

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, FEBRUARY 18, 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, February 18, 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 Yapp of Bonestroo and Administrative Assistant Nicki Vogt. Mayor Kirckof presided thereat.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

The Council's February 4, 2009 Regular Meeting Minutes were approved as presented.

4. PUBLIC OPEN FORUM

None.

5. PUBLIC HEARINGS

None.

6. REPORTS/PRESENTATIONS

- a. Police Chief Friedrichs stated that there were a total of 509 calls in January 2009.

7. ACTION ITEMS

- a. The Public Utility Commission (PUC) conducted the hearing for the proposed improvements to the wastewater treatment facility on February 3, 2009 and they are requesting approval to proceed by submitting the plan to the MPCA.

PUC President Dennis Rykken stated that the PUC received new information regarding the wastewater treatment facility option to the City Engineer interviews. Instead of building a new facility there is the possibility of installing a pipeline and piping the waste out. He feels that the City should not bypass researching this option before making their final decision. The PUC's recommendation is to submit the facility plan at this time. It will take until July for the MPCA to evaluate the plan which will allow the City time to decide whether or not to continue with building the new facility.

A motion was made by Council Member Stone and was seconded by Council Member Thomas to approve Resolution 2009-11, Resolution Approving Feasibility Plan and Authorizing its Submission. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

- b. Final interviews for City Engineer candidates were conducted on Friday, February 13, 2009. Selection was narrowed down to Bonestroo and SEH. Background checks have been completed on both firms.

Mayor Kirckof stated that he felt that all firms interviewed were very good firms and that the Council should look at which firm will best represent Sauk Centre.

A motion was made by Council Member Coenen and was seconded by Council Member Johnson to appoint SEH as the City's engineering firm. A vote being recorded as follows: For: Council Member Coenen. Against: Council Member Johnson, Thomas, Stone and Mayor Kirckof. The motion failed due to lack of majority vote.

Council Member Coenen stated that he feels the City is making an error in not considering WSB.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to appoint Bonestroo as the City's engineer. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson and Mayor Kirckof. Against: Council Member Coenen. The motion passed.

- c. The City received 3 Landowner Permit Approval Requests from the Sauk Centre Snow Cleats to utilize a portion (20') width of the former BN track along the park area as well as points east of Birch Street South for the purpose of snowmobile trail riding.

These permits act as the City's (landowners) permission for the Snow Cleat to utilize the trail for snowmobile purposes.

The DNR restricts the use of the trail as a snowmobile trail generally between December 1st through April 1st. No motorized vehicles are allowed outside of those dates on the trail.

A motion was made by Council Member Johnson and was seconded by Council Member Thomas to approve the 3 Landowner Permits and authorize the City Administrator to execute the permits. A vote being recorded as follows: For: Council Members Johnson, Thomas, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

- d. At the Park Board's February 3, 2009 meeting they made a recommendation to appoint Curtis Pangburn as the 2009 Campground Manager at a rate of \$8,343 for the season which is a 3% increase from the previous year. Pangburn was the manager during the 2007 and 2008 seasons.

A motion was made by Council Member Coenen and was seconded by Council Member Stone to appoint Curt Pangburn as the Campground Manager for the 2009 season at the 2008 rate of \$8,100 for the season. A vote being recorded as follows:

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

- e. Gerald Schurman's Land Rental Agreement of 43.6 acres expired on December 31, 2008. His previous agreement was for the period commencing on April 1 and terminating on December 31 for \$25.00 an acre.

At the September 15, 2008 Airport Commission meeting they recommended the Council approve a one year contract with Schurman at a rate of \$50.00 an acre.

A motion was made by Council Member Thomas and was seconded by Council Member Johnson to approve the Airport Land Lease Agreement with Gerald Schurman at a rate of \$50.00 an acre. A vote being recorded as follows: For: Council Members Thomas, Johnson, Coenen and Mayor Kirckof. Against: Council Member Stone. The motion passed.

- f. A final pay request for the County Road 17 improvement project has been submitted totaling \$50,848.28 which includes the retainer fee.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to approve final payment of the County Road 17 project to Stearns County for the City share of \$50,848.28. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

- g. The City received a Notice of Appeal regarding the special assessments for the Stearns County Agricultural Society (Fairgrounds). The City was previously notified by the Attorney General that it was legal for the City to assess the Agricultural Society.

The Agricultural Society stated in a letter to City Attorney Mayer that they may be willing to negotiate a settlement. If a settlement is not negotiated, District Court is the next step.

It was the general consent to have a full Council meeting to discuss.

Staff is currently preparing all requested documentation to prepare for District Court.

- h. As a follow-up to the Amendment to the City Code amending the number of members on the Hospital Board, they need to amend their Bylaws for consistency. The Bylaws required the approval of the City Council.

The following is a list of the proposed changes to the Bylaws:

1. Strike the word six and insert the word five where it refers to the number of members on the Board.
2. Strike the words four members and insert a majority where it refers to how many members make a quorum. For a five member board three is a majority

It was noted that approval of the Bylaws are critical for grant submittal, which requires a quorum.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to approve the requested amendments to the Hospital Board Bylaws. A vote being recorded as follows: For: Council Members Thomas, Stone, Coenen and Mayor Kirckof. Against: None. Abstain: Council Member Johnson (Reason: Personal). The motion passed.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

- a. City Administrator/Clerk Vicki Willer has been with the City three years as of February 21, 2009.

Each Council Member will be given a performance review form to complete and return to Mayor Kirckof for review at the next meeting.

10. CONSENT AGENDA

The Council then considered the following consent agenda:

- a. Schedule of Claims – Total of unpaid claims \$64,282.74 and paid claims of \$8,223.12 for a total of \$72,505.86.
- b. List of January checks totaling \$1,582,001.20 (Check No. 28495 through Check No. 28584)

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

11. INFORMATIONAL ITEMS

- a. The Board of Review will be held on Monday, April 20, 2009 at 1:00 p.m. at the Sauk Centre City Hall Council Chambers for the purpose of reviewing and correcting the 2009 assessment of said City taxes payable in the year 2010. At least three Council Members must be present.
- b. City Administrator Willer and Mayor Kirckof have executed a Civic Arena Rental Agreement with James Neigel Firearms for the use of the Arena on April 3-5, 2009.
- c. With the legislative session in full swing, several bills have been introduced by the House and the Senate that affect cities. Some of those bills include:
 - SF 517 Sets cap on amount of property taxes paid by residents over 65.
 - HF 476 Gives discount for early payment of 2nd half property taxes.
 - SF 520 Gives cities authority to issue Emergency Debt Certificates
 - HF 488 Changes to calculation formula for city aid.

HF 566 Changes to calculation of levy limits
SF 372 Freezes wages for public non-contract employees to 7-1-2011
SF 365 Prohibits use of Administrative Traffic Fines
SF Authorizes and clarifies use of Administrative Traffic Fines

The League of Minnesota Cities is seeking city officials to testify at the committee level at the Capital on various bills.

Town meetings to hear directly from House and Senate members are scheduled around the state as follows: Thursday, February 19th in St. Cloud and Willmar, Friday, February 20th in Alexandria and Little Falls

Also, members of the Stearns County Municipal League will be attending the “Joint Local Government Legislative Conference” at the Crowne Plaza in St Paul April 29 & 30 with another opportunity to be heard.

- d. The Finance Committee met regarding the budget and Department Heads are now receiving input from their staff. More information regarding the budget should be available at the next meeting.

12. ADJOURNMENT

A motion was made by Council Member Stone and was seconded by Council Member Johnson to adjourn the meeting. A vote being recorded as follows: For: Council Members Stone, Johnson, Thomas, 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