

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, FEBRUARY 20, 2019**

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

The Sauk Centre City Council met in a Regular Meeting on Wednesday, February 20, 2019 at 6:30 p.m. in the City Hall Council Chambers pursuant to due notice being given thereof. Present were Council Members Diane Kelly, Joe Fuechtmann, David Thomas, Heidi Leach and Mayor Warren Stone. Also present was City Administrator Vicki Willer, Administrative Assistant Nicki Vogt, City Planner Sarah Morton, Police Chief Bryon Friedrichs and City Engineer Chuck Boser. Mayor Stone presided thereat.

2. APPROVAL OF AGENDA

A motion was made by Council Member Thomas and was seconded by Council Member Leach to approve the agenda, with changes. A vote being recorded as follows: For: Council Members Thomas, Leach, Kelly, Fuechtmann and Mayor Stone. Against: None. The motion passed.

3. APPROVAL OF MINUTES

A motion was made by Council Member Fuechtmann and was seconded by Council Member Kelly to approve the February 6, 2019 Regular Meeting Minutes. A vote being recorded as follows: For: Council Members Fuechtmann, Kelly and Mayor Stone. Against: None. Abstain: Council Members Leach and Thomas. The motion passed.

4. PUBLIC OPEN FORUM (Comments Limited to 3 Minutes)

None.

5. PUBLIC HEARINGS

None.

6. REPORTS/PRESENTATIONS/AWARDS

- a. Police Chief Friedrichs presented the January 2019 Monthly Report stating that there were 493 ICRs and 425 Verbal Warnings for a total of 618.
- b. Police Chief Friedrichs presented the 2018 Annual Report stating that the year started out by adding a sixth full-time officer (Jungles) and an extra squad car.

As expected with an extra officer, more enforcement activity was created. ICR (Initial Complaint Records) for the year totaled 9,470. Verbal warning were given out to motorists totaling 3,069. The Department was proactive with traffic enforcements which they believe has resulted in a drastic decrease in numbers being seen with citations for speeding and/or no insurance. Citations for seatbelt violations have also decreased. Citations for driving after suspension, driving after cancellation and driving after revocation remained similar to previous years. Vehicle crashes have declined, with 90 crashes in 2018.

In 2018 crimes of theft, robbery and burglary were down. On the other hand, assaults, domestic violence assaults, verbal disputes and suicide threats have drastically increased. Vandalism and property damage had similar number in 2018 to 2017.

The canine program continues to be a positive asset in the fight against drugs and crime in Sauk Centre. 47,158 grams of marijuana were seized, along with 705 grams of methamphetamine and 435 pieces of drug paraphernalia. Sergeant Jensen completed over 168 hours of training with Sonny in 2018. He has completed many demonstrations in the community for different groups and organizations.

The Sauk Centre community continues to be involved in making calls to report suspicious activity. Calls for suspicious activity, persons, phone calls and vehicles totaled 252 in 2018. The Department appreciates the calls as it is a great tool in helping prevent crimes. Officers spend a lot of their time interacting with people of all ages in the community. They are speaking with children from pre-school to high school. They are giving tours of the department to various groups, making appearances at sporting events, lunches and community meetings. This type of interaction enables members of the community to get to know each of our officers on a first name basis. The department organized and participated in “Shop-With-A-Cop” and Night to Unite, which were both a success. The officers take time to simply hand out Junior Police Badges, baseball and football cards, coloring books, bracelets and pencils when they see children out on our local streets. The officers are getting out of their squads and shooting some basketballs, playing catch and soccer when they see a group of juveniles playing.

The Sauk Centre Police Department has 128 years of combined experience with our seven full-time officers and data entry/records personnel. For a department of this size, these years show that the officers have a great loyalty, dedication and commitment to the Department. Having a low turnover rate of officers with a department helps the community to get to know the officers and establish trust in their abilities when working with them. The Police Department continues to be proactive in enforcement and working with the community which gives the citizens of Sauk Centre a safer community to live, work and raise a family in.

- c. Public Works Supervisor Clink presented the Public Works Report stating that plowing snow is consuming most of their time. They have also worked on outdoor ice rink maintenance. The ice will be removed from the Arena early March.

Clink stated that he is looking at making some equipment updates in the near future, specifically the skid loader/trailer.

By general consent, the Council approved soliciting quotes for a potential future purchase.

- d. Removed from agenda.
- e. Pam Borgmann presented the 2018 CVB/Visit Sauk Centre Report stating that their goal continues to be increase tourism, meetings, events and to position Sauk Centre as a destination of choice. They do so through targeted demographics across the Midwest and

Canada. The annual operating budget and promotion is approximately \$57,000 for 2018, which is an increase of 10% over last year. Visit Sauk Centre is staffed by a part-time employee at 20 hours per week.

2018 accomplishments:

- Ads placed in Meeting Guides, group tours, sports publications, leisure magazines and AAA. Visit Sauk Center also advertised in Minnesota Up-North Magazine, St. Cloud Visitors Guide and Minnesota Trails. Visit Sauk Centre website has been updated and social media is continually updated.
- A new coupon pamphlet of participating businesses is being printed and will be stocked in local hotels. They will also be given out in welcome bags for tours.
- Visit Sauk Centre paid for advertising for the Sinclair Lewis Writer's Conference, which was a two day event in 2018 which was well attended. Ads were also co-paid to the Hockey Association tournaments and Palmer House weekend events. All of these events required lodging.
- Visit Sauk Centre had tours that came for day trips to the Sinclair Lewis Boyhood Home and the Sauk Centre History Museum and Research Center.
- Grants were written for City beautification, contributions were made to mural projects and the Sinclair Lewis bronze statue.
- The Caramel Apple ride was supported through advertising.
- Minnesota State Band was secured for a 2019 Concert in the Park at no cost.
- Name change from CVB to Visit Sauk Centre
- 2018 Lodging tax received \$57, 627
- Midwest Vintage Snowmobile Show. They are leaving their current venue and are searching for a new home. This is a two day event in January 2020 which brings 7,000-8,000 visitors a day.
- Bike Across America – August 15. They will utilize the hockey arena area to camp and use facilities in the arena for showering and possible food service. On average, 30% of these people stay in hotel rooms. It averages 350-400 people.
- A bronze statue of Sinclair Lewis will be placed in front of the Sinclair Lewis Library by July 1st with a program to follow.
- Visit Sauk Centre is working on an art fair to be held May 18th in conjunction with golf clinics at the Lynx and Ladies Night Out. The purpose of this event is to get overnight stays.
- QR codes will be placed at the local murals to give visitors history of the mural, like self-guided tour.

f. The Planning Commission met in regular session on February 12, 2019 and reviewed the following:

- Conducted a Public Hearing for a Conditional Use Permit for a Planned Unit Development and Preliminary Plat for Pangburn Estates which would allow 8 units. (City's Railroad Property). See 7c
- Conducted a Public Hearing for an Amendment to the City Code to allow Off-Premise Advertising Signs. (Tabled until March meeting.)

- Conducted a Public Hearing for Variance Requests to allow a third accessory building on a residential lot with a total cumulative square footage of 3,648 sf. See 7b.
- Building Permit Report
 - 5 permits
 - \$96,616

7. ACTION ITEMS

- a. An application for transfer of an On-Sale and Sunday liquor license, \$100.00 for transfer of liquor license fee, Insurance Liability and Workers Compensation documents have been received. The liquor license annual license fee has been paid. The effective transfer date to become effective March 1, 2019.

Council Member Thomas introduced Resolution 2019-11, Resolution Approving the Application of Mexcal, LLC DBA El Mezcal for a Transfer of an On-Sale, Off-Sale and Sunday Liquor License Located at 43356 County Road 112. The motion was seconded by Council Member Fuechtmann. A vote being recorded as follows: For: Council Members Thomas, Fuechtmann, Leach, Kelly and Mayor Stone. Against: None. The motion passed.

- b. The Planning Commission acting as the Board of Adjustment, conducted a Public Hearing and heard a request for variances from the Code allowances for property owned by Dondi D. and Susannah N. Wenninger at 106 Lincoln Street, Sauk Centre.

The first request was for a variance from Section §156.022 ACCESSORY STRUCTURES Subsection A which states: No more than 2 detached accessory structures are permitted on a parcel occupied by a single-family detached dwelling. The request is to allow three accessory structures.

The second request was for a variance from Section §156.022 ACCESSORY STRUCTURES Subsection B(2) which states On parcels greater than 90,000 square feet in the R-1 Zoning District that are occupied by a dwelling unit the cumulative square feet of accessory structures and attached garages shall not exceed 2% of the total parcel area. The request is for 3,648 sf. or 4%.

The request, if approved, would allow the construction of a new 30X40 detached accessory building.

The lot area of the property is 91,873 sf according to a survey provided. This would allow total cumulative attached and detached garages of 1,837 sf. (91,873 X 2%).

Attached garage	864 sf	
Detached #1	384 sf	
Detached #2	<u>1,200 sf</u>	
Total Existing	2,448	(Grandfathered in)
Total Allowed per Ordinance	1,837 sf	2%
Total Requested	3,648 sf.	4%

The Board reviewed the proposal and determined that it is appropriate to allow the variances and are recommending that the requests be approved based upon the following findings:

1. The new building as proposed would not be injurious to the neighborhood because it would not be visible from any public way other than the Wobegon Trail due to the property location at the end of a dead-end street.
2. The new building would be consistent with the neighborhood as other residential lots have large detached accessory buildings and the property is located across the Wobegon Trail from a commercial operation with large buildings.
3. The new building will not create additional strains on the public utilities that currently serve the property because it will be primarily used for storage.
4. The building will provide for inside storage which will decrease the amount of outside storage on the property.
5. There will not be increased runoff as a result because of the available infiltration on the property which is primarily turf.

Council Member Kelly introduced Resolution No. 2019-12, Resolution Approving a Request for a Variance for Susanna N. Wenninger. The motion was seconded by Council Member Leach. A vote being recorded as follows: For: Council Members Kelly, Leach, Fuechtmann, Thomas and Mayor Stone. Against: None. The motion passed.

- c. The Planning Commission conducted a Public Hearing and heard a request for a Conditional Use Permit for a Planned Unit Development to be known as Pangburn Estates and Preliminary Plat Approval for a new development at 624 Railroad Avenue legally described as:

Lots Six (6) through Ten (10), Block 12 Robbin's and Mendenhall's Addition to Sauk Centre lying Southwesterly of a line drawn parallel with and 25.00 feet normally distant from Great Northern Railway Company's Main Tract as originally located and constructed.

The City Code defines Planned Unit Development as:

§ 151.02 GENERAL PROVISIONS AND DEFINITIONS.

(G) *Definitions.*

PLANNED UNIT DEVELOPMENT *A type of development characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent or lease, and also usually involving clustering of these units or sites to provide areas of common open space, density increases and a mix of structure types and uses.*

TWO-FAMILY DWELLING means 2 dwelling units attached in a single structure, each having a separate outside entrance. Dwelling units may be located on individual lots or on a lot in common.

To qualify as a ***RESIDENTIAL PLANNED UNIT DEVELOPMENT***, a development must contain at least 5 dwelling units or sites.

The property is currently owned by the City and was previously known as the Silver Fir property and is under contract with Keith Unger who is purchasing the property for the purpose of developing it into an eight-unit townhome development. (4 twin homes).

The homes are to be offered for sale and are proposed to be constructed as sold. Each home is 2 bedroom/2 bath with a 1 ½ car garage. The project will be developed with the yard area and drive to be a common lot. Each owner will be a member of an Owner's Association.

The City came into ownership when the EDA purchased the property, demolished the old buildings, cleared the title via a Quiet Title Action, and offered it for sale for residential development.

The property is currently part of a Planned Unit Development Overlay District that was approved in the 1990's when the neighboring rental townhomes were constructed by Mike Roach. Because of the existing Overlay District, the entire district is included in the five-acre minimum requirement for Residential PUDs.

The request includes approval for setbacks consistent with the prior PRDO District:

- Zero Lot Line Setback for Common Wall
- Fifteen Foot Setback from side properties.
- Ten Feet from Trail Right of Way (Right of Way is 25' from Trail).
- Eighteen Feet, Six Inches from RROW of Railroad Avenue (abutting sides of building)

The proposal meets the City's requirements for Open Space based upon the Overlay District it is located in which allowed for a minimum of 45% open space. This proposal is for 48%.

The Planning Commission recommends to the City Council that the request be approved based upon the following findings:

1. The use is consistent with the neighboring use which is developed as a townhome development.
2. The setbacks proposed are consistent with the existing Planned Unit Development Overlay District that it is located in.

3. The water drainage from the property is proposed to be consistent with the existing drainage pattern on the property.
4. The proposal will add eight additional water and sewer services to the City infrastructure. The municipal water and sewer lines and water and sewer treatment plants have the capacity to provide the services.
5. An Owner's Association will be created to provide for maintenance of the common property which includes the lawn and private drive, therefore not requiring maintenance by the City.
6. The private drive is commonly owned by all owners within the development which provides all lots public road frontage on Railroad Avenue.
7. The proposed Preliminary Plat meets the City's guidelines for Preliminary Plat approval and will be incorporated into the Final Plat for Final Plat approval.
8. The proposed development is consistent with the Comprehensive Plan which states the City should work to create a variety of housing opportunities in the community.

Recommended Conditions for approval include:

1. Pre-Development runoff pattern/volume to remain which drains approximately fifty percent toward the north and fifty percent toward the south. Developer to work with the City if Post-Development pattern/volume changes to install BMPS to mitigate any increase.
2. Existing service lines to the property to be capped at the main line in Railroad Avenue. Developer is responsible to restore Railroad Avenue after excavation.
3. Developer to remove existing curb cuts on Railroad Avenue and restore curb.
4. City Engineer Guidelines which include Sauk Centre Public Utility Guidelines to be incorporated into development for water/sewer services including sizing, manhole installation, and restoration.
5. Declaration and Bylaws for Association to be provided to City for approval and be recorded on the property along with the Final Plat.
6. Park Dedication fee of \$1,500 to be paid upon final approval.
7. Turf to be established over the parcel after excavation to limit runoff.
8. A street identification sign to be installed along with house identification numbers no less than four inches high.

9. Paving of Access Drive to occur within one year of completion of initial building according to City Building permit process.
10. All Conditions not completed at time of Final Approval to be incorporated into a Developer Agreement to be executed by all parties.
11. The City to memorialize the Planned Unit Development in an Ordinance to be recorded upon the property.

Council Member Fuechtmann introduced Resolution No. 2019-13, Resolution Approving Conditional Use Permit for Planned Unit Development for Pangburn Estates. The motion was seconded by Council Member Kelly. The motion was seconded by Council Member Kelly. A vote being recorded as follows: For: Council Members Fuechtmann, Kelly, Thomas, Leach and Mayor Stone. The motion passed.

- d. Upon approval of the Conditional Use Permit allowing the development of the Planned Unit Development to be known as Pangburn Estates, City Code requires that an Ordinance authorizing final approval be developed.

A proposed Ordinance was presented to the Council, which outlines the specifics in the PUD. This Ordinance will be recorded along with the Final Plat, Declaration of Covenants and Bylaws.

This document essentially changes the requirements from those in the R/C District to those in the new PUD District by amending setbacks, coverage, and density.

Recording of this document will insure that a future Developer or owner would follow the same guidelines that the PUD was approved under.

Council Member Thomas introduced Ordinance No. 787, An Ordinance of the City of Sauk Centre Amending Section of the Building and Land Use Regulations in the Sauk Centre City Code. The motion was seconded by Council Member Leach. A vote being recorded as follows: For: Council Members Thomas, Leach, Kelly, Fuechtmann and Mayor Stone. Against: None. The motion passed.

- e. Stearns County Attorney's office has released to the City Police Department one forfeited vehicle.

2002 Ford F150

The Department is requesting that the City Council declare the property as excess and allow for it to be sold.

Council Member Kelly introduced Resolution No. 2019-14, Declaring Property as Excess and Authorizing Advertisement for Sale. The motion was seconded by Council Member Leach. A vote being recorded as follows: For: Council Members Kelly, Leach, Thomas, Fuechtmann and Mayor Stone. Against: None. The motion passed.

- f. At the January 8, 2019 regular meeting of the Planning Commission, the Commission discussed the Code Enforcement Process as it relates to violations of the City Code that are under the oversight of the Planning Commission. These violations mostly fall into the category of nuisances, property maintenance and building maintenance.

Currently, the Policy of the City which has been in place for many years, is that City Staff conducts Code Enforcement activities on a complaint driven basis. The City has a specific process to resolve violations of the City Code which are put into play upon receipt of a complaint. There is concern that this Complaint Driven Basis Policy leaves many areas of the City Code unenforced when no complaints are received.

The Planning Commission has recommended to the City Council that Code Enforcement no longer be administered solely on a Complaint Driven Basis and that the City move toward a more comprehensive Code Enforcement Policy. This would give staff the ability to enforce violations as they are witnessed and would provide for a more consistent process.

In addition, the Planning Commission has asked that the City Council provide guidance on any sections or provisions of the City Code that they deem to be irrelevant or outdated or in need of revision so action can be taken at future meetings to continually update and modernize the Code.

A motion was made by Council Member Thomas and was seconded by Council Member Fuechtmann to approve the discontinuance of code enforcement solely on a complaint driven basis. A vote being recorded as follows: For: Council Members Thomas, Fuechtmann, Leach, Kelly and Mayor Stone. Against: None. The motion passed.

- g. During the Closeout of the Airport Runway Project, it was noted that only one of the PAPIS was included in the original billing. The second PAPI (Precision Approach Path Indicator) now presented for payment in the amount of \$8,025.00.

FAA and MnDot Aeronautics have both approved an amendment to the previously submitted Final Report to add the payment which will be reimbursed to the City at 95%.

A motion was made by Council Member Kelly and was seconded by Council Member Thomas to approve Pay Request No. 7 to Kramer Excavating for \$8,025. A vote being recorded as follows: For: Council Members Kelly, Thomas, Leach, Fuechtmann and Mayor Stone. Against: None. The motion passed.

- h. At a prior meeting the City Council approved advertising for a Seasonal Campground Attendant. Interviews were conducted on February 19, 2019 by Ben Clink, Bryon Friedrichs and Nicki Vogt. A recommendation to be available at the meeting.

The Interview Committee is recommending splitting the Campground Attendant position to two positions. They are recommending the appointment of Scott Willer and Harold Read as Campground Attendants for the 2019 camping season. Willer and Read would split the budgeted \$11,000 based on percentage of days worked.

Second, the Park Board is requesting approval to advertise for Summer Seasonal to help with mowing and other seasonal activities. The college student utilized in prior years will not be returning.

A motion was made by Council Member Thomas and was seconded by Council Member Leach to approve hiring Willer and read as Campground Attendants and authorize advertisement for seasonal park employment. A vote being recorded as follows: For: Council Members Thomas, Leach, Kelly, Fuechtmann and Mayor Stone. Against: None. The motion passed.

8. UNFINISHED BUSINESS

- a. At the last Council meeting the Council requested that the Policy Committee research and possibly recommend a Rental Inspection Ordinance. It was noted that there are currently 725 rental units in Sauk Centre.

Staff has gathered information for several similar cities including inspection criteria, information regarding statutory authority, a database of rentals in the City, potential inspectors, fee comparisons and timelines. This will be presented to the Policy Committee for review and recommendation.

- b. The Council was presented with a copy of House File 0392 authored by Representative Paul Anderson which is the proposal to approve a Local Option Sales Tax for Sauk Centre.

The bill was forwarded to Briggs and Morgan who acts as legal counsel for the City on the issuance of bonds to confirm that the language in the bill supports the ability to use tax proceeds for bond payments in the future.

HF:0392 has been forwarded to the House Tax Committee. It will be heard at the Committee on February 25, 2019. City Administrator Willer will be in attendance.

Senate Companion Bill SF:0659 authored by Senator Torrey Westrom has been read at the Senate and referred to the Senate Tax Committee.

- c. The Sinclair Lewis Statue Project from Committee provided the following update:
- Fundraising is underway including grant applications.
 - Donations
 - Grant Applications
 - Sale of Granite blocks to be embedded in pedestal or walkway (layout to be determined)
 - Proposed final location to be determined onsite but general location to be on the north side of the sidewalk in front of the Sinclair Lewis Library.
 - Formal Proposal to the City Council at a future date.

d. City Engineer Chuck Boser presented the following information regarding the North Project:

- Phase 2 will begin summer 2019 in early May. Residents will be notified in April.
- Easements have all been recorded.
- Ponds have been dug and graded. Completion will begin after thaw.

9. NEW BUSINESS

a. None.

10. CONSENT AGENDA

The Council considered the following Consent Agenda Items:

a. Schedule of Claims -	Unpaid Claims	\$136,412.75
	Paid Claims	<u>\$41.75</u>
	Total	<u>\$136,454.47</u>
b. List of January Checks		<u>\$978,316.61</u>

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

11. INFORMATIONAL ITEMS

a. The tentative date for the household hazardous waste drop-off event is June 12, 2019 at the Civic Arena parking lot from 9 a.m. – 1 p.m.

12. ADJOURN

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

With no further business to come before the Council, Mayor Stone adjourned the meeting at 7:40 p.m.

Respectfully submitted,

Mayor Warren Stone

City Administrator Vicki Willer