

CLEARWATER CITY COUNCIL MEETING MINUTES
SPECIAL CITY COUNCIL MEETING
OCTOBER 24, 2022

1. Call to Order: 7:00 p.m. at City Hall

- Mayor Lawrence called the Clearwater City Council to order Monday, October 24, 2022 at 7:00 p.m. in the Council Chambers. Members present were Mayor Lawrence, Council Members Crandall, Luhmann, and Lenz. Council Member Kruchten was absent. Also present was City Administrator Smythe and members of the public.

2. Res 2022-69 – Approving Conditional Use Permit for ALC, LLC

- Smythe gave a brief overview of the request, along with an explanation of the legal standard of review. The request is for a Conditional Use Permit (CUP) to conduct a body art, tattoo, and piercing business. If the applicant meets the requirements outlined in City Code for a Conditional Use Permit, then the City Council should approve the request. However, the City Council may add conditions to any approval. If the applicant does not meet the City Code requirements, then the request may be denied. The Planning Commission has recommended approval with some conditions.
- Member Lenz asked about signage for the business. Smythe noted that signage was not part of the Conditional Use Permit. The business can apply for a separate permit if they want new signage.
- **MOTION** by Luhmann to approve Resolution 2022-69 in accordance with the Planning Commission recommendation and conditions, seconded by Crandall, all voted aye. **MOTION CARRIED 4-0.**

3. Res 2022-70 – Approving Final Plat for Central Minnesota Cold Storage

- Smythe explained that the resolution is for final plat approval for Central Minnesota Cold Storage. The Planning Commission recommended approval with some conditions, which are outlined in their attached Resolution PZ22-06. City staff, after consultation with the city attorney, have included proposed additional conditions in Resolution 2022-70. The legal standard is that, if the final plat conforms to and meets all conditions of the preliminary plat approval, the final plat should be approved. The final plat may be denied approval if conditions for the preliminary plat approval are not met.
- **MOTION** by Lenz to approve Resolution 2022-70 in accordance with the Planning Commission recommendation and including conditions requested by staff, seconded by Luhmann, all voted aye. **MOTION CARRIED 4-0.**

4. Res 2022-72 – Consider Approval of Development Agreement for Central Minnesota Cold Storage

- Smythe explained that this agreement was drafted by the city attorney based on the conditions outlined in the subdivision ordinance. The developer received it at the same time as the City Council, so has not had much time to review it.
- Mayor Lawrence asked if the developer had any questions or concerns. They did not.
- **MOTION** by Crandall to approve Resolution 2022-72, seconded by Luhmann, all voted aye. **MOTION CARRIED 4-0.**

5. Res 2022-73 – Consider Approval of TIF Development Agreement for TIF District 3-1 – Central Minnesota Cold Storage

- Smythe explained that this agreement governs the terms of the Tax Increment Financing (TIF) Business Subsidy. She also explained that annual reporting will be required to the state to make sure the terms of the subsidy are met.

- Members had several questions about the functioning of the TIF district. Smythe responded that the district will have 9 years of TIF payments or will pay until the dollar amount of the TIF Note is reached. If that happens sooner than 9 years, the district will end early and return to normal taxation distribution. The developer pays regular property taxes and has a portion returned as a form of financial assistance. The project has to meet the statutory requirements to qualify for assistance. The TIF Note is a pay-as-you-go Note, which means that the city only pays the developer if tax payments are received by the city. If no taxes are received, nothing gets paid out.
- **MOTION** by Crandall to approve Resolution 2022-73, seconded by Luhmann, all voted aye. **MOTION CARRIED 4-0.**

6. Res 2022-71 – Approving Annexation Petition

- Smythe explained that this petition is to annex property adjacent to Kwik Trip for a future Kwik Trip expansion. This property is included in the Orderly Annexation area under the agreement with Clearwater Township.
- **MOTION** by Crandall to approve Resolution 2022-71, seconded by Lenz, all voted aye. **MOTION CARRIED 4-0.**

7. Consider Request for Kris Crandall to Attend CGMC Annual Conference

- Smythe outlined the estimated costs for attendance, which include the conference fee of \$170 and about \$200 for hotel, along with mileage to Alexandria.
- Members discussed the benefits to the city for attending this conference. Mayor Lawrence stated that she has attended their spring conference in the past, and that they cover a lot of material beneficial to the city. The conference agenda was included in the packet materials. CGMC is an advocacy group for smaller cities in Minnesota and promote small city needs with the State Legislature.
- **MOTION** by Luhmann to approve Crandall’s attendance at the CGMC Annual Conference in Alexandria, seconded by Lenz. Voting aye – Lawrence, Luhmann, Lenz. Abstained – Crandall. **MOTION CARRIED 3-0, 1 Abstained.**

8. Adjournment


- **MOTION** to adjourn by Lenz, seconded by Luhmann, all voted aye. **MOTION CARRIED 4-0.**
- Meeting adjourned at 7:26 p.m.

ATTEST



Annita M. Smythe, City Administrator

APPROVED



Andrea Lawrence Wheeler, Mayor