hearing. Motion carried.**

2. Resolution approving the replatting of Lot 18, Block 1, Wright Neighborhood 3rd Addition within the City of Delano.

**Motion by Betsy Stolfa, seconded by Holly Schrupp to adopt Resolution R-17-04 approving the replatting of Lot 18, Block 1, Wright Neighborhood 3<sup>rd</sup> Addition, within the City of Delano. Motion carried 5-0 by roll call vote.**

- B. Consider request from Wright Neighborhood LLC for an amendment to the approved Wright Neighborhood 4th Addition PUD. *Attachments:* Exhibits | Engineering Comments

The evolution of the Wright Neighborhood from a variety of multiple family housing options to all association-maintained single family homes has resulted in a unique housing product and attractive neighborhood. Based on our review of this development application we recommend approval of Wright Neighborhood 4th Addition PUD, preliminary plat and final plat subject to the following conditions:

1. Streets per site plans:
  - a. Vacation of a portion of Delano Crossings Court.
  - b. With the construction of the new portions of Willowbrook Circle, the entire street is milled and overlaid to bring the street into a new condition at the time of final wear course.
  - c. Each private street shall be signed no parking-fire lane.
  - d. Each private street shall have a street sign identifying the house numbers of the homes along the private streets.
  - e. The applicant provides a detail showing the automobile backing movement for units along Street M demonstrating access and egress to these units can occur efficiently without trespass onto the opposing driveways.
  - f. The on-street parking stalls shall prohibit overnight parking during the winter months for snow removal. This shall be in the form of signs and /or it being addressed in the HOA documents.
  
2. Building location setbacks:
  - a. Planning Commission make a recommendation on which setback flexibility that they find to be acceptable (either street side or building side). This reduced setback may be granted as a PUD flexibility, the Planning Commission must determine where this flexibility is most appropriate.
  - b. Any eave encroachment into the 10 foot setback between garages shall be sheet rocked to provide additional fire separation per Building Code.
  - c. Lots offering both A and B housing models shall locate both models to meet a 25 foot setback from the private street.
  
3. The City approves six housing models (Exhibit C in Planners Report) for the Wright Neighborhood 4th Addition PUD. The applicant shall provide storm shelter protection by means of basements, crawl spaces, or storm rooms.
  
4. Landscape plan:
  - a. Tree planting is coordinated with the utility placement to provide appropriate clear zones for access and repair. Plant locations shall provide a 10 foot separation between the utility and the tree drip line at maturity.
  - b. The City approves the tree locations in the public rights-of-way. Staff recommends allowing this tree placement. The number of boulevard trees may be reduced and spacing increased to provide proper separation from underground utilities.
  - c. Eliminate the ornamental trees in the street rights-of-way on both sides of Street M.
  - d. Relocate trees/shrubs that may obstruct access to snow storage areas.
  - e. The applicant provides a maintenance program beyond three years for the homeowner's association agreement that outlines the regular inspection and maintenance of the native restoration areas.
  - f. The applicant shall implement the foundation planting plans approved in the 3rd Addition in Wright Neighborhood 4th Addition.
  
5. Lighting plan. This plan is approved with the following conditions:
  - a. Subject to the applicant providing DMU with an additional light pole and fixture for

inventory for future repair or replacement of in-place fixture.

b. Approval of the 4th Addition lighting plan does not waive or alter the light conditions approved for the 3rd Addition pertaining to additional lighting on the 3rd Addition private streets. Applicant shall provide a revised 3rd Addition lighting plan that shows the number, location and photometric of the newly proposed bollard lights.

6. Utility plan:

a. Removal of the looped water main in Block 2 is acceptable with the following items:  
1. The applicant provides a plan for resolving the looped water main issue in Lot 18, Block 1, Wright Neighborhood 3rd Addition. 2. The water main in Block 2 is capped at St. Peter Street and the valve is removed. The water main under the berm may be abandoned if it is filled with sand.

b. The water main shall be eliminated from Streets K and L in Block 1. All individual building water services shall be extended from Willowbrook Circle. No water service valves shall be located under the drives of individual lots.

c. All fire hydrants shall have uniform heads threaded to the specifications of the Delano Fire Department.

d. The utility plan shall require a single trench placement for all other utilities.

e. The utility plan shall be subject to the review and recommendations of the city engineer and DMU.

7. Grading and drainage plan.

a. City Engineer review and recommendations on the grading and drainage plans and related easements.

8. Preliminary and final plat for Wright Neighborhood 4th Addition is subject to the following conditions:

a. Vacation of a portion of Delano Crossings Court.

b. City Engineer approval of all drainage and utility sizes and locations.

c. Subject to the conditions of the Wright Neighborhood 4th Addition PUD.

d. The 4th Addition shall be incorporated into the larger Delano Crossing/Wright Neighborhood homeowner's association.

e. Enter into a development contract/PUD agreement prepared by the City Attorney and recorded with the final plat.

Council discussed the need of additional visitor parking within the development. After some discussion, the Engineer for the project, Paul Otto, suggested two addition parking spots and discussed the location. The Council and Staff were in agreement.

1. Resolution approving Development and Final Sage Planned Unit Development and Preliminary and Final Plat for a Subdivision entitled Wright Neighborhood 4th Addition within the city of Delano.

**Motion by Betsy Stolfa, seconded by Jon Sutherland to adopt resolution R-17-05 approving Development and Final Stage Planned Unit Development and Preliminary and Final Plan for a Subdivision entitled Wright Neighborhood 4<sup>th</sup> Addition, within the City of Delano, Minnesota, with the conditions outlined above. Motion carried 5-0 by roll call vote.**

- C. Consider an ordinance amendment to the City's Floodplain Ordinance Section 2.2 referencing new flood plain insurance maps. *Attachment* Exhibits | Ordinance - Revised (2/6/17)

The Minnesota Department of Natural Resources has requested that the City of Delano update its Floodplain Ordinance to reflect current flood maps panels produced by FEMA for area outside the city. The issue came to light after the City annexed land on the northeast side of town, near the Crow River. The area is in a separate panel than the existing City flood areas. The Floodplain Ordinance needs to be updated to include this new panel.

The City's Floodplain Ordinance must be updated to be consistent with the Minnesota Department of Natural Resources and FEMA. Staff recommends approval.

**Motion by Betsy Stolfa, seconded by Holly Schrupp to approve ordinance amendment to the City's Floodplain Ordinance Section 2.2 referencing new flood plain insurance maps. Motion carried.**

- 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. Minutes of the Delano Planning Commission meeting of Monday, November 14, 2016.
- 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. Claims | By Account

**Motion by Holly Schrupp 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, February 7, 2017, was adjourned at 8:20pm.