



CITY COUNCIL MEETING MINUTES October 2, 2023

1) Call to Order

Mayor Whalen called the meeting to order at 7:00 pm.

a) Pledge of Allegiance

b) Introductions: City Council: Mayor Lisa Whalen, Peter Vickery, Ann MacGregor and Claudia Lacy
Staff: City Administrator Jasper Kruggel, Sergeant Justin Thompson, Community Development Director David Abel, and Director of Administration Allie Polsfuss Consultants: City Attorney Sarah Sonsalla, Kennedy & Graven and City Engineer Alyson Fauske, WSB Engineering
Absent: City Council: Cathleen Reffkin

c) Approval of Agenda

Motion by Lacy, seconded by Vickery to approve agenda as presented.
Motion passed 4-0. Absent: Reffkin

2) Special Presentations

No Special Presentations

3) Persons to Be Heard

No Persons To Be Heard

4) Consent Agenda

- a) Approve Work Session Meeting Minutes from September 6, 2023
- b) Approve City Council Regular Meeting Minutes from September 6, 2023
- c) Approve Work Session Meeting Minutes from September 18, 2023
- d) Approve City Council Regular Meeting Minutes from September 18, 2023
- e) Approve Support of St. Bonifacius Fire Relief Service Pension Request
- f) Res No. 90-23 Approve Claims
- g) Res. No. 91-23 Approve Master Subscriber Agreement for Minnesota Court Data Services
- h) Res. No. 92-23 Adopt Certification for Unpaid Utility Fees to 2024 Taxes
- i) Res. No. 93-23 Adopt Certification for Land Use/Special Fees to 2024 Taxes
- j) Res. No. 94-23 Approving Conditional Use Permit at 5804 Hardscrabble Circle
- ~~k) Res. No. 95-23 Approving Interim Use Permit for Agricultural Entertainment at 6480 & 6530 County Road 26~~
- l) Res. No. 96-23 Accept Improvements and Authorize Final Payment for City Project 04-23 2023 Sanitary Sewer Replacement Project

MacGregor requested to remove item 4k for discussion.

Motion by Vickery, seconded by Lacy to approve the consent agenda 4a, b, c, d, f, g h, i, j, and l as presented, and remove 4k.

Motion passed 4-0. Absent: Reffkin

MacGregor has concerns about enforcement on the IUP at 6480 and 6530 CR 26, specifically in regards to noise. She stated that if the City places conditions on an operation, the City should be enforcing any violations to the conditions. MacGregor suggested a two-year extension of the IUP instead of the proposed five year extension.

Whalen suggested the Council set a date for the business to implement noise cancelling measures instead of changing the extension date.

Lacy recapped the discussion that was had at the Planning Commission on this item. Lacy stated that the owners are implementing noise cancelling measures. She suggested that the Council direct the owners to better monitor their sound to see if it is in violation of the conditions.

City Attorney clarified what the Council can put as a condition of the IUP.

Peter stated he agreed with Councilmember MacGregor's suggestion.

Applicants Frank & Ester Weigl, 4496 North Shore Drive Orono and manager Crystal Madsen, 619 North Gate Circle Winsted provided comments to the Council. They stated that there have been noise mitigation efforts implemented since they were made aware that there have been complaints. Since the Planning Commission on September 25, 2023 they have implemented lower decibel limits to ensure they are not in violation of their IUP. They stated they will continue to monitor noise limits and be courteous to their neighbors.

Motion by Lacy, seconded by MacGregor to approve Res. No. 95-23 Approving Interim Use Permit for Agricultural Entertainment at 6480 & 6530 County Road 26 with the conditions stated.

Motion passed 4-0. Absent: Reffkin

The Council also directed the applicants continue to monitor the noise decibel and provide a report to staff by December 4, 2023 to ensure they are abiding by the conditions set forth in the IUP. Staff will also keep up to date on the complaints submitted about the operation.

5) Public Hearings

No Public Hearings

6) Business Items

a) Res. No. 97-23 Approve Professional Services Agreement for 2024 Mill and Overlay Project

City Engineer Alyson Fauske provided information for overview.

Highlights include:

- The 2024 Mill and Overlay project generally consists of Hermitage Trail, Hermitage Circle, and Stonebridge Lane, Ambjor Lane, and Nike Road
- At the August 21st City Council meeting, the Council authorized the collection of pavement corings for the 2024 Mill and Overlay Project. The report confirmed that a mill and overlay is appropriate for the above-mentioned

streets.

- Staff recommends that the city consider including Pine Circle in a future reclamation project.

Motion by, seconded by to approve Res. No. 97-23 Approve Professional Services Agreement for 2024 Mill and Overlay Project.

7) Administrative Items

a) Staff Reports

- i) City Engineer- Project Update
- ii) City Administrator – City Events

b) Council Reports

- i) Mayor Lisa Whalen
- iii) Ann MacGregor
 - Gillespie Center
- iii) Claudia Lacy
 - WCC Events and Updates
 - Planning Commission
- iv) Peter Vickery
 - Pioneer-Sarah Creek

8) Adjournment

Motion by MacGregor, seconded by Vickery to adjourn the meeting.

Motion passed 4-0. Absent: Reffkin

Mayor Whalen adjourned the meeting at 7:46 pm.

Respectfully submitted,

Allie Polsfuss

Director of Administration