

**SAUK CENTRE CITY COUNCIL  
REGULAR MEETING  
WEDNESDAY, AUGUST 15, 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, August 15, 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 David Thomas, Al Coenen, Keith Johnson and Warren Stone. Also present were City Administrator Vicki Willer, Police Chief Metcalf, City Planner Votruba, Public Works Director Wessel and Administrative Assistant Nicki Vogt. Mayor Kirckof presided thereat.

**2. APPROVAL OF AGENDA**

The agenda was approved as presented.

**3. APPROVAL OF MINUTES**

The Council's August 1, 2007 regular meeting minutes were approved with changes.

**4. PUBLIC OPEN FORUM**

None.

**5. PUBLIC HEARINGS**

**Liquor License Transfer – Dorothy Petermeier to Westley David**

Mayor Kirckof opened the Public Hearing at 6:35 p.m. and read the Public Hearing procedure. The purpose of the Public Hearing to consider an application submitted by Westley David for a transfer of On-Sale, Off-Sale and Sunday Liquor License for the Red Carpet Bar & Grill located at 510 Sinclair Lewis Avenue. The premises is currently owned by Dorothy Petermeier.

The proper application has been completed, the fees have been paid, a background/criminal history check was completed and came back negative, proper insurance has been provided and Mr. David meets the standards prescribed in the Liquor Ordinance Section 701.04. No objections were filed with the City prior to the hearing.

City Administrator Vicki Willer stated that the license fee will be prorated and that is something that Ms. Petermeier and Mr. David will handle amongst themselves.

Mayor Kirckof called three times for persons to speak in favor or opposition. None spoke. He closed the Public Hearing at 6:38 p.m.

**Vacation of a Portion of 4<sup>th</sup> Street South**

Mayor Kirckof opened the Public Hearing at 6:39 p.m. and read the Public Hearing procedure. The purpose of the Public Hearing was to consider a proposed vacation of a portion of 4<sup>th</sup> Street South which is located westerly of the Walnut Street Garage. This property is a platted, but undeveloped extension of 4<sup>th</sup> Street South going west from

Walnut Street. The proposed vacation would be that portion immediately adjacent to Lot 1, Block 8.

The proposed vacation is due to a petition received by certain citizens of Sauk Centre. City Administrator Vicki Willer stated that, if approved, there will be a Quit Claim Deed from the City to the property owner. Thirty-three feet would be to the property owner and 33 feet to the City. If approved, this vacation would allow all tanks to be located on their property as one is currently on the City right of way.

Mayor Kirckof called for persons to speak in favor or opposition.

Patricia Neal, 331 Walnut Street. Ms. Neal questioned what would happen if the land in question is developed as she feels it will be developed in the future? She also questioned why shut the road off? She then stated that she has a water problem when there is heavy rainfall.

Council Member Coenen stated that the road that the road in question does not go anywhere and that Northstar owns the property and they have made it clear that they do not want a through road.

Dennis Rykken, 815 South 4<sup>th</sup> Street. Mr. Rykken stated that he lives half a block from 4<sup>th</sup> and Walnut and that he feels that this road is not likely to be opened in the future. He then stated that the area floods approximately 3 feet deep. He feels this situation needs attention.

PWD Wessel addressed the water concerns stating that crews have opened the ditch which has relieved some of the pressure, although it needs to be maintained constantly. He felt that with the work on Elm Street, the water will drain better. There is a storm catch basin on 4<sup>th</sup> Street and Willow.

Mayor Kirckof stated that the water issue is something that City Engineer Bonestroo will need to address.

Council Member Thomas questioned City Engineer Yapp if it is necessary to keep a Right of Way (ROW) to maintain stormwater. City Engineer Yapp responded stating that the City can stipulate that an easement be part of the 4<sup>th</sup> Street vacation.

Mayor Kirckof called 3 times for additional persons to speak in favor or opposition. None additional spoke.

Mayor Kirckof closed the Public Hearing.

## **6. REPORTS/PRESENTATIONS**

- a. Police Chief Metcalf gave the July, 2007 report. There were 389 incidents in July, which was a significant increase from July, 2006. The increase is due to more staff persons as there was a staff shortage in July, 2006.

b. City Planner Votruba reported on the Planning Commission's August 14, 2007 meeting as follows:

- Public Hearing for Oakridge Heights Colonial Addition. The Commission recommended that the Council approve the preliminary plat of Oakridge Heights Colonial Addition, contingent on staff recommendations. The preliminary plat will be brought to the Council at their September 5, 2007 meeting. Staff will be meeting with the State Historic Preservation Office on August 31, 2007 to further discuss the project.
- July building permits. There were 22 building permits issued in July for a monthly total of \$671,156.00. Three building permits were issued for new dwellings. Permits were also issued for several larger scale projects. One mechanical permit was issued for ductwork at the school and a permit was issued to the City for the construction of Browns Park.
- United Methodist Church (UMC) request. The Commission reviewed the UMC proposed expansion project which will involve a land use change of the parcel south of the existing church. The Commission motioned to allow for the completion of the project without going through a Conditional Use Permit process providing that the UMC take necessary steps to combine the two parcels into one.
- Discussion of proposed changes to Ordinance No. 643. A draft Ordinance was presented to the Planning Commission after review by City Attorney Mayer. The Ordinance has revisions to 5 specific sections as follows:

4.10 Home Occupation – “Hours of Operation determined by CUP”

4.13 Street Access – Adding a standard width for access points for residential properties.

5.15 & 6.19 Lot Dimensional Standards – Includes setback revisions for new or expansions to manufactured home parks.

6.15 Lot Maintenance – Adding language to note the need to establish ground cover areas with exposed soil and the need to establish ground cover within a specified time frame (6 months). Also, the need to remove or replace dead plant material such as trees.

- Oakridge Heights First Addition. Staff is currently working with the developer on formulating a Development Agreement.
- Determining compliance with property setbacks. The Commission discussed the need to address the situation of determining compliance to property setbacks when pins cannot be located.

City Planner Votruba then stated that as of sometime between August 24 – 31 he will be resigning from his position. He was recently offered and has accepted a senior position with the MPCA in their regional office in Brainerd. He stated that working with the City has been a great experience for him. He enjoyed the position and the opportunity to work with the citizens very much. He resigned

with no negative thoughts concerning his position and he feels that there are many good things in store for the City of Sauk Centre.

Mayor Kirckof thanked City Planner Votruba for his time and commended him on his good work which did not go unnoticed.

c. Public Works Director Wessel reported on the August 7, 2007 Park Board meeting. At that meeting they discussed the following:

- 2008-2012 CIP. Changes were made to the CIP with improvements being made to Morningview Park and JC Park. Playground equipment will be purchased for Sinclair Lewis Park. Campground extension was slated for 2009. Trail development was also slated for 2009.
- 2008 Budget. There were a few items that were changed, one being the addition of sinking funds for campground revenues.
- Sinking fund. Discussion was made regarding creating a sinking fund for the Build a Forrest project using leftover donations. This sinking fund would be used for future Build a Forrest projects.
- JR A Hockey. JR A had expressed an interest in coming to the City of Sauk Centre. Since that meeting they have decided they will not be coming to Sauk Centre in 2007.
- Campground Inspection. The Sinclair Lewis Campground was inspected and the results were good except for a hosebib in the fish house, which has since been fixed.

Mayor Kirckof questioned the progress on Brown's Park Shelter and PWD Wessel responded stating that the cement is being cured.

Mayor Kirckof then questioned the progress on the bathrooms at Brown's Park and PWD Wessel stated that paperwork has not been completed to start the process.

d. City Engineer Keith Yapp of Bonestroo presented a Feasibility Report on Ash and Pine Streets which was merely to provide information and detail on the projects as follows:

ASH STREET

- Existing sanitary sewer, water main & storm sewer will be removed and replaced from Sinclair Lewis Avenue to 10<sup>th</sup> Street
- Road will be surfaced with 4 inches of bituminous pavement
- Existing sidewalk in poor condition will be removed and replaced
- New 5 foot sidewalk will be placed in front of homes with no existing sidewalk
- 10<sup>th</sup> Street to 12<sup>th</sup> Street will receive a 2 inch layer of bituminous.

### PINE STREET

- Existing sanitary sewer and storm sewer will be removed and replaced from 300 feet north of 2<sup>nd</sup> Street to 2<sup>nd</sup> Street
- Reconstructed street surface will consist of 3 ½ inches of bituminous
- Mill & overlay are from 2<sup>nd</sup> Street to 1<sup>st</sup> Street will receive a 1 ½ inch application.

### 7. ACTION ITEMS

- a. Council Member Thomas introduced Resolution No. 2007-59, Resolution Approving the Application of Westley David for a Transfer of a Off-Sale, On-Sale and Sunday Liquor License to be Located at 510 Sinclair Lewis Avenue. 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.
- b. City Administrator Vicki Willer presented Resolution No. 2007-60, Resolution Vacating a Portion of 4<sup>th</sup> Street South Upon a Petition of a Majority of Abutting Landowners.

Council Member Thomas questioned if it was a good idea to table this resolution until the easement issue is clarified. City Engineer Yapp stated that it would be a good idea to retain a 10 foot easement on the south side, although he did state that it would be very unlikely that it would be used.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to adopt Resolution No. 2007-60 with the Findings and the stipulation that a 10 foot drainage and utility easement be granted on the south half of the centerline. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

- c. Council Member Thomas introduced Resolution No. 2007-52, Resolution Receiving Feasibility Study and Calling Public Improvement Hearing for 2008 Improvements, also motioning to approve fees and set neighborhood meetings which are to be posted as Special Meetings. The motion was seconded by Council Member Johnson. A vote being recorded as follow: For: Council Members Thomas, Johnson, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

A neighborhood meeting will be held on August 29 from 6:00 – 7:30 p.m. for property owners located between Sinclair Lewis Avenue and 7<sup>th</sup> Street. A second neighborhood meeting will be held on August 30, 2007 from 6:00 – 7:30 for property owners located between 7<sup>th</sup> Street and 12<sup>th</sup> Street. The Public Hearing is set for September 19, 2007.

- d. Council Member Stone introduced Resolution No. 2007-53, Resolution Receiving Feasibility Study and Calling Public Improvements Hearing for 2008 Improvements Pine Street North, also motioning to approve fees and set neighborhood meetings which are to be posted as Special Meetings. 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.

A neighborhood meeting will be held September 5, 2007 from 5:00 – 6:30 p.m. and the Public Hearing will be held September 19, 2007.

- e. The City's Franchise Agreement with Charter Communications is up for renewal and Charter has requested that the City consent to continuing the franchising authority under the existing terms on a month to month basis until a new Ordinance can be placed in effect. The Franchise will be on a future agenda with a separate proposed Franchise Ordinance for Minnegasco (Center Point Energy).

Council Member Stone introduced Resolution No. 2007-61, Resolution to Consent and Approval of Franchising Authority to Amend Cable Television Franchise Ordinance No. 554. 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. The motion passed.

- f. A motion was made by Council Member Stone and seconded by Council Member Thomas to accept the resignation of City Planner Phillip Votruba. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

- g. Due to the resignation of City Planner Votruba, staff recommended initiating the process to fill his position. City Administrator Vicki Willer presented a timeline for the process of hiring a Planner.

Mayor Kirckof stated that he wants to check out options before advertising for the City Planner position. He suggested the possibility of contracting out for a Planner, seek a contractor or hire a Planning Technician to be in the office and hire a Contractor for larger projects.

It was the general consent of the Council to have staff explore options before advertising for a City Planner.

- h. Office Assistant Wendy Drobny has been selected to serve on Jury Duty beginning August 13, 2007 and the Court has estimated that the trial could take up to 3 weeks. Rebekah Bakewicz will be able to assist for approximately 2 weeks before she starts school. Ms. Bakewicz previously worked in this capacity filling in for Administrative Assistant Vogt while she was on maternity leave.

A motion was made by Council Member Thomas and seconded by Council Member Stone to affirm the appointment of Rebekah Bakewicz as temporary Office Assistant filling in for Wendy Drobny while she serves on Jury Duty. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

## **8. UNFINISHED BUSINESS**

- a. A special budget meeting will be held on Tuesday, August 28, 2007 in the City Hall Upper Level Conference Room. Mayor Kirckof requested that all Council Members take the time to review the budget prior to the meeting as the budget is very important. The budget meeting will be open to the public.

## **9. NEW BUSINESS**

- a. None.

## **10. CONSENT AGENDA**

The Council then considered the following consent agenda:

- a. Schedule of Claims - Total of unpaid claims \$295,443.28 and paid claims of \$24,297.72 for a total of \$319,741.
- b. Resolution No. 2007-62, Resolution Accepting Contribution. The contribution totaled \$699.83 from the Sauk Centre Lions Club to be used for the Outdoor Skating Rink for gas, heat and phone service and \$281.51 from the Men's Card Playing Group to be used for the Senior Center.

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

## **11. INFORMATIONAL ITEMS**

- a. City Administrator Vicki Willer presented a copy of the changes in the Minnesota Clean Indoor Air Act for 2007. The changes go in effect on October 1, 2007.
- b. The 2006 Annual Disclosure Statement for TIF was published in the Sauk Centre Herald on August 7, 2007.
- c. Sauk Centre's population for 2006 was 4,142 and was revised to 4,203. The 2006 housing units were 1,746 which was revised to 1,777. City Administrator Vicki Willer has talked to the Public Works Crew regarding placing new population plaques around the City.
- d. Mayor Kirckof presented a letter from SBA commending City Planner Votruba for his work.

**12. COUNCIL COMMENTS**

Mayor Kirckof stated that an employee is not in agreement with their performance review and is requesting a closed Council meeting to discuss.

After a lengthy discussion, a motion was made by Council Member Stone and seconded by Council Member Coenen to hold the full Council closed meeting per the employee’s request. A vote being recorded as follows: For: Council Members Stone and Coenen. Against: Council Members Johnson, Thomas and Mayor Kirckof. The motion failed.

A motion was made by Council Member Johnson and was seconded by Council Member Thomas to stand behind the Personnel Committee’s recommendation and deny the request to hold a closed meeting. A vote being recorded as follows: For: Council Members Johnson, Thomas and Mayor Kirckof. Against: Council Members Stone and Coenen. The motion passed.

Council Member Thomas stated that every employee does have the chance to comment on their review.

**13. ADJOURNMENT**

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

With no further business to come before the Council, Mayor Kirckof adjourned the meeting at 8:30 p.m.

Respectfully Submitted,

\_\_\_\_\_  
Mayor Brad A Kirckof

\_\_\_\_\_  
City Administrator Vicki M. Willer