

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, OCTOBER 16, 2019**

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

The Sauk Centre City Council met in a Regular Meeting on Wednesday, October 16, 2019 at 6:30 p.m. in the City Hall Council Chambers pursuant to due notice being given thereof. Present were Council Members Joe Fuechtmann, David Thomas, Heidi Leach, Diane Kelly and Mayor Warren Stone. Also present was City Administrator Vicki Willer, City Planner Sarah Morton, Administrative Assistant Nicki Vogt, Public Works Supervisor Ben Clink, Police Chief Bryon Friedrichs and City Engineer Chuck Boser. Mayor Stone presided thereat.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A motion was made by Council Member Kelly and was seconded by Council Member Fuechtmann to approve the October 2, 2019 Regular Meeting Minutes. A vote being recorded as follows: For: Council Members Kelly, Fuechtmann, Leach and Thomas. Against: None. Abstain: Mayor Stone. The motion passed.

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

None.

5. PUBLIC HEARINGS – Unpaid Utility Assessments

Mayor Stone opened the Public Hearing and read the Public Hearing Procedure.

At the September 4, 2019 City Council meeting, the Council called for a public hearing to be held on October 16, 2019 to consider assessing unpaid utility and service call receivables to taxes. The unpaid amounts would then be collected with property taxes in 2020.

Notices were sent to all affected property owners along with legal advertisement in the Sauk Herald as required by law.

A copy of the affected properties was presented to the Council for their review.

Mayor Stone called three times for persons to speak in favor or opposition. None spoke. Mayor Stone closed the Public Hearing. See 7a.

6. REPORTS/PRESENTATIONS/AWARDS

- a. Police Chief Bryon Friedrichs presented the September Police Report stating that there were 534 ICR and 232 Verbal Warning for a total of 766.

b. Public Works Supervisor Ben Clink presented the Council with the following Public Works Department update:

- The plow trucks and sweeper have passed their annual inspection and have current DOT stickers
- Plow wings have been put on the plows and the sanders are ready to go for the winter season
- Street sweeper is currently sweeping streets
- Partial delivery of LED streetlights have been received and the PUC is installing as time allows
- New loader arrived the week of October 7th and staff has been trained
- Campground upgrade project will start the week of October 21st with work to include new pads, upgraded electric and water
- Splash pad and sprinkler systems are all winterized
- Ice installed in the arena the week of October 14
- Staff goes back to 8-hour workdays as of October 21
- Grass maintenance and mulching continues to be an ongoing project as time allows
- Fire hall roof repairs are complete
- Minor maintenance items are complete at the Library
- Gravel roads are being bladed
- Sidewalk inspections and repairs have been done.

c. Ambulance Director Kathy Struffert presented the July – September 2019 Quarterly Report as follows:

- 251 total calls
- Total billed out of \$212,643.10
- 79 total no-loads
- Events in 3rd Quarter include West Union Parade, Greenwald Parade, SL Days Parade and 5k, Stearns County Fair, demo derby, Nite to Unite, Football games
- Three hospital contract transfers to nursing home/private residence, which are billed to the hospital through contract

d. City Planner Morton stated that the Planning Commission met on Tuesday, October 8th. At that meeting they reviewed the September building permit reports (value - \$661,750) and zoning permit reports. They also discussed and recommended a Council amendment to the City Code regarding manufactured homes. (See 7d) Also reviewed was the 2020 Fee Schedule.

7. ACTION ITEMS

a. See 5a.

Approval of Resolution 2019-77 will cause the formal Certification of Special Assessments for Unpaid Utilities and Service Fees according to the Public Hearing.

The assessment includes a \$100 administrative fee that is certified along with the invoice to the County. The Council has historically waived that fee when the property owners pays the invoice prior to certification. Certification to be mailed to the County on November 15, 2019.

A motion was made by Council Member Kelly and was seconded by Council Member Thomas to approve Resolution No. 2019-77, Resolution Adopting Assessment Roll for Unpaid City and Utility Service Charges, as well as to not waive the \$100 fee. A vote being recorded as follows: For: Council Members Kelly, Thomas, Leach, Fuechtmann and Mayor Stone. Against: None. The motion passed.

- b. The Easement Agreement executed between the City and Centre Graphics for the use of the Golf Course on N. Main for the discharge of stormwater included a provision for the Owner of the course to construct the ponds for that purpose. It also included a provision that the Owner could consent to the City causing the ponds to be constructed with the net cost of the pond construction to be certified as a Special Assessment to the property. This was the option selected by the Owner.

The ponds were constructed with a final invoice submitted to the Owner for payment. The owner can either pay the invoice or by this Resolution, the City can assess it to property taxes for payment with taxes over ten years.

The net cost of the pond construction after credits based upon phosphorus removal calculations is \$31,476.90.

Council Member Fuechtmann introduced Resolution No. 2019-78, Resolution Authorizing Certification of Special Assessment. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Fuechtmann, Thomas, Leach, Kelly and Mayor Stone. Against: None. The motion passed.

- c. At the time the City certified Special Assessments for the Getty Street Project by the freeway, the City received an Appeal which put two properties on the Assessment Role on hold.

An Agreement was reached between the property owner (Thorson/Gopher Prairie Hotel) for a final amount to be assessed and all documentation consenting to the Agreement has been executed which now allows the City to finalize the Assessment with Stearns County.

The final Assessment is \$17,304.25.

The Assessment also includes a two-year deferral. The first payment of the Assessment will be with property taxes payable in 2020. If the property is sold, the assessment will be triggered to begin payments the following year.

Council Member Thomas introduced Resolution No. 2019-79, Resolution Authorizing Certificate of Special Assessment. 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.

- d. At the October 8, 2019 Planning Commission meeting, the Board conducted a Public Hearing to consider an Amendment to the City Code allowing manufactured homes greater than ten years old to be brought into the City at one of the two manufactured home parks.

The owner of Sauk Centre Mobile Home Park, Sean Ferrari, petitioned for the Amendment citing that the cost of trying to upgrade the park with homes newer than ten years old was cost prohibitive, especially considering the majority of homes in the park are forty years old or more.

The Commission voted that homes 25 years or newer be allowed, but that they must meet minimum qualifications including the HUD sticker must still be intact and that the general condition of the home meets established criteria.

The following excerpts from the City Code indicate where language will be stricken or inserted. The Council was also presented with an Ordinance that implements the changes.

§ 156.021 RELOCATED BUILDINGS OR STRUCTURES

(C) The Zoning Administrator shall approve permits for the relocation of buildings or structures only upon certifying the following:

(5) Manufactured/mobile homes that are moved into the RM Zoning District must comply with the provisions of this section, § 156.082, this chapter, and the State Manufactured Home Building Code and the following standards:

(a) The manufactured home must be installed and securely attached to the ground in accordance with the Manufacturer's Installation Manual or the State Manufactured Home Building Code, MN Administrative Rules Chapter 1350 and must display the original or amended HUD Certificate.

(b) The manufactured home must be skirted in accordance with Section 156.082 of this Code.

(c) The manufactured home must have installed or constructed landing steps at each doorway in accordance with applicable Building Codes.

(d) The towing apparatus must be removed, if applicable, or skirted as per Section 156.082 of this Code.

(e) Home must meet the City's Building and Appearance Guidelines outlined in Section 95.021 of this Code.

§ 156.102 PERMITS.

(F) *Moving permit.*

- (4) Before a manufactured/mobile home may be moved into the RM Zoning District, a permit must be granted by the Zoning Administrator. The Zoning Administrator shall not issue a moving permit for a manufactured/mobile home that was manufactured more than ~~40~~25 years prior to the year of the moving permit application.

(G) *Moving permit application.* An application for a moving permit must include the following where applicable:

(15) If a manufactured home, a Condition Inspection Report must accompany the application.

(H) *Permit issuance.*

(1) The Planning Commission may refuse to recommend, and the City Council may refuse to issue, a moving permit if it finds that 1 or more of the following situations exist:

- (f) The building is a manufactured/mobile home that was manufactured more than ~~40~~25 years prior to the year of the moving permit application.

A motion was made by Council Member Kelly and was seconded by Council Member Thomas to approve Ordinance No. 791, An Ordinance Amending Sections 156.021 and 156.102 of the Sauk Centre City Code Amending the Age Limit for Manufactured Homes, Adding Standards and Amending Permit Requirements. A vote being recorded as follows: For: Council Members Kelly, Thomas, Leach, Fuechtmann and Mayor Stone. Against: None. The motion passed.

e. Ambulance Director Kathy Struffert submitted two recommendations regarding EMT Appointments.

1. Libby Mathys be authorized to attend EMT Classes on behalf of the Department.
2. Scott Adamietz be appointed as a Probationary EMT.

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

f. Shannon Olson submitted her resignation as an EMT effective August 30, 2019. She has been an EMT with the Department since February, 2018.

A motion was made by Council Member Kelly and was seconded by Council Member Fuechtmann to accept the resignation of Shannon Olson as an EMT effective August 30, 2019. A vote being recorded as follows: For: Council Members Kelly, Fuechtmann, Leach, Thomas and Mayor Stone. Against: None. The motion passed.

g. Pay Request #13 has been received from Breitbach Construction Co.

| | |
|-------------------------|------------------------|
| Contract Amount | \$3,213,068.25 |
| Value Completed to Date | \$2,938,142.25 |
| Amount Earned | \$2,938,142.25 |
| Less Retainage | <u>-\$146,907.11</u> |
| Subtotal | \$2,791,235.14 |
| Less Previously Paid | <u>-\$2,559,139.68</u> |
| Amount Due this Request | \$232,095.46 |

A motion was made by Council Member Thomas and was seconded by Council Member Leach to approve Pay Request No. 13 to Breitbach Construction Co for \$232,095.46. A vote being recorded as follows: For: Council Members Thomas, Leach, Kelly, Fuechtmann and Mayor Stone. Against: None. The motion passed.

h. Beginning in 2020, residents of the City of Sauk Centre will be able to participate in Early Voting at each of the three elections. (Presidential Primary, August Primary, and November General). Residents can come to City Hall and receive a ballot, vote, and deposit it in the DS200 Vote Tabulator any day except Sunday for one week prior to the election.

The Council was presented with an Agreement that lays out the responsibilities of the City and Stearns County.

County

- Coordinate Equipment and Procedure Training Information
- Operate, test, demonstrate and provide technical support.
- Provide forms and supplies
- Pay City \$727.50 for each election providing Early Voting Services

City:

- Provide Polling Place
- Provide Staffing
- Be Open the week prior during regular business hours and Saturday from 10 to 3.
- Designate principal contacts for coordination
- Administer coordination of judges and staff
- Conduct public accuracy tests
- Compile and report election results

- Be responsible for damage
- Transport Equipment

A motion was made by Council Member Fuechtmann and was seconded by Council Member Kelly to authorize execution of an Agreement to provide early voting. A vote being recorded as follows: For: Council Members Fuechtmann, Kelly, Thomas, Leach and Mayor Stone. Against: None. The motion passed.

- i. On September 18, 2018, the City Council gave consideration to participating with Stearns County on a change and repair of the stormwater catch basins and piping at the intersection of Fairy Lake Road and Second Street South. The County has plans to upgrade Fairy Lake Road and wants to resolve the issue of the stormwater coming down the hill of Second Street which leaves sand and debris on the roadway. The current design runs water into the ditch which isn't always successful.

The project would include installing a curb-line, catch basin and piping to get the water into the City's existing storm pipe.

County would cover costs of the installation and is requesting that the City share in the cost of the materials.

Those numbers are as follows:

| | |
|------------------|------------|
| Hancock | \$4,062.15 |
| Ess Brothers | \$1,758.00 |
| Mark Lee | \$891.00 |
| Worms Concrete | \$202.50 |
| Erosion Supplies | \$500.00 |
| Curb | \$1,975.00 |
| Total | \$9,388.65 |

**City of Sauk
Centre**

| | |
|-------------------------------------|------------|
| 50% Cost share for materials. | \$4,694.32 |
| Does not include installation Labor | |

A motion was made by Council Member Thomas and was seconded by Council Member Leach to approve the cost share for Fairy Lake Road and 2nd Street project for \$4,694.32. A vote being recorded as follows: For: Council Members Thomas, Leach, Kelly, Fuechtmann and Mayor Stone. Against: None. The motion passed.

- j. The City sponsors a Figure Skating Class at the Arena on Saturday mornings. The class requires one to two instructors, depending upon the number of participants.

It is requested that the following be appointed for the 2019/2020 season.

| | | |
|-----------------|------------------|--------------------------------|
| Sara Linow | \$30.00 per hour | (IRS Mileage Rate when Driver) |
| Kally Herdering | \$15.00 per hour | (IRS Mileage Rate when Driver) |

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

- k. The City, as Owner, of the Nursing Home has participated in a Federal/State Program to receive some reimbursement of shortfalls from providing care under the Medical Assistance Program.

The City as the owner jointly with CentraCare as the Provider would execute an application for the Program. (ECPN).

A motion was made by Council Member Thomas and was seconded by Council Member Fuechtmann to approve the application for ECPM Program for 2020. A vote being recorded as follows: For: Council Members Thomas, Fuechtmann, Leach, Kelly and Mayor Stone. Against: None. The motion passed.

- l. The following equipment was offered for sale through the State of Minnesota Online Bidding Process:

| <u>Equipment</u> | <u>Bidder</u> | <u>Amount</u> |
|-----------------------|---------------|---------------|
| Wooden Play Structure | Cyril Thoms | \$334.23 |
| 3 Point Sprayer | Chris Johnson | \$123.20 |

Council Member Kelly introduced Resolution No. 2019-81, Resolution Accepting Bids and Authorizing Sale of Equipment. The motion was seconded by Council Member Fuechtmann. A vote being recorded as follows: For: Council Members Kelly, Fuechtmann, Leach, Thomas and Mayor Stone. Against: None. The motion passed.

8. UNFINISHED BUSINESS

- a. The City Council conducted a Public Hearing on the Proposed Implementation of a Rental Registration and Inspection Program on October 9, 2019.

At the Public Hearing, the Council heard a re-cap of the Program which had previously been presented at Public Informational Meeting and also received comment from members of the Audience.

The Council discussed the following issues and provided direction to staff regarding the concerns of the Public so they can be incorporated into the Ordinance which will be presented for final adoption at a subsequent meeting.

Issues:

- Installation of Bathroom Ventilation – leave alone unless mold is found
- Bedroom or Bath Access through other Bedrooms – not a concern

- Electrical Code – GFCI Outlets – If they met the code requirements when the building was built, then it is ok. If a remodel takes place, they must install a GFCI outlet and follow current electrical codes
 - Egress Windows – Egress windows are a must and they must be installed in the bedrooms
 - Grandfather Clause – non-issue
- b. The Safe Routes to School Planner that has been assigned to Sauk Centre to assist with the development of a Safe Routes to School Plan met with representatives of the Safe Routes to School Committee to outline the process, provide a timeline and to gather input.

Moving forward, there will be outreach to the community, teachers, and students regarding issues deemed to impact a safe route for walking and biking to school.

Also, there will be outreach events where the community can participate, online input, and other types of events that will encourage walking and biking to school.

At the conclusion of the SRTS Process, a Plan will be developed. The City can use the Plan when considering infrastructure upgrades and also use it for grant development.

9. NEW BUSINESS

None.

10. CONSENT AGENDA

The Council considered the following Consent Agenda Items:

- | | | | |
|----|----------------------|---------------|---------------------|
| a. | Schedule of Claims - | Unpaid Claims | \$337,636.63 |
| | | Paid Claims | <u>\$17,126.10</u> |
| | | Total | <u>\$354,762.73</u> |
- b. September Checks Paid Claims/Payroll \$867,231.57
- c. Gambling Application for Exempt Permit Request from Sauk Centre Lions Club for a raffle on February 26, 2020 at the American Legion.
- d. Gambling Application for Exempt Permit Request from Sauk River Bucks Chapter of MN Deer Hunters for a raffle on December 5, 2019 at the ElmerZ Restaurant, Bar & Event Centre.
- e. Gambling Application for Exempt Permit Request from Sauk Centre Sno-Cleats, Inc. for a raffle on March 21, 2020 at the American Legion Club.
- f. Resolution No. 2019-80 Resolution Accepting Contributions.

| | | |
|-------------------------|------------|-------------------------|
| Central MN Credit Union | \$100.00 | Police Dept. - Drone |
| Walmart | \$3,500.00 | Park - Challenge Course |

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

The Council thanked Central MN Credit Union and Walmart for their donations.

11. INFORMATIONAL ITEMS

None.

12. ADJOURNMENT

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

With no further business to come before the Council, Mayor Stone adjourned the meeting at 7:21 p.m.

Respectfully submitted,

Mayor Warren Stone

City Administrator Vicki Willer