

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, JULY 1, 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, July 1, 2009 at 6:30 p.m. in the City Hall Council Chambers pursuant to due notice being given thereof. Present were Council Members David Thomas, Keith Johnson, Warren Stone, Al Coenen and Mayor Kirckof. Also present were City Administrator Vicki Willer, Police Chief Bryon Friedrichs, City Planner Sarah Morton, Engineer Yapp with Bonestroo and Administrative Assistant Nicki Vogt. Mayor Kirckof presided thereat.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

The Council's June 3, 2009 meeting minutes were approved as presented.

4. PUBLIC OPEN FORUM

None.

5. PUBLIC HEARINGS

Liquor License Transfer from Next Door Bar & Lounge, LLC to Next Door Bar & Lounge VII, LLC.

Mayor Kirckof stepped down and Dave Thomas acted as Mayor for this Public Hearing.

Acting Mayor Thomas opened the Public Hearing at 6:32 p.m. and read the Public Hearing procedure.

Next Door Bar & Lounge VII, LLC submitted an application for transfer of an On-Sale, Off-Sale and Sunday liquor license.

The Public Hearing notice was published in the Sauk Centre Herald on June 17, 2009 and was posted and mailed as required by law.

The Findings of Fact are as follows:

1. The application has been completed in full.
2. There were no false statements or willful omissions found or suspected on the application form.

3. The application fees were paid and the background/criminal history check was completed by the Chief of Police on applicant Eric Hellermann. The check came back clear.
4. The business name Next Door Bar & Lounge VII, LLC has been filed on June 16, 2009 and is active.
5. A financial check was completed and there are no judgments filed against the applicant.
6. Next Door Bar & Lounge VII, LLC will meet the standards prescribed in the City's Liquor Ordinance and will abide by all rules and regulations therein.
7. No objections were filed with the City prior to the Public Hearing.

Acting Mayor Thomas called for persons to speak in favor.

Kristie Kirckof, owner of Next Door Bar & Lounge, LLC, stated that she is selling the business because she would like to have more time to spend with family. One of her employees (Eric Hellerman) will be purchasing the bar.

Acting Mayor Thomas called three times for persons to speak in favor or against. None additional spoke.

6. REPORTS/PRESENTATIONS

- a. City Administrator Willer reported on the July 1, 2009 EDA meeting as follows:
 - Jack Gabler of the MN Small Business Development Center (MnSBDC) was present. The MnSBDC has been operating an office in City Hall for 1.5 years and they are here the 1st and 3rd Wednesday of every month.
 - Dennis Heinen was appointed to the EDA as the Chamber Representative.
 - The Business Expansion/Retention survey results were reviewed.
 - Pay-As-You-Go Payments were recommended to be approved for payment.
- b. The Policy & Planning Committee met on Tuesday, June 23, 2009. At that meeting the Winter Parking Ordinance was discussed in detail as it relates to the notice placed on vehicles and the time-frame prior to towing. A recommended update will come at a future meeting.

The Committee is recommending that prior to the winter season the City advertise for towing rates/impound for winter parking infractions.

The procedure for removing snow from downtown area was reviewed. There are no recommended changes at this time; however, the Committee will be reviewing the policy in its entirety prior to the plow season for possible updates.

The updated Transient Merchant Ordinance was reviewed and will be forwarded to the Council for review and adoption at the July 15, 2009 meeting.

The City's policy as it relates to outdoor consumption of liquor was reviewed. The Committee is recommending revisiting this by the Council. Smoking on public streets was discussed and upcoming revisions to liquor licensing procedures were reviewed. The Council will be provided full copies of recommendations for discussion at an upcoming meeting.

The nuisance violation procedure was reviewed. It was the consent of the committee that the efforts should be made to shorten the timeframe. This will be discussed with the City Attorney.

The Special Assessment Policy was reviewed as it relates to the percentage of assessments for various projects. The three specific areas discussed were sidewalks (100% assessed), mill and overlays (50% assessed) and reconstructs (50% assessed). Revisions will be reviewed by the Committee and forwarded to the Council for discussion and possible adoption.

- c. The Finance Committee met on Wednesday, June 24, 2009. The Committee reviewed a proposal from Ochs, Inc. regarding offering benefits for Life, Short Term and Long Term Disability, Dental and Vision Plans. Currently, employees can purchase life and short term disability insurance through the group plan through salary deductions.

Updated job descriptions for the Administrative Assistant and Office Assistant were reviewed with amendments. They are recommended to be adopted. See action item 7d.

The 2009 budget was reviewed for possible amendments now that the LGA amount is known. The Committee will review the budget in more detail following the end of the June expenditure postings. At the present time the Committee felt that the City should operate as if the proposed amendments from January are in effect. Decisions on line items can be made as necessary. Recommendations on non-union employees pay rates will be forthcoming. The Committee is recommending that a decision on mill and overlay projects wait until the Policy and Planning Committee has a firm recommendation on assessment rates.

The Committee recommended that City Administrator Willer issue a written reprimand to an employee who allowed unsupervised access to a facility to a non-employee.

The Committee recommended updates to City Personnel Policies regarding use of City facilities by employees.

7. ACTION ITEMS

- a. See 5a above.

Council Member Stone introduced Resolution No. 2009-39, Resolution Approving the Application of Next Door Bar & Lounge VII, LLC for a Transfer of an Off-Sale, On-Sale and Sunday Liquor License Located at 517 Sinclair Lewis Avenue with the effective date of August 1, 2009. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson and Coenen. Against: None. Abstain: Mayor Kirckof (Reason: Personal). The motion passed.

- b. Next Door Bar & Lounge VII, LLC submitted a cigarette license application, provided Worker's Comp insurance and have paid the appropriate fee.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to approve the Cigarette License for Next Door Bar & Lounge VII, LLC. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson and Coenen. Against: None. Abstain: Mayor Kirckof. (Reason: Personal). The motion passed.

- c. At the June 17, 2009 meeting the Council tabled the request from Gerard's Restaurant & Banquet for a temporary extension of an outdoor liquor permit for August 22, 2009 for a volleyball tournament and live concert until midnight. The Council tabled the request to allow Gerard's the ability to determine if the area behind Westside Liquor could be included in the request, to provide location for a fence opening and to detail all available parking areas. An additional option offered was that Gerard's hire a sworn officer to be on location which would give local officers radio contact at all times.

Gerard's proposes to fence an area approximately 200'x250' in the back parking area south of the building to provide a secure area for this event.

Staff recommended the following conditions be considered in conjunction with permit approval:

1. \$50.00 application fee – PAID
2. Site map provided.
3. Certificate of Insurance.
4. Alcohol to be dispensed in non-glass containers.
5. All ID's be checked and only 21 and older will be allowed unless they are the designated driver.
6. Area to be fenced with no alcohol permitted outside the fenced area.
7. Notify neighboring properties of the event.

Darren Larson of Gerard's stated that he has received written authorization from Westside to lease their land for that evening. This parcel of land will be covered under Gerard's insurance for the evening. He also stated that he has contacted Wal-Mart and other neighboring businesses and they have given their consent to

Gerard's for the use of their parking lots. The entry/exit will be controlled. They plan on having one sworn officer on duty along with 15 security personnel.

A motion was made by Council Member Stone and was seconded by Council Member Thomas to approve the temporary extension of outdoor liquor permit for Gerard's Restaurant & Banquet on August 22, 2009. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson and Coenen. Against: None. Abstain: Mayor Kirckof. (Reason: Personal). The motion passed.

- d. Updates to the job descriptions for the Administrative Assistant and Office Assistant/Receptionist were prepared and reviewed by the Personnel/Finance Committee and are recommended to be adopted. The updates more closely reflect the actual duties performed by the positions and clarify primary responsibilities of various duties. The adjustments made did not raise to the level of changes in point values.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to adopt the updated job descriptions for the Administrative Assistant and Office Assistant/Receptionist dated July 1, 2009. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

- e. At the June 17, 2009 Council meeting they requested a speed study be conducted on County Road 17 from Eastview Drive to County Road 185. The appropriate methodology for requesting a speed study is for the Council to adopt a formal resolution.

Council Member Stone introduced Resolution No. 2009-40 Requesting a Speed Study be Conducted on County State Aid Highway 17 within the Corporate Limits of the City of Sauk Centre. 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.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

- a. Public Works Director Wessel met with City Engineer Yapp to obtain updated estimates on the cost of each street in the Mill and Overlay project. The streets have been prioritized taking into consideration infrastructure needs. The listing with proposed costs will be reviewed by the Operations Committee with a recommendation to the Council.

Concurrently, the Policy and Planning Committee will be preparing a recommendation on the assessment policy. Once this recommendation is approved/denied, the Council can make a determination for funding this project.

10. CONSENT AGENDA

The Council then considered the following consent agenda:

- a. Schedule of Claims – Total of unpaid claims \$22,696.91 and paid claims \$2,437.68 for a total of \$25,134.59.

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, Coenen and Mayor Kirckof. Against: None. The motion passed.

11. INFORMATION ITEMS

- a. All documentation requirements for the funding of the 2009 T-Hangar Project have been executed. This includes the transfer from the City of Morris, Grant Agreement with the FAA and the Agreement with MnDOT Aeronautics.

Contract documents for the construction have been forwarded to the contractor for execution.

The Pre-construction meeting will be held July 9th at 3:00 p.m. at City Hall.

- b. The Youth Baseball Association is rapidly moving forward on the renovation of Jaycee Park. The ground has been worked up, Agri-Lime has been placed for the warning track and baselines, etc. The well was put in on June 26, 2009 with the sprinkler system and seeding to follow.
- c. Several questions were raised regarding the Stearns County Capital Improvement Projects within the City limits of Sauk Centre. The following projects are included on the County's five year Capital Improvement Plan:

- 2010 – Stop light replacement at TH71 and CSAH72 with MnDOT
- 2011 – Sinclair Lewis Avenue (17) from Wobegon Trail to Beltline (79) to 184 (2nd St.) to 183 (under freeway going west)
- 2014 – Beltline from Sinclair Lewis Avenue to TH71

- d. The SRWD Board and Staff extend an invitation to the 2009 Summer Tour. This tour will highlight multiple projects within the upper reaches of the Sauk River.

WHEN: Tuesday, July 7, 2009
START LOCATION: Sinclair Lewis Park
TIME: 3:00 p.m. – 9:00 p.m.

COST: \$6.00 (Supper)
REGISTRATION: 3:00 p.m. – 3:15 p.m.
RSVP: July 3, 2009 - 352-2231

Some of the stops for this tour are:

- Hickman Drive Stormwater Retention Basin
- Ashley Creek Monitoring Site
- Battle Point Park Restoration
- Sauk Centre Salt Shed Facility
- Sinclair Lewis Park Restoration
- Melrose Sauk River Park Restoration
- Several Feedlot Projects
- Sauk Lake Weed Harvester Program
- Ecosystems Services Project Presentation
- And many more projects and programs.

The tour will be aboard motor coach buses, with several stops along the way at project sites.

- e. Council Member Stone presented the Council with an update on the Convention and Visitor's Bureau.

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 7:26 p.m.

Respectfully submitted,

Mayor Brad A. Kirckof

City Administrator Vicki M. Willer