

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, APRIL 18, 2012**

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

The Sauk Centre City Council met in a Regular Meeting on Wednesday, April 18, 2012 at 6:30 p.m. in the City Hall Council Chambers pursuant to due notice being given thereof. Present were Mayor Dennis Rykken, Council Members Al Coenen, Keith Johnson, Warren Stone and Mike Olson. Also present were City Administrator Vicki Willer, Police Chief Bryon Friedrichs, Assistant Ambulance Director Deschene, City Engineer Keith Yapp, City Planner Sarah Morton and Administrative Assistant Nicki Vogt. Mayor Rykken presided thereat.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. APPROVAL OF MINUTES

By general consent, the April 4, 2012 Regular Meeting Minutes were approved as presented.

4. PUBLIC OPEN FORUM

None.

5. PUBLIC HEARINGS

None.

6. REPORTS/PRESENTATIONS

- a. A representative of Clifton Larson Allen reported on the 2011 audit. She thanked the City of Sauk Centre and the City Council for allowing them to perform the audit and she then stated that she reviewed the audit with the Finance Committee prior to the meeting. The City of Sauk Centre was issued a clean audit report. She then discussed Cash and Investment Balances, Fund Balances, Comparative Governmental Revenues, Governmental Fund Revenues for Years ending December 31, 2010 and December 31, 2011, Comparative Expenditures for Governmental Funds and Governmental Fund Expenditures for years ending December 31, 2010 and December 31, 2011.
- b. Police Chief Friedrichs reported on the March 2012 police report stating that there were 322 ICRs and 235 Warnings for a total of 557.
- c. Assistant Ambulance Director Deschene presented the Ambulance Department Quarterly Report stating that for the 1st Quarter of 2012 there were 30 No Loads/Cancelled, 25 ALS Transfers, 13 BLS Transfers and 63 Scene Transports for a total of 131. Total billed for the 1st quarter was just over \$100,000.
- d. City Planner Morton reported on the April 10, 2012 Planning Commission meeting stating that a Public Hearing was held to amend City Code Section 156.102(E) Zoning Permits. The Commission recommended Council approval. See 7e.

- e. Mayor Rykken reported on the April 18, 2012 Hospital Board meeting stating that all staff have been interviewed; however, offers will not be made until the IRS Designation Letter is complete. See 7m.
- f. The EDA met in a session with Sauk Centre Opportunities to discuss a potential joint effort which would result in the expansion of one business and the retention and expansion of a second business. The EDA and Sauk Centre Opportunities agree that this proposal will result in a significant impact to the business community and merits additional research and development. See 7k.

7. ACTION ITEMS

- a. See 6a.

Council Member Stone introduced Resolution 2012-23, Resolution Accepting 2011 Annual Audit. The motion was seconded by Council Member Olson. A vote being recorded as follows: For: Council Members Stone, Olson, Coenen, Johnson and Mayor Rykken. Against: None. The motion passed.

City Administrator Willer thanked the Council and staff for their hard work.

- b. Pursuant to Council Action on February 9, 2012, CenterPoint Energy was notified that the City Council would review and consider an amendment to the existing Franchise Agreement. The notification stated that the City would consider a franchise fee increase to 3%.

The current 1.5% franchise fee generated \$28,535.76 in 2011.

Council Member Johnson introduced Ordinance No. 721, An Ordinance of the City of Sauk Centre Amending the Franchise Fee for the Non-Exclusive Franchise to CenterPoint Energy. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Johnson, Stone, Coenen and Mayor Rykken. Against: Council Member Coenen. The motion passed.

The new fee will take effect with gas sales beginning July 1, 2012.

- c. Current City Code specifically restricts the consumption or possession of any alcoholic beverages on all public property, including parks and campgrounds. The Park Board recommends that the Code be amended to allow consumption in the campground and also in City Parks in conjunction with an organized event (excluding youth events) and with the rental of the park. The provision that there shall be no glass bottles still applies. Section 113.16 of the City Code follows with the proposed new language underlined and italicized:

§ 113.16 CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES ON STREETS, PUBLIC PROPERTY AND PRIVATE PARKING LOTS TO WHICH THE PUBLIC HAS ACCESS.

It is unlawful for any person to consume, or possess in an unsealed container any alcoholic beverage on any city park, street, public property, or private parking lot to which the public has access, except on premises when and where permission has been specifically granted or licensed by the Council. Permission to consume or possess alcohol in a city park is hereby granted by the city with the rental of a park shelter for a gathering or during an organized event with the exception of organized youth events. Intent to consume alcohol shall be indicated on the rental agreement. Permission is specifically granted to occupants of Sinclair Lewis Campground during his or her rental period.

Provided, that this section shall not apply to the possession of an unsealed container in a motor vehicle when the container is kept in the trunk of such vehicle if it is equipped with a trunk or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. For the purpose of this section, a utility or glove compartment shall be deemed to be within the area occupied by the driver or passengers. Provided, further, that this section shall not apply to a bus operated under a charter, or to a limousine, both as defined by statute.

This will now allow the consumption of alcohol in limited cases. This Ordinance is for consumption and possession only. It does not authorize the sale of alcohol. Such a permit is necessary through the City's alcohol code.

Council Member Olson introduced Ordinance No. 722, An Ordinance Amending Section 113.15 of the City Code Authorizing Consumption of Alcohol on Specified City Owned Properties. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Olson, Stone, Johnson and Mayor Rykken. Against: Council Member Coenen. The motion passed.

d. See 7c.

MN Statute allows for the publication of adopted Ordinances in summary if the title of the summarized Ordinance clearly identifies the content.

Council Member Stone introduced Ordinance No. 723, An Ordinance of the City of Sauk Centre Authorizing Summary Publication of Ordinance No. 722 Amending Section 113.16 of the City Code Authorizing Consumption and Possession of Alcohol in City Parks Under Certain Conditions. The motion was seconded by Council Member Johnson. A vote being recorded as follows: For: Council Members Stone, Johnson, Olson and Mayor Rykken. Against: Council Member Coenen. The motion passed.

f. The Planning Commission held a public hearing to consider an amendment to the Zoning Ordinance to require a zoning permit for the installation of impervious surfaces such as patios and driveways. A permit is currently not required. The purpose of the

requirement is for calculation of lot coverage which relates to stormwater runoff. Zoning permits are \$10.

The excerpt below amends Section 156.102(E) with notations indicated ~~language to be deleted~~ and language to be added.

(E) Zoning Permits

- (1) No person shall erect, alter, move or install fences, signs, fill, above ground swimming pools ~~or~~ sheds 120 square feet or less in size, or driveways, patios or any other impervious surface or structure without first securing a zoning permit from the Zoning Administrator. All impervious surfaces or structures shall meet current setbacks and be included in the lot coverage calculation.
- (2) Zoning permits shall be valid for 1 year after which they shall become null and void. Time limits may be extended by the Zoning Administrator for good cause. A second extension shall be decided by the Planning Commission. Termination provisions of 1 year will also apply to currently issued permits and the 1 year would run from the date of the adoption of the amended ordinance.
- (3) Granting of a Zoning Permit shall occur when all requirements of this section have been met, but shall not be considered a statement of compliance with regional, state or federal codes, statutes or laws or approval of the design of the structure or accessories, or description of the property. Subsequent actions of the Zoning Administrator shall not be considered acceptance of structural components with workmanship, but rather shall be for the purpose of determining general compliance with this section.

Council Member Stone introduced Ordinance No. 724, An Ordinance Amending Section 156.102(E)(1) Amending Requirements for Obtaining Zoning Permits. The motion was seconded by Council Member Olson. A vote being recorded as follows: For: Council Members Stone, Olson, Johnson and Mayor Rykken. Against: Council Member Coenen. The motion passed.

f. See 7e.

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Council Member Stone introduced Ordinance No. 725, An Ordinance of the City of Sauk Centre Authorizing Summary Publication of Ordinance 724 Amending Section 156.102(E) Zoning Permit Requirements. The motion was seconded by Council Member Olson. A vote being recorded as follows: For: Council Members Stone, Olson, Johnson, Coenen and Mayor Rykken. Against: None. The motion passed.

g. Family Dollar, Inc. submitted a Cigarette License Application and has completed the appropriate paperwork (Workman's Comp). The license fee has been paid.

A motion was made by Council Member Johnson and was seconded by Council Member Stone to approve the Cigarette License for Family Dollar, Inc. A vote being recorded as follows: For: Council Members Johnson, Stone, Olson, Coenen and Mayor Rykken. Against: None. The motion passed.

- h. At the March 21, 2012 meeting, the Council took formal action appointing Bolton Menk as the Airport Consultant for a period of five years, beginning May 2012. A consultant is required for the City to participate in Federally Funded Programs (NPIAS).

The Council was presented with the Master Agreement.

A motion was made by Council Member Olson and was seconded by Council Member Stone to approve the Master Agreement for Airport Consultant Services. A vote being recorded as follows: For: Council Members Olson, Stone, Johnson, Coenen and Mayor Rykken. Against: None. The motion passed.

- i. This action is a follow-up to the Special Workshop Session where the Council reviewed the Plans and Specifications for the upcoming Stormwater Project for 4th, 5th, Oak Street Circle, Grove Lake and Getty Street Project (4th Street Stormwater).

Resolution No. 2012-24 approves the plans and specifications and authorizes advertisement for bids. The bid opening is set to occur on May 11th at 11:00 a.m. with a potential bid award at the May 16th meeting.

A motion was made by Council Member Olson and was seconded by Council Member Johnson to approve Resolution No. 2012-24, Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for 2012-2013 4th Street Stormwater Improvement Projects. A vote being recorded as follows: For: Council Members Olson, Johnson, Stone and Coenen. Against: None. Abstain: Mayor Rykken. The motion passed.

- j. Council Member Olson, City Administrator Willer and City Planner Morton met with Bruce Miles of Big River Group, LLC relating to long term strategic planning.

It is recommended that the City Council meet in a workshop session with Mr. Miles to discuss planning issues facing the City.

It was the general consent of the Council to set the workshop session for 5:00 p.m. on May 16th.

- k. Sauk Centre Economic Development Authority and Sauk Centre Opportunities met in a joint session regarding a potential development project. The EDA is recommending that the City authorize the use of an Economic Development Consultant to assist with the proposal. Work would include identifying and making applications for funding resources and packaging a project to include the Developer, Sauk Centre Opportunities, the City

and the EDA. The EDA has selected Heidi Peper of SEH to work on the project. Ms. Peper specializes in grant applications.

The EDA has budgeted \$30,000 for the use of a consultant for assistance with Community Development Proposals.

The preliminary estimate is \$2,000. A more formal agreement will follow.

A motion was made by Council Member Olson and was seconded by Council Member Stone to approve the use of a consultant by the EDA to formulate a proposal as outlined. A vote being recorded as follows: For: Council Members Olson, Stone, Coenen, Johnson and Mayor Rykken. Against: None. The motion passed.

1. With the closure of various funds at the end of 2011, the City allocated dollars to be used to develop a Stormwater Utility. The funds were set aside into the sinking fund pending approval of the Utility. Now that it has been approved, the fund can be set up and the dollars transferred out of the sinking fund and into the new fund.

\$25,482.08 was set aside plus \$227.42 of interest for a total of \$25,709.51 to be deposited into the Special Revenue Utility Fund.

Council Member Stone introduced Resolution No. 2012-25, Resolution Authorizing Transfer of Funds. The motion was seconded by Council Member Johnson. A vote being recorded as follows: For: Council Members Stone, Johnson, Coenen, Olson and Mayor Rykken. Against: None. The motion passed.

- m. The Affiliation Agreement the City holds with CentraCare states the transfer will occur on or before July 1, 2012. Due to delays with the IRS Designation Letter, the Hospital Board is requesting the City approve an extension.

A motion was made by Council Member Stone and was seconded by Council Member Olson to approve the extension of the Affiliation Agreement. A vote being recorded as follows: For: Council Members Stone, Olson, Johnson and Mayor Rykken. Against: Council Member Coenen. The motion passed.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

None.

10. CONSENT AGENDA

The Council then considered the following consent agenda:

- a. Schedule of Claims – Total of unpaid claims \$140,001.23 and paid claims of \$221.18 for a total of \$140,222.41.

- b. List of March checks totaling \$247,400.07 (Check No. 032483 through Check No. 032574 and ACH Payments No. 1496E through No. 1519E and 3 ACH Payroll)
- c. Resolution No. 2012-26, Resolution Accepting Contributions. The contributions totaled \$700 from Dale and Carol Emmel to be used for the Sauk Centre Fire Department Equipment Fund and \$100 from the VFW to be used for the Sauk Centre Ambulance Department in honor of Kali Arnzen and Mercedes Eke.
- d. Gambling Application for Exempt Permit Request from Holy Family School for a raffle on August 17, 2012 at Gerard's Dining and Banquet.

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

Mayor Rykken thanked Dale and Carol Emmel and the VFW for their donations.

11. INFORMATION ITEMS

- a. Severe Weather Awareness Week. The sirens were recently moved to their new locations.
- b. Notice of Public Hearing for new licenses – On Sale Intoxicating & Sunday for Palacio, Inc. – El Palacio Mexican Restaurant.

12. ADJOURNMENT

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

With no further business to come before the Council, Mayor Rykken adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Mayor Dennis Rykken

City Administrator Vicki M. Willer