

**CITY OF PARK RAPIDS
CITY COUNCIL MEETING
MARCH 26, 2013, 6:00 PM
Park Rapids Public Library-Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The March 26th, 2013 Regular Meeting of the Park Rapids City Council was called to order at 6:00 p.m. by Mayor Pat Mikesh, and everyone present recited the Pledge of Allegiance.

2. ROLL CALL: Present: Mayor Pat Mikesh, Councilmembers Dave Konshok, Rod Nordberg, and Paul Utke. Absent: Councilmember Erika Randall. Staff Present: Administrator John McKinney, Police Chief Terry Eilers, Treasurer Angela Brumbaugh, Planner Dan Walker, Public Works Superintendent Scott Burlingame, Liquor Store Manager Scott Olson, and Clerk Margie Vik. Others Present: Ulteig Engineer Brian Hiles, Hubbard County Regional Economic Development Commission Executive Director David Collins, Steve Kuepers, and Anna Erickson from the Enterprise.

3. APPROVAL OF AGENDA: A motion was made by Utke, seconded by Nordberg, and unanimously carried to approve the agenda with the following change: Delete Item #10.1. Resolution Authorizing Execution of a Development Agreement by and between Pleasant Court of Park Rapids LLLP and the City of Park Rapids.

4. PRESENTATION OF AWARD:

4.1. Concrete Pavement Association of Minnesota Award for the Main Avenue Project: Brian Hiles, from Ulteig Engineers, stated a week and a half ago former Mayor Nancy Carroll and I attended the annual meeting of the Concrete and Paving Association of Minnesota. The City of Park Rapids, along with Ulteig, the county, and the construction company all received a merit award from the State of Minnesota and from the Concrete Paving Association for the work that was done on the Main Avenue Project. It's my honor to present this plaque to the city. Mayor Mikesh accepted the award to a round of applause.

5. APPROVAL OF MINUTES:

5.1. City Council Regular Meeting Minutes-March 12, 2013: A motion was made by Nordberg, seconded by Konshok, and unanimously carried to approve the March 12th, 2013 City Council Regular Meeting minutes as presented.

6. FINANCE:

6.1. Payables & Prepaids: A motion was made by Konshok, seconded by Utke, and unanimously carried to approve the payables in the amount of \$14,710.22, and the prepaids in the amount of \$46,427.60, for a total of \$61,137.82.

7. CONSENT AGENDA: Burlingame stated, regarding Item #7.9. the lowest quote for the purchase of the lift panel was from Electric Pump, and should be awarded to them, not North Dakota Pump. **A motion was made by Nordberg, seconded by Utke, and unanimously carried to approve the following consent agenda items:**

- 7.1. Approve Backhoe Operator's License to Work in the City of Park Rapids in 2013 for Thelen's Excavating Inc.
- 7.2. Resolution #2013-60 Authorizing the Termination of Part Time Rapids Spirits Employee Keith Bunnell.
- 7.3. Resolution #2013-61 Approve Part Time Police Officer Matthew James Stein.
- 7.4. Resolution #2013-62 Approve Part Time Police Officer Adam William Suckow.
- 7.5. Resolution #2013-63 Re-Appointing Annette Detmers to Serve on the Parks and Beautification Board.
- 7.6. Approve Purchase of Blade Tilt Frame for Snowplow from RDO Equipment in the Amount of \$5,692.14.
- 7.7. Approve Bid from Jon Koch's Company in the Amount of \$3,100.00 to replace carpet at the Airport FBO Building.
- 7.8. Resolution #2013-64 Authorizing Proper City Officials to Execute Traffic Control Signal Agreement between the State of Minnesota Department of Transportation and the City of Park Rapids.
- 7.9. Approve Purchase Request for a New Lift Panel on Lift Station #2 from Electric Pump in the Amount of \$22,459.78.
- 7.10. Approve Request from Baseball Booster Club to Blow Snow off of Four Baseball Fields.
- 7.11. Resolution #2013-65 Approve the Renewal of On-Sale 3.2 Beer License for Headwaters Softball League, Inc.

7.12. Approve Advertising and Interviewing for Two Part Time Clerks for Rapids Spirits.

END OF CONSENT AGENDA

8. COMMENTS FROM CITIZENS: There were no comments.

9. PLANNING:

9.1. Resolution to Approve a Conditional Use Permit to Allow an Apartment Building with Detached Garage Units in the R-3 Zoning District on Pleasant Avenue South, PID #32.26.05000: Walker stated we have three items tonight all pertaining to the same development. The applicant, Kuepers, Inc., is requesting a conditional use permit to allow a twenty-nine unit apartment building with fifteen detached garage units. It's located on the east side of Pleasant Avenue between Eleventh Street West and Industrial Park Road, which is currently owned by McGrane Partnership. They're working on subdividing a 2.58 acre parcel from the larger 58.9 acre parcel for the development. The proposed site acreage of approximately 2.58 acres would exceed the minimum lot size requirement for this type of development.

Walker stated the location of the proposed parcel is currently split zoned, with the northern 1.83 acres zoned R-3, Multi-Family Residential, and the southern .75 acres zoned I-1, Light Industrial. The requested use is considered a conditional use within the R-3 Zoning District, and a prohibited use in the I-1 Zoning District. The city's Comprehensive Land Use Plan has the same discrepancy, which we will be discussing with the second item.

Walker stated the apartment will feature one and two bedroom apartments including two handicap accessible apartments. The apartments will range in size from 600 to 820 square feet. The applicant has provided a parking and landscaping plan which meets or exceeds the minimum requirements per ordinance. The front of the building will face Pleasant Avenue, and the garages will back on Pleasant Avenue. The parking lot will have two accesses onto Pleasant Avenue on the north and south side of the parcel. The exterior of the building and garages will be contemporary lap siding with shingle siding and rock accents. They have provided a storm water retention area to handle storm water runoff from the parcel. We do still need some specifications for the pond, and that will be required prior to the issuance of the building permit.

Walker stated the plat and the rezoning will be addressed later tonight. Staff and the Planning Commission are recommending approval of the conditional use permit with the three conditions as listed in the staff report.

A motion was made by Utke, seconded by Nordberg, to approve Resolution #2013-66 Approve a Conditional Use Permit to Allow an Apartment Building with Detached Garage Units in the R-3 Zoning District on Pleasant Avenue South, PID #32.26.05000.

Discussion: Nordberg questioned as a procedural matter why are we doing this CUP request first? Why don't we rezone, and then consider this? Then we wouldn't have to say later we'll rezone it. Walker stated procedurally that's the way they came into the city. We can condition in the rezoning. Technically, you'd probably want to do the third request (the rezoning) first. If you want to hold the vote you can.

The vote was called. The motion passed unanimously.

9.2. Resolution for the Preliminary and Final Plat for the McGrane Third Addition to the City of Park Rapids: Walker stated this is a request for a preliminary and final plat approval of McGrane Third Addition, which consists of one lot of approximately 2.58 acres. The one lot plat will be split from an existing 58.9 acre unplatted parcel owned by McGrane Partnership. The city's subdivision ordinance states that all parcel divisions creating a lot of less than five acres in a previously unplatted area need to be subdivided in accordance with the subdivision regulations. Since this is a simple minor subdivision on an existing street with existing utilities, staff is recommending approval of the Preliminary and Final Plat at the same time. All applicable city staff have reviewed the plat and have not made any additional comments.

Walker stated the subdivision ordinance also requires all sub-dividers requesting a plat be required to contribute 5% of final gross area of the subdivision to be dedicated to the public for their use as a public park. Based on the valuation of the existing land, staff has determined that parkland dedication in the amount of \$415.91 is required prior to the filing of the Final Plat. Staff and the Planning Commission did recommend approval with the condition that the parkland dedication is required prior to filing the final plat.

A motion was made by Konshok, seconded by Utke, and unanimously carried to approve Resolution #2013-67 Approving the Preliminary and Final Plat for the McGrane Third Addition to the City of Park Rapids.

9.3. First Reading of the Ordinance to Rezone Land to R-3 in the City of Park Rapids: Walker stated this is a request for a zoning map amendment for approximately a .75 acre portion of McGrane Third Addition consisting of Lot One, Block One from I-1, Light Industry District, to R-3, Medium Density Residential District, and an amendment of the future land use map from Industrial to Multi-Family Residential. This is being done to split up the split-zoning on a parcel discovered during the subdivision process. A small portion on the south portion of the new parcel is currently zoned I-1, which would not allow the construction of the apartment building. The request would also clear up the same discrepancy with the comprehensive future land use map. There is currently a mix of residential, commercial and industrial uses in the area. The rezoning would be compatible with those uses.

Walker stated staff and the Planning Commission did recommend approval of the zoning map amendment as noted in the staff report. This is the first reading of the ordinance.

Nordberg questioned how many blocks are there from the southern part of this parcel to Industrial Park Road if there is development in the future? Walker stated it is approximately 500 to 700 feet, so two blocks. The split was roughly halfway between Industrial Park Road and Eleventh Street. The parcel has split zoning the entire width of

the parcel. The line is parallel to the backside of Team Industries. It's an arbitrary line that was drawn across the parcel.

Nordberg questioned they have both north and south access to their parking, two accesses off of Pleasant? Walker stated correct. The site plan is in the packet.

Konshok stated I've had some conflicts with this. One of the reasons I'm going with it is when we finished Pleasant Avenue through there we effectively made it difficult to get any industry on that strip between Pleasant and Main Avenue. It's a pretty narrow strip.

Nordberg questioned what's the zoning between Main and Highway 71? They're about the same width. Walker stated that's commercial. Nordberg stated that's what would likely be filling in there. It's more likely to be commercial than industrial. Walker stated the staff's preference was that they rezone the entire area, but that wasn't the wish of the property owners. It was suggested by staff, but not taken.

A motion was made by Ukte, seconded by Nordberg, and unanimously carried to acknowledge the First Reading of the Ordinance to Rezone Land to R-3 in the City of Park Rapids.

10. GENERAL BUSINESS:

10.1. Resolution Authorizing Execution of a Development Agreement by and between Pleasant Court of Park Rapids, LLLP and the City of Park Rapids:
Deleted from the agenda.

10.2. Proposed Sale of City Property, Lot Three (3), Block Four (4), Park Rapids Industrial Park, to Jim Anstine- tabled March 12, 2013: McKinney stated this is being brought back in the same form that it was before. There was a question raised about access to this lot and whether or not it needed to comply. It turns out there are no streets on the conveyance. The amount of money was already agreed to by the Council at the last meeting. If you approve this I'll proceed to convey the property for \$5,000.00 to the applicant. Walker stated Anstine's intention is to start building on the new parcel. They're going to be doing a warehouse expansion. Their plan is to build right on the new parcel. Nordberg questioned we resolved the question about street construction later? Walker answered yes.

A motion was made by Konshok, seconded by Nordberg, and unanimously carried to approve the sale of Lot Three (3), Block Four (4), Industrial Park, to Jim Anstine, for \$5,000.00.

11. CITY ADMINISTRATOR UPDATE: McKinney thanked the Public Works Department for doing a great job cleaning up all of the snow off of the streets and sidewalks.

12. DEPARTMENT HEAD UPDATES: Eilers stated he has two people on vacation, two going on vacation, and one going on leave, therefore we are going to get two new part time officers to fill some of the shifts.

13. MINUTES/REPORTS/INFORMATION: Konshok stated the Parks Board is energized with the task to come up with some projects that need to be done in the parks for the CIP over the next few years. Walker will be leading that up.

14. COMMENTS FROM COUNCIL: Konshok stated I'm looking for the individuals that want to go to the Minnesota Aviation Hall of Fame Banquet on the 20th of April. The deadline is April 5th. Mikesh stated that is the date of the house burn in the city. McKinney stated he will be attending a different conference. Nordberg stated since the house burn is next door to me, I'd like to stay home. Konshok stated we will have a large contingency with family. My father is very excited about it.

Mikesh stated the house burn project has been a long process of trying to work back and forth. Lockhart has been helping me a lot with the contracts. The abatement is done on the house. Each department has their own liability insurance. We have five departments coming. The police departments will be involved. It will be an all day event. There will be multiple exercises throughout the building with twelve to fifteen burns per house. We'll have all the mutual aid departments here so we can work together. We will be using the new radio system. We'll shut down Seventh Street and part of Highway 71 in front of the houses. There is a lot of paperwork and red tape involved. There will be paperwork before the Council at the next meeting.

Nordberg stated at the other end of that block the dialysis building is very impressive at three stories. They are working diligently, five days a week on it, through the snow. It will be an impressive building.

15. ADJOURNMENT: A motion was made by Utke, seconded by Nordberg, and unanimously carried to adjourn the meeting at 6:30 p.m.

[seal]

Mayor Pat Mikesh

ATTEST:

Margie M. Vik
City Clerk