

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, JANUARY 7, 2009 – 6:30 P.M.**

1. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE

The Sauk Centre City Council met in a Regular Meeting on Wednesday, January 7, 2009 at 6:30 p.m. in the City Hall Council Chambers pursuant to due notice being given thereof. Present were Mayor Brad Kirckof, Council Members David Thomas, Keith Johnson, Warren Stone and Al Coenen. Also present were City Administrator Vicki Willer, City Planner Sarah Morton, Police Chief Bryon Friedrichs, Public Works Director Butch Wessel, City Engineer Keith Yapp of Bonestroo and Administrative Assistant Nicki Vogt. Mayor Kirckof presided thereat.

- a. City Administrator Willer swore in re-elected Council Members Coenen and Stone.

2. APPROVAL OF AGENDA

The agenda was approved with changes.

3. APPROVAL OF MINUTES

The Council's December 17, 2008 Regular Meeting Minutes were approved with changes.

4. PUBLIC OPEN FORUM

None.

5. PUBLIC HEARINGS

None.

6. REPORTS/PRESENTATIONS

- a. Public Works Director Wessel reported on the Tuesday, January 6, 2009 Park Board meeting as follows:

- New members Linda Huggett and Mark Magnuson were sworn in.
- Keith Johnson was voted Chair and Mike Beilke was voted Vice Chair.
- A 25% discount was applied on daily/weekly camping rates after Labor Day Weekend.

7. ACTION ITEMS

- a. Council Member Stone introduced Resolution No. 2009-01, Resolution Adopting Rules of Order for Council Meetings. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

Mayor Kirckof stated that any additions that need to be added to the agenda will be placed under #9 New Business.

- b. Council Member Thomas introduced Resolution No. 2009-02, Appointing Council Members to Serve on Various Boards and Commissions and also making Annual Appointments. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Member Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.
- c. The Council was presented with Resolution No. 2009-03, Resolution Establishing Fee Schedule for Fiscal Year 2009 for their review.

After review, it was the general consent of the Council to require that staff send a Letter of Understanding to the Hockey Association regarding the \$60/hour ice time rate supplemented by the \$50,000 donation.

A motion was made by Council Member Thomas and was seconded by Council Member Johnson to approve Resolution No. 2009-03, Resolution Establishing Fee Schedule for Fiscal Year 2009 with noted changes and with the addition of a \$10/day vehicle storage rate. A vote being recorded as follows: For: Council Members Thomas, Johnson, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

- d. Staff proposed that the Council enter into a contract with Collection Resources for the collection of delinquent accounts. Collection Resources provided the following information:
 - They work on a contingency basis. They will only collect when clients pay their bill. The fee is 27% of what is collected.
 - Accounts can be sent to Collection Resources once they are 90-120 days delinquent.
 - After an account is in collections for more than 120 days, they suggest it be forwarded to an attorney for further processing. If the City gives the OK, the account will then be forwarded to an attorney. At that point, fees increase to 50% of what is collected.
 - The Fair Debt Collection Practices Act is followed.
 - They initially send a letter. Seven days after the letter is sent they begin collection calls.
 - Accounts with a \$50 or higher balance are reported to the credit bureaus.
 - Hours of calling are from 8:00 a.m. to 9:00 p.m. Central Time.
 - A website is available for staff to check the status of accounts.

A motion was made by Council Member Johnson and was seconded by Council Member Thomas to enter into an annual contract with Collection Resources for the collection of delinquent accounts. A vote being recorded as follows: For:

Council Members Johnson, Thomas, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

- e. A motion was made by Council Member Stone and was seconded by Council Member Thomas to approve Pay Request No. 7 in the amount of \$17,720.27 to Larson Excavating. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

City Administrator Willer noted that this is not the final pay request and that there is still work to be done in the spring.

- f. During the construction of Ash Street, a change order for the Public Utility was completed. This order was to construct a drop line from an existing sanitary sewer into manhole #8 to comply with MPCA requirements and for maintenance purposes and also moved a hydrant on the Ray Karasch parcel to property line to minimize disturbance to the resident's yard.

The cost for the change was \$5,252.46. The PUC recommends approval.

A motion was made by Council Member Thomas and was seconded by Council Member Johnson to approve Change Order #2. A vote being recorded as follows: For: Council Members Thomas, Johnson, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

- g. A petition has been received requesting consideration of a partial vacation of a drainage and utility easement located on Lot 6, Block 3, Lakeridge Addition. In order to proceed, the City is required to accept the petition and schedule a hearing.

Council Member Stone introduced Resolution No. 2009-04, A Resolution Setting a Public Hearing on a Partial Vacation of Drainage and Utility Easement Commenced by a Petition of a Majority of Abutting Landowners, with the corrected legal description. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

- h. Annually, the City Council is asked to adopt a Resolution declaring its intent to Issue bonds if they expect to do so during the fiscal year. This would allow the City to incur capital costs on a project and then reimburse itself through bond proceeds.

In 2009, there is potential to incur costs in advance of funding for the 4th Street storm water project. Although the City has not taken formal action to proceed with the 4th Street project which is currently on the 2010 CIP, the availability of

Federal stimulus dollars may cause the City to reconsider the project timeline from 2010 to 2009.

Therefore, it is recommended that the City adopt Resolution No. 2009-05 which will allow the City to proceed quickly if Federal dollars become available. If dollars are allocated, the City would need to be prepared to award bids within 120 days.

Council Member Thomas introduced Resolution No. 2009-05, Resolution Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations under the Internal Revenue Code. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

This action in no way commits the City to proceed with this project.

- i. Five funds are targeted for closure effective December 31, 2008. They include four debt service funds and one Capital Project fund.

Close Debt Service Fund 323	Transfer to Fund 328	\$8,088.56
Close Debt Service Fund 312	Transfer from Fund 250	\$29,427.09
Close Debt Service Fund 307	Transfer to Fund 313	\$2,621.63
Close Debt Service Fund 513	Transfer from Fund 100	\$3,871.18
Close Capital Projects Fund 410	Transfer from Fund 226	\$4,870.97

The fund transfers necessary to complete the fund closures will come from similar funds to be placed in similar funds. Minnesota Statute §475.65 states that remaining funds upon the closure of a debt service fund shall remain part of the debt service of the City.

Council Member Thomas introduced Resolution No. 2009-06, Resolution Authorizing Transfer of Funds to Close Out Various Capital Improvement and Debt Service Funds. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

- j. Fire Department Volunteer Pat Robischon submitted his resignation from the Department after 25 years of service. He served 10 of those years as Fire Chief.

A motion was made by Council Member Johnson and was seconded by Council Member Stone to accept the resignation of Pat Robischon from the Fire Department. A vote being recorded as follows: For: Council Members Johnson, Stone, Thomas, Coenen and Mayor Kirckof. Against: None. The motion passed.

The Council thanked Mr. Robischon for his service.

8. UNFINISHED BUSINESS

- a. It was the general consent of the Council to have the Policy/Planning Committee review the Engineering RFP's and come up with a recommendation before they are brought to the full Council.

9. NEW BUSINESS

- a. When the City Code was codified, the curfew Ordinance did not make it into the new code. Staff is currently reviewing the Ordinance to be placed in the new City Code.
- b. An engine braking Ordinance will be presented to the Council at their next regular meeting.

10. CONSENT AGENDA

The Council then considered the following consent agenda:

- a. Gambling Exemption for Exempt Permit request from Main Street Ducks Unlimited for a raffle on February 21, 2009 at Gerard's Dining and Banquet.
- b. Resolution 2009-07 Accepting Contributions as follows:

Men's Card Playing Group	\$320	Senior Center
Wal-Mart Foundation	\$1,000	Ambulance
Wal-Mart Foundation	\$1,000	Fire Department
Fire Relief Association	\$24,000	Fire Department
Sauk Centre Seniors	\$3,000	Senior Center
Sauk Centre Youth Hockey	\$20,000	Civic Arena

In addition, Wal-Mart Foundation donated \$1,000 to "Shop with a Cop" on behalf of the Sauk Centre Police Department.

- c. 2008 Contribution List which lists the organizations, businesses and individuals that have contributed to the City in 2008. This list will be published in the Sauk Centre Herald on January 13, 2008.
- d. Schedule of Claims – Total of unpaid claims: \$30,057.73 and Paid Claims: \$80,696.46 for a total of \$110,754.19.

A motion was made by Council Member Johnson and was seconded by Council Member Thomas to approve the Consent Agenda. A vote being recorded as follows: For: Council Members Johnson, Thomas, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

Mayor Kirckof acknowledged all who have contributed to the City.

11. INFORMATIONAL ITEMS

- a. The Mayor and City Administrator executed a wall advertising space rental agreement amendment for advertising at the arena from October 1, 2008 through September 30, 2009 with Allan’s Garage.

- b. Correspondence from SCPUC updating the Council on its annual budget and capital improvements for 2009.

- c. The U.S. Census Bureau will be at City Hall on Wednesday, January 14, 2008 from 1:00 – 3:00 in the Council Chambers for recruiting and testing of census takers for the 2010 census.

Flyers and additional information will be forthcoming from the Census Bureau along with the advertisement in the Herald.

- d. The Stearns County Municipal League Meeting will be held on January 20, 2009 at 6:30 p.m. at Charlie’s Café in Freeport.

12. ADJOURNMENT

A motion was made by Council Member Thomas and was seconded by Council Member Johnson to adjourn the meeting. A vote being recorded as follows: For: Council Members Thomas, Johnson, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

With no further business to come before the Council, Mayor Kirckof adjourned the meeting at 7:42 p.m.

Respectfully Submitted,

Mayor Brad A. Kirckof

City Administrator Vicki M. Willer