

**SAUK CENTRE CITY COUNCIL  
REGULAR MEETING  
WEDNESDAY, FEBRUARY 21, 2007 – 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 7, 2007 at 6:30 p.m. at the City Hall Council Chambers pursuant to due notice being given thereof. Present were Mayor Brad Kirckof, Council Members Al Coenen, David Thomas, Keith Johnson and Warren Stone. Also present were City Administrator/Clerk Vicki Willer, Public Works Director Butch Wessel, Planning Consultant Joe Heinen, City Engineer Keith Yapp of Bonestroo Williamson Kotsmith (BWK), Police Chief Jim Metcalf, Fire Chief Keith Polipnick and Office Assistant Nicki Vogt. Mayor Kirckof presided thereat.

**2. APPROVAL OF AGENDA**

The agenda was approved with changes.

**3. APPROVAL OF MINUTES**

The Council's February 7, 2007 Regular meeting minutes were approved with changes.

**4. PUBLIC OPEN FORUM**

None.

**5. PUBLIC HEARINGS**

None.

**6. REPORTS/PRESENTATIONS**

- a. Stearns County Attorney Janelle Kendall presented the annual prosecution report that the Stearns County Attorney's Office conducted on behalf of the City of Sauk Centre for 2006.

In 2006 there were a total of 180 misdemeanors and 20 gross misdemeanors for a total of 200 which is less than the 2005 total of 289. Ms. Kendall stated that this may have to do with low staff, although if the numbers remain low, the contract can be renegotiated at the end of the 2007 contract year.

The 180 misdemeanors were first time offenders and the offenses are as follows:

DUI/DWI = 15	Crosswalk Violation = 1
Illegal Consumption = 15	Fail to Yield = 2
Under 21 DUI = 1	Fishing without a License = 1
Open Bottle = 1	No Headlights = 1
Speeding = 5	Littering = 1
No DAL/DAS/DAC/DAR = 54	Criminal Damage to Property = 2

Reckless/Careless Driving = 3	Domestic Assault = 8
No Proof/No Insurance = 12	Assault = 3
License Tabs/Plates = 9	Disorderly/Obstructing = 8
Possession of Drugs/Para. = 3	Disobey semaphore = 2
Stop Sign = 1	Stop Arm = 2
Trespass = 2	Fail to Transfer Title = 2
Log Book Violation = 1	Theft/Possession Stolen Property = 8
Worthless Check = 14	Hit and Run = 1
Violation of OFP = 2	

The gross misdemeanor charges were broken down as follows:

DUI/DWI = 19	Driving After Cancellation = 1
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The Stearns County Attorneys Office provides no-cost, on site legal advice with monthly office hours at the Sauk Centre Police Department on the third Wednesday of every months. Additionally, 5 attorneys carry cell phones 24 hours a day, 7 days a week for law enforcement legal advice as needed.

In 2006, Stearns County provided more than 40 hours of law enforcement training and legal advice at no cost to County law enforcement agencies. Additionally, they assist victims of crime through personal help, restitution collection as allowed by law and referrals to other helpful agencies.

Ms. Kendall stated that Stearns County has a full-time Diversion Coordinator and that diversion programs are mandated by state law, voluntary for participants and available to persons with a “clean” record. She noted that more juveniles choose the diversion program over adults. In Sauk Centre, 1 adult and 3 juvenile residents of Sauk Centre were referred to the Stearns County Attorney’s diversion programs for shoplifting in 2006 and 28.75 hours of community service were performed.

Mayor Kirckof then thanked Stearns County Attorney Janelle Kendall.

- b. Brian Beeman and Shana Johnson were present to provide the Council with information on the Coalition of Greater Minnesota Cities.

Mr. Beeman, City Administrator for the City of Melrose, asked the Council/City of Sauk Centre to consider joining the Coalition stating that the Coalition is a valuable resource. He feels that they are very professional and effective.

Ms. Johnson, employee of Waite Park, stated that she currently serves on the League of MN Cities (LMC) Board of Directors. She then stated that the Coalition focuses more on issues for greater Minnesota Cities than the LMC does. The Coalition focuses on items such as local government aid, property tax relief,

transportation, environment, annexation, etc. She feels that it is a good investment.

The dues are \$5,604/annually and it was noted that the Coalition would reduce the fees to ½ for the first year.

Mayor Kirckof stated that this is something that is good to keep in mind for budget time.

- c. George Eilertson of Northland Securities reported on the refunding of the \$2,500,000 Public Project Revenue Bonds, Series 2003A. He stated that the City has taken the steps to complete the statutory requirements for the issuance of General Obligation Capital Improvement Bonds, which include the completion of a Capital Improvement Plan and holding a hearing relating to the issuance of such bonds.

Mr. Eilertson then presented a spreadsheet showing the savings to the City if the Bond was approved. The debt service savings is \$125,877 and the savings from switching from a Trustee to Paying Agent is \$28,260 making the total savings \$154,137.

- d. Mayor Kirckof presented the January 2007 police report as Police Chief Metcalf was not available. The total calls in January were 224, which was down from the January 2006 total of 253. Mayor Kirckof stated that if there are questions regarding the police report to talk to Chief Metcalf.
- e. City Administrator/Clerk Willer reported that at the Planning Commission's February 13, 2007 meeting a public hearing was held to consider a Condition Use Permit (C.U.P) for William Kraker for a vet clinic in a C-2 zoned area. At that meeting, the Planning Commission recommended Council approval of the C.U.P.

The Planning Commission also reviewed the proposed Ordinance for regulations of building moves and they will review again. It is anticipated to come before the Council at an April 2007 meeting.

## **7. ACTION ITEMS**

- a. City Administrator/Clerk Willer stated that the City Council met for a Special Meeting on Monday, February 12, 2007 and discussed the Compensation Study Report with Ann Antonsen at which time they had an opportunity to ask additional questions. No action was taken at that meeting. She noted that the next step is for the City to adopt the Point/Grade/2007 Salary Grade System.

Council Member Johnson presented Resolution No. 2007-08, Adopting Updated Point System, Salary Grade System and 2007 Pay Scale. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For:

Council Members Johnson, Thomas, Stone and Mayor Kirckof. Against: Council Member Coenen. The motion passed.

City Administrator/Clerk Willer noted that at the Council's March 7<sup>th</sup> meeting they will be discussing and possibly adopting where each employee will be on the scale.

- b. At the Planning Commission's February 13, 2007 meeting a Public Hearing was held for a Conditional Use Permit for William Kraker for a Veterinary Clinic to be in a C-2 zone.

At that meeting, the Planning Commission recommended Council approval granting the Conditional Use Permit to William Kraker d/b/a The Animal Doctor under the conditions of Findings of Fact 1-9, that the business hours are Monday –Friday, 8:00 a.m. – 5:00 p.m. with emergency hours as needed and that there will be no exterior animal housing.

Council Member Stone introduced Resolution No. 2007-10, Resolution Approving a Conditional Use Permit Request of William Kraker. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Stone, Thomas, Coenen, Johnson and Mayor Kirckof. Against: none. The motion passed.

- c. City Administrator/Clerk Willer stated that a letter was received from Chris and Lee Olmschenk regarding a fire call on September 26, 2006 requesting the charges to be void. The letter stated that they had called for a carbon monoxide detector check at their residence and the 911 operator informed them that there would be no charge for this check and also reassured them that only one vehicle would be sent with no sirens.

City Administrator/Clerk Willer stated that the Ordinance stated that citizens must come before the Council if they are requesting to have charges void.

Fire Chief Polipnick stated that he feels that if the Council picks and chooses which fire calls to dismiss, they will open a can of worms. He stated that the Olmschenk's did call 911 and they were only charged a truck charge of \$150, even though 3 trucks went out. Chief Polipnick feels that the City is showing good faith already as the bill was already reduced to the truck charge of \$150.00

A motion was made by Council Member Coenen to void the charges. The motion died due to lack of a second.

A motion was made by Council Member Stone to let the fees stand at \$150 for a truck charge for Chris and Lee Olmschenk. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members

Stone, Thomas, Johnson and Mayor Kirckof. Against: Council Member Coenen. The motion passed.

- d. Council Member Thomas introduced Resolution No. 2007-11, Resolution Approving the Issuance of General Obligation Capital Improvement Bonds. 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.

Council Member Thomas inquired if the rates are going to be locked in tonight and George Eilertson of Northland Securities stated that they will be.

- e. Planning Consultant Heinen reported on the disposition of the 2002 deferred special assessments for Oakridge Heights. He stated that if the parties can secure an agreement from W.H. Cates acknowledging that he is responsible for these assessments, then the City should be prepared to re-certify this amount against the new tract.

County staff has informed the City that they will wait no longer than March 1, 2007 to receive word if the assessments should be placed on 2007 property tax statements.

Planning Consultant Heinen then stated the a meeting was held on February 19, 2007 with Chuck Anderson, Jim Jauss, Mark Uphus, Keith Yapp, Tom Mayer, City Administrator/Clerk Willer and himself and after revisiting the issue the developers could not produce any evidence that would cause us to suggest anything other than to certify the assessments against Outlot A.

After a lengthy discussion, it was the general consensus of the Council to conduct a Special City Council Meeting on February 28, 2007 at 2:00 p.m. in the City Hall Council Chambers.

It was noted that if the assessments are delayed another year, another \$6,000 in interest will be added.

- f. City Administrator/Clerk Willer stated that Wal-Mart has submitted an application for a preliminary and final plat for the re-plat of the front two lots in the Wal-Mart subdivision. The effect of the new plat would be to move the dividing property line to the west which would make the two lots equal in size. The existing plat has a utility easement along the "old" line which needs to be vacated prior to the approval of the final plat. The new plat will dedicate a similar easement along the new dividing line and it is expected that the plat will come before the City Council on March 21, 2007; therefore, staff is requesting a public hearing be set for that same date to consider vacation of the old utility easement at the same meeting.

Council member Thomas presented Resolution No. 2007-12, Calling for a Public Hearing for the Proposed Utility Vacation on March 21, 2007. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Thomas, Stone, Coenen, Johnson and Mayor Kirckof. Against: None. The motion passed.

**8. UNFINISHED BUSINESS**

None.

**9. NEW BUSINESS**

None.

**10. CONSENT AGENDA**

The Council then considered the following consent agenda:

- a. A contribution was received from the Sauk Centre Youth Hockey Association for use of gambling funds in the amount of \$10,000. This will be used towards the debt payments for the Arena.
- b. Schedule of Claims – total of unpaid claims: \$11,829.61
- c. Gambling Application for Exempt Permit request from Sauk Centre Chamber of Commerce for a raffle on July 1, 2007 at the Chamber Office.
- d. Gambling Application for Exempt Permit request from Main Street Woodies for a raffle to be held on March 26, 2007 at River’s Edge Dining & Lounge.

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

**11. INFORMATIONAL ITEMS**

- a. The Board of Review and Equalization Meeting will be held on Monday, April 23, 2007 at 1:00 p.m. at the Sauk Centre City Hall Council Chambers for the purpose of reviewing and correcting the 2007 assessments of said City taxes payable in the year 2008. At least 3 Council Members must be present at this meeting.

**12. COUNCIL COMMENTS**

Council Member Coenen stated that he wants the City to re-negotiate the contract with Diversicom as he feels the charges are currently too high and there is not a signed contract on record. He did state that the Planning Commission did not want to be videotaped.

Council Member Coenen then stated that he would like the City to begin talks with Mike Roach regarding re-opening Oak Street. He stated that Roach would only lose

approximately one apartment building due to the re-opening. He feels that the street should have never been closed as it is a prime route to downtown. He further stated that the City maintains the easement.

Mayor Kirckof stated that re-opening that portion of Oak Street would take a tremendous amount of time and cost a tremendous amount of money and he feels that would not be a smart action for the City to take.

A motion was made by Council Member Coenen and seconded by Council Member Thomas to have staff research the possibility and costs of re-opening Oak Street and reclaiming the property. A vote being recorded as follows: For: Council Member Coenen. Against: Council Members Thomas, Johnson, Stone and Mayor Kirckof. The motion died.

Council Member Thomas stated that he feels that would not be a wise decision for the City to take.

Mayor Kirckof stated that City Administrator/Clerk Willer has been with the City for one year as of February 21, 2007 and is requesting that the Council Members complete her written review and return it to either he or staff by February 28, 2007.

Council Member Johnson inquired as to where staff is at in regards to the front steps at City Hall. Mayor Kirckof responded stating that the City is currently withholding monies to the Developer. City Administrator/Clerk Willer noted that the issue will be put on an upcoming Operations Committee meeting agenda.

Council Member Thomas stated that he agrees with Council Member Coenen and feels that staff should look into the Diversicom contract. Mayor Kirckof stated Dean Mohs would be the contact person for negotiating a contract.

### **13. ADJOURNMENT**

A motion was made by Council Member Stone and 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 8:05 p.m.

Respectfully Submitted,

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Mayor Brad A Kirckof

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City Administrator/Clerk Vicki M. Willer