

Mayor Rich Bullard called the regular council meeting to order at 7:00 p.m. on Tuesday, April 23, 2024, with Council members Majorie Quammen, Ryan Christensen, Don Maslow, and Julia DeMars present. Also present at City Hall were Clerk/Treasurer, Val Martin; and Public Works Superintendent, Trevor Meece. Visitors included Jay Paulson, Developer, and Amy Baldwin, Otter Tail County Community Development Agency.

The Pledge of Allegiance was recited. Quammen made a motion to approve the agenda. Christensen seconded. MCU

Mayor Bullard called the public hearing to order Jay Paulson, SonJay Properties, LLC is requesting a Conditional Use Permit to construct a multi-family apartment building at 108 North Lincoln Avenue to be called the Lincoln and to maintain the commercial zoning classification. The property is located at 108 North Lincoln and is currently owned by Otter Tail County Community Development Agency. An apartment complex in the commercial zone is allowed with a Conditional Use Permit and provides relief from strict residential set-back requirements.

Jay Paulson presented his project for a ten-unit, three-story apartment building. The impervious surface must stay under the historic limits of the building and structures that were recently removed from the site. With the addition of the alley vacation, he will be coming under the historic impervious.

Paulson has been working with Jade Berube, the City Engineer, to come up with an appropriate stormwater plan. They worked together on a conceptual plan that Berube explained with a deeper ditch on the south side and a smaller swale on the north end. A valley gutter or other gutter may be required to direct flow on the east side of the parcel next to the alley but most of the rest should be able to surface drain. A final plan would be worked out before construction begins.

There was some discussion on parking, specifically on Lincoln Ave as the street is narrow at the end where the apartments will be built. There are 28 stalls and garages combined but there could be visitors that would utilize the off-street parking. If it becomes a problem down the road or if there are congestion issues on the alley side, we may need to do something different such as parking on one side only.

The Mayor called for public comment with no one in attendance to comment.

Council reviewed the checklist the Planning Commission presented.

<p>1. Will it be harmonious with the comprehensive plan of the City?</p>
<p><i>From the Comprehensive Plan - Specifically states that there is a shortage of apartments within the community. It is in line with this part and other portions of the comprehensive plan.</i></p>
<p>2. Will it be harmonious with the Zoning Code?</p>
<p><i>From the Zoning Code (152): The purpose of this ordinance is to regulate the use of structures, lands, waters, lot coverage, population density, and the size and location of all structures in accordance with Battle Lake's Comprehensive Plan so as to lessen street congestion, secure safety from fire, flood and other dangers, to promote health and general welfare, to provide adequate light and air, to prevent overcrowding of land, to facilitate adequate provision of transportation, water, sewer services, schools, parks, and other public requirements, to preserve the character of the area or neighborhood, to conserve the value of buildings and to encourage the most appropriate use of land throughout the City of Battle Lake, Minnesota. With adequate parking and the location of the amenities in the downtown area, this project will be a great addition to Battle Lake.</i></p>
<p>3. Will it be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the surrounding area and will not change the essential character of that area?</p>
<p><i>The location will be in line with other residential facilities, just across the road.</i></p>
<p>4. Will it not be hazardous, unhealthy, or unsafe for existing or future neighboring uses?</p>
<p><i>There are no concerns about this.</i></p>
<p>5. Will it be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems, and schools?</p>

<i>There are connections to water, sewer, and natural gas on the property and the stormwater plan will be added with the assistance of the City engineer.</i>
6. Will it not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community?
<i>It will require no additional assistance from the City and there is no economic impact. In fact, the addition of new residents will provide a positive economic impact.</i>
7. Will it not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of or offensive traffic, noise, smoke, fumes, dust, glare, vibrations, odors or other pollutants?
<i>No concerns - it is residential property.</i>
8. Will it have vehicular approaches to the property that are so designed as not to create traffic congestion or interference with traffic on surrounding public thoroughfares?
<i>It is designed with two entrances which should help with any type of parking or traffic congestion.</i>
9. Will it not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance?
<i>It will not. The building that was demolished was in extremely poor shape with no ability for repair and reuse.</i>
10. Will it be compatible with surrounding buildings, circulation, open space, landscaping, and parking, and compatible with existing natural topography, natural water courses, vegetation, exposure to sunlight and wind, and views?
<i>Yes, there will be no adverse effect on the area. It will blend well with the area.</i>
Are there conditions for approval?
That a stormwater management plan has been completed and approved by our City Engineer.

There was no further council discussion. Mayor Bullard called the Hearing closed.

Quammen made a motion to approve the Conditional Use Permit for the Lincoln Project, based on the criteria in the checklist, as long as the owner completes an appropriate stormwater plan that is approved by the City engineer after final plans are completed. Maslow seconded. MCU

Resolution 2024-04-23A MN Housing Resolution which approves the application for the Lincoln project. Quammen made a motion to approve. Maslow seconded. With a roll call vote, those voting yes were Quammen, Maslow, Bullard, DeMars, and Christensen with no members voting no. MCU

Maslow made a motion to commit to the length and terms of the TIF as presented in the analysis, subject to being awarded the MN Housing Workforce Housing Development Program funding for the Lincoln project. DeMars seconded. MCU

Christensen made a motion to approve the claims as presented. DeMars seconded. MCU

Martin informed the council that Gloria Axelson's commercial project would be delayed for a year or so.

DeMars made a motion to approve the changes to the Personnel Policy as presented. Quammen seconded. MCU

Christensen made a motion to approve a gambling permit for the LACC for July 27th for bingo and a special event permit for Bethel Lutheran Church for July 27th for children's activities. Maslow seconded. MCU

Maslow made a motion to approve the resignation of Tamara Larson as part-time liquor store clerk and to hire Petric VanErp as seasonal, part-time liquor store clerk at pay grade 2, step 1. DeMars seconded. MCU

DeMars made a motion to approve the bid from Custom Concrete Coating for the flooring at the Halvorson Park restrooms for \$5,240. Maslow seconded. MCU It was noted that Meece tried to get a second bid but did not get a call back from the company.

Maslow made a motion to accept the low bid of \$3500 from All Seasons for air conditioning at the City shop office. Quammen seconded. MCU

Discussion on dredging the public access as the water level is very low. Would it help or even last very long before the sand settles back? Meece will discuss with the DNR to see if it is possible/ok to do it, what the process is, and if it will last very long.

Maslow made a motion to approve **INTERIM ORDINANCE NO. 2024-001 AN INTERIM ORDINANCE PROHIBITING THE SALE, TESTING, MANUFACTURING, CULTIVATING, GROWING, TRANSPORTING, DELIVERY, AND DISTRIBUTION OF CANNABIS AND CANNABINOID PRODUCTS IN THE CITY OF BATTLE LAKE AND SUMMARY PUBLICATION.** Christensen seconded. MCU

DeMars made a motion to approve an On-Sale license and an Off-sale Brew-Pub license for ABC Brewing. Christensen seconded. MCU

Christensen made a motion to approve the changes to impervious for ABC Brewing to accommodate their storage unit which they did not get a permit for. They will be planting additional grass and narrowing their driveway on the north side of the property. DeMars seconded. MCU

NOTICES/ANNOUNCEMENTS/CORRESPONDENCE:

- ❑ May 7, 2024, 7:00 p.m. Planning Commission/Council Comprehensive Plan Meeting
- ❑ Council Meeting – Tuesday, May 14, 2024

Adjourn 8:10 p.m.

Valerie Martin, Clerk/Treasurer