

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, NOVEMBER 7, 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, November 7, 2007 at 6:30 p.m. at the City Hall Council Chambers pursuant to due notice being given thereof. Present were Council Members David Thomas, Warren Stone, Al Coenen and Keith Johnson. Also present were City Administrator Vicki Willer, Public Works Director Wessel, Assistant Ambulance Director Deschene and Administrative Assistant Nicki Vogt. Mayor Kirckof was absent. Council Member Thomas presided thereat.

2. APPROVAL OF AGENDA

The agenda was approved with changes.

3. APPROVAL OF MINUTES

The Council's October 17, 2007 regular meeting minutes were approved with corrections.

4. PUBLIC OPEN FORUM

None.

5. PUBLIC HEARINGS

Drainage Easement Vacation.

Council Member Thomas opened the Public Hearing at 6:33 p.m. and recited the Public Hearing procedure. The purpose of the Public Hearing is to consider a proposed vacation of a drainage easement legally described as:

Outlot 2 of R. Moore's Addition of Outlots to Sauk Centre and that part of Lot 13 which lies South of Lot 2 of R. Moore's Addition Outlots of Auditor's Subdivision of NE1/4 of NE1/4 of Section 8 and West ½ of Section 10, Township 126, Range 34 of the City of Sauk Centre, Stearns County, Minnesota.

City Administrator Vicki Willer stated that the City obtained an easement for drainage purposes across the lot prior to the installation of storm sewer on 2nd Street North. Upon the completion of the storm sewer system in 1974, the City ceased to use the easement for overland drainage. With the recent sale of the property, title work revealed the existence of the "blanket easement" across the entire property which had previously been thought to be vacated. The title company along with their attorney requested that the City confine the easement to a specific area; however, it may be more appropriate to vacate the easement in its entirety

Resolution No. 2007-89, Resolution Approving Drainage Easement Vacation will be considered for action under 7a.

Council Member Thomas called for persons to speak in favor or opposition of the Drainage Easement Vacation. None spoke.

Council Member Thomas closed the Public Hearing at 6:36 p.m.

Adoption of the Code of Ordinance

Council Member Thomas opened the Public Hearing at 6:36 p.m. and recited the Public Hearing procedure. The purpose of the Public Hearing is to consider and possibly adopt a City Code consisting of the general Ordinances of the City as amended, restated, revised, updated, codified and compiled in book form, including penalties for the violations of various provisions thereof, which shall constitute the “Code of Ordinances of the City of Sauk Centre.”

City Administrator Vicki Willer stated that adoption of the Ordinance will repeal all prior Ordinances and combine them into one code. In addition, references to Minnesota Statutes along with other legal references will be updated. This will then give the City a starting point to begin the process of updating the code to meet their current needs. She noted that staff and Council will need to review it section by section in order to update

Ordinance No. 664 will be considered under action item 7b.

Council Member Thomas called for persons to speak in favor or opposition. None spoke.

Council Member Thomas closed the Public Hearing at 6:38 p.m.

6. REPORTS/PRESENTATIONS

a. Deleted

b. Public Works Director Wessel stated that he is working on the following projects:

- East River Circle retention pond. Due to the recent heavy rains, the retention pond at this site is eroding so the plan is to re-riprap the pond. Before any work is done, quotes will be solicited and presented to the Council.
- Low areas on Willow and Cedar Street. At one time this area was a pond that was filled in which is now causing problems. This area is placed on the 2009 Capital Improvement Project, so the plan is install french drains and re-berm the area to hold it over for the 2009 CIP.

Public Works Director Wessel then stated that the Highway 71 lighting project is complete and the airport site prep is nearing completion.

Council Member Coenen felt that the City should take care of 2nd, 4th and Walnut Streets first.

Public Works Director Wessel responded stating that a study is being completed on 2nd, 4th and Walnut Streets.

City Engineer Yapp stated that Bonestroo is actively working on this project and should have something to report to the Council very soon.

Yapp then noted that if the East River Circle retention pond erodes more; a structure would be at risk.

7. ACTION ITEMS

- a. See 5a above.

Council Member Johnson introduced Resolution No. 2007-89, Resolution Approving Drainage Easement Vacation. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Johnson, Stone, Coenen and Thomas. Against: None. Absent: Mayor Kirckof. The motion passed.

Adoption of this resolution will cause the drainage easement to be vacated.

Mayor Kirckof arrived at 6:50 p.m.

- b. See 5b above.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to adopt Ordinance No. 664, An Ordinance Enacting a Code of Ordinance for the City of Sauk Centre, County of Stearns, State of Minnesota, Amending, Restating, Revising, Updating, Codifying and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances and Providing Penalties for the Violation of the Code of Ordinances. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

City Administrator Vicki Willer noted that there is a 3 year contract and after that point the City can renew year to year or choose to update the City code in house.

- c. With the completion of negotiations with the Public Works and Police Unions and the settlement of their wages and benefits for 2008-2010, the 2008 wage scale for non-union employees is on the table for consideration.

In the settlement for the Union contracts, the Personnel Committee applied a 3% ratchet to the 2007 wage scale prepared by Springsted in the Compensation Study as a target wage.

To keep the Union and non-union employees on a similar range to comply with the Pay Equity Act, the Personnel Committee recommends that the 2007 wage

scale be amended by 3% for 2008. Non union employees currently on the non-union wage scale include the City Administrator, Deputy Treasurer, Administrative Assistant, Office Assistant/Receptionist, Police Chief, Public Works Director, City Planner (currently vacant) and the Senior Center Coordinator.

In addition to the 3% increase, the Personnel Committee recommends that the City's VEBA contribution for the non-union employees be amended to \$1,250 to coincide with the contribution for the union employees.

A motion was made by Council Member Stone and was seconded by Council Member Thomas to approve a 3% adjustment to the wage scale for non-union employees for 2008 and amend the VEBA contribution to \$1,250 per eligible non-union employee for 2008. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson and Mayor Kirckof. Against: Council Member Coenen. The motion passed.

The City currently contributes \$1,000 to VEBA.

Council Member Coenen stated that he felt that the wage and VEBA increases are excessive.

- d. At the October 17, 2007 Council meeting the Council appointed a Head Skating Instructor for the figure skating program with the understanding that two additional instructors would be forthcoming.

The two additional instructors are Brittney Muzik and Elizabeth Hausmann. Their rate of pay is \$17.00/hour plus \$5.00/week travel allowance. Funds for payment to the instructors are derived from fees generated in the skating program.

At that meeting the Council also approved the advertisement for Seasonal Employment at the Civic Arena to fill the position that was vacated by Dale Johnson. This position will work primarily evenings, weekends and holidays.

City Administrator Vicki Willer stated that interviews were held on Tuesday, November 6 and the interview committee recommended hiring Lee Mahnke at a rate of \$8.76 for the 2007-2008 season as a seasonal Arena Worker contingent upon a successful background check. If the background check is not successful, they recommended hiring Jeff Chalich at the same rate, contingent upon a successful background check.

A motion was made by Council Member Thomas and was seconded by Council Member Johnson to approve the appointment of Brittney Muzik and Elizabeth Hausmann as skating instructors for the 2007-2008 season at \$17.00/hour with a \$5.00/week travel allowance and approve the appointment of Lee Mahnke at a rate of \$8.75 for the 2007-2008 season as a seasonal Arena Worker pending a

successful background check. A vote being recorded as follows: For: Council Members Thomas, Johnson, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

- e. General Maintenance Worker Don Struss has completed his one year probationary period with the City of Sauk Centre as of October 24, 2007. Struss had a satisfactory performance review and it was recommended that he advance to Step 2 of the wage scale and become a “Regular Employee” as defined by the Labor Agreement.

A motion was made by Council Member Johnson and was seconded by Council Member Stone to approve the General Maintenance Worker Struss’ Step Increase by moving him from Step 1 to Step 2 (\$16.19/hour) effective October 24, 2007. A vote being recorded as follows: For: Council Members Johnson, Stone, Thomas, Coenen and Mayor Kirckof. Against: None. The motion passed.

It was noted that Struss had a better than satisfactory performance review.

- f. According to the staffing study portion of the Springsted report, the Personnel Committee recommends that the Public Works job descriptions be adopted for the following positions:

1. Public Works Director remains Public Works Director
2. Sr. Street Maintenance Worker becomes Public Works Foreman-Streets
3. Sr. Park Maintenance Worker becomes Public Works Foreman-Parks
4. General Maintenance Worker becomes Public Works Maintenance Worker
5. Parks Maintenance Worker becomes Public Works Maintenance Worker
6. Street Maintenance Worker becomes Public Works Maintenance Worker
7. Custodian becomes Building and Grounds Maintenance
8. Arena Manager position is deleted and duties are distributed elsewhere

Current Arena Manager Berg will be appointed to Public Works Maintenance Worker. His wages will be frozen until which time the grade/scale for the Public Works Maintenance Worker catches up to his current wage.

A motion was made by Council Member Thomas and was seconded by Council Member Johnson to adopt the job descriptions for Public Works Director, Public Works Maintenance Worker, Public Works Foreman-Street, Public Works Foreman-Parks and Building and Grounds Maintenance. Delete Arena Manager position and appoint Bill Berg as a Public Works Maintenance Worker with frozen wages until the grade/scale for that position reaches his current wage. A vote being recorded as follows: For: Council Members Thomas, Johnson, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

Mayor Kirckof stated that staff and the Personnel Committee met with the Public Works department to discuss the changes and it seems that everyone accepts the changes.

- g. Lee Vogt was the Safety Director for the City/PUC under the Safety Program. Due to his retirement in April 2007 the Safety Committee has been discussing how to proceed with filling the position. The Committee has since drafted a job description outlining the duties of a Safety Director. Further, a motion was made to have Mark Rachey and Wendy Drobny replace Lee Vogt as a Safety Director. The feeling was that since Mark is from the PUC and Wendy is from City Hall that they can both work together and report to Superintendent Marty Sunderman and City Administrator Vicki Willer with any issues that may arise. Mark will see that all PUC safety issues are in order and Wendy will see that all City safety issues are in order. It was noted that they are not the ultimate authority on safety and that Vicki Willer and Marty Sunderman are.

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

This job description will be placed on the Public Utilities Commission next meeting agenda.

- h. The City Council previously directed staff to solicit proposal for a firm to conduct planning services for the City. The City received four proposals which were reviewed by staff and discussed by the Personnel Committee. The Personnel Committee recommends that the City not accept the proposals and revisit the option of hiring a City Planner/Zoning Administrator as a staff person.

It was noted that the quotes were approximately \$105/hour for two days per week.

Mayor Kirckof stated that he felt the need to know what options available due to the high turnover rate.

A motion was made by Council Member Stone and was seconded by Council Member Thomas to start the process of hiring a full time City Planner. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

City Administrator Vicki Willer stated that someone should be on staff by March or April, 2008. The timeline for the City Planner position will be presented to the Council at a future meeting.

- i. The Ambulance Department, in consultation with City Attorney Mayer, has been working to develop a Mutual Aid Agreement that is consistent with all agencies

participating. Once the format is approved the Agreement will be forwarded to the following agencies for approval/adoption:

- Long Prairie
- Melrose
- Paynesville
- Brooten
- Glacial Ridge (Glenwood)
- North Ambulance (Alexandria)
- Gold Cross (St. Cloud)

A motion was made by Council Member Johnson and was seconded by Council Member Stone to approve the Mutual Aid Agreement form. A vote being recorded as follows: For: Council Members Johnson, Stone, Coenen and Mayor Kirkof. Against: None. Abstain: Council Member Thomas. The motion passed.

The Mutual Aid Agreement was modeled from the League of Minnesota Cities.

- j. The Ambulance Director, Assistant to the Ambulance Director and Training Coordinator took an Ambulance Service Model Personnel Handbook and fitted it to the needs of the City of Sauk Centre. The Policy Committee and City Attorney have reviewed this policy. This policy lays out everything regarding the operations of the Ambulance Department.

A motion was made by Council member Stone and was seconded by Council Member Johnson to approve the Ambulance Policy. A vote being recorded as follows: For: Council Members Stone, Johnson and Mayor Kirkof. Against: None. Abstain: Council Members Coenen and Thomas. The motion passed.

- k. Anita Kaiser from Centre Floral has submitted a request for the annual “Christmas by Candlelight” promotion. For the past eight years, the Chamber of Commerce and downtown merchants have conducted this promotion with much success. This includes decorating the sidewalks with luminaries (candles in paper bags) which will be placed in the store fronts. This promotion is intended for merchandise to be sold within the store, not for sidewalk sales. The date they are requesting is Friday, November 30, 2007 from 4:00 – 8:00 p.m.

Furthermore, Ms. Kaiser is requesting approval to conduct the “Christmas by Candlelight” promotion on an annual basis for the next 5 years.

Staff’s recommendation was for approval on a year to year basis as it isn’t recommended to make plans for future Council’s.

A motion was made by Council Member Johnson and was seconded by Council Member Thomas to approve the “Christmas by Candlelight” promotion and

placement of luminaries on sidewalks in front of businesses on Friday, November 30, 2007. A vote being recorded as follows: For: Council Members Johnson, Thomas, Stone, Coenen and Mayor Kirckof. Against: none. The motion passed.

- l. At the December 20, 2006 Council Meeting while considering bid proposals for the 2007 fuel and vehicle washes for City vehicles, the Council discussed the possibility of splitting the bids between two stations either by department or for a 6 month term.

It was the general consent of the Council to make all bidders aware that the Council reserves the right to split the bids.

- m. A pay request was received from Bonestroo for the airport hangar improvements. The net amount due to Chad Monson Excavating under this voucher is \$27,472.57 after a 5% retainage.

A motion was made by Council Member Stone and was seconded by Council Member Thomas to authorize payment of the pay request to Chad Monson Excavating in the amount of \$27,472.57. A vote being recorded as follows: For: Council Members Stone, Thomas, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

City Engineer Yapp stated that everything is complete except for some minor grading work.

- n. City Administrator Vicki Willer stated that with the upcoming anticipated economic development projects within the City it would be beneficial for the EDA and Council to hold a workshop session for discussion about goals and directions that both boards see for the future of the City of Sauk Centre.

It was the general consent of the Council to hold the EDA/Council joint meeting on Friday, November 30, 2007 at 12:00 p.m. in the upper level conference room.

An alternate date noted was Friday, November 16, 2007.

8. UNFINISHED BUSINESS

- a. Public Works Director Wessel presented a handicap sign report stating that in mid 1982 a study was completed regarding handicap parking in the downtown business district. At that time some business owners and residents requested that handicap signs be placed in the downtown area, which resulted in the placement of 8 signs at the following locations:

- Two were placed in the Oak Street parking lot near the corner of Sinclair Lewis Avenue and Oak Street.
- Two were placed in the Oak Street parking lot at the east end near the alley by the Next Door Bar.

- One was placed on Sinclair Lewis Avenue by the old City Hall which has since been removed; however, three spots were installed at the new City Hall.
- One was placed on Sinclair Lewis Avenue in the first parking spot by Main Street Drug which has since been removed; however, one was placed by the Palmer House.
- One was placed on 4th Street South by the alley and Legend Insurance Parking Lot.
- One was placed on 4th Street South in the first parking spot east of the highway on the north side of 4th Street South; however, it was removed when the greyhound bus discontinued service at that site.

It was noted that a number of businesses have installed handicap signs since that study was complete (American Legion has 2 and First National Bank has 2).

After a lengthy discussion it was the general consent of the Council to have staff get input from the property owners regarding handicap parking and come back to the Council with a proposal.

- b. At the October 3, 2007 Council Meeting Tina Rohde of the Mustang Bar addressed the Council regarding concerns over the recently enacted Freedom to Breathe Act and its impact on the local businesses. She questioned the possibility of the City addressing the issue by amending the City's alcohol licensing Ordinance to allow outdoor consumption of alcohol in some type of confined area where smoking is allowed. She also asked if she could construct a smoking area outside of her building. She was directed to work with staff on the zoning/building issue.

Since that time, Ms. Rohde has obtained an application for a building permit to construct an addition to the rear of the building and has been in conversation with Building Official Ostrowski. This structure would not allow for the consumption of alcohol; however, it would provide some protection from the elements.

Staff has researched how other cities are addressing the outdoor alcohol issue and have found that a majority of cities are taking a "wait and see" approach prior to making any changes to their Liquor Ordinance.

Mayor Kirckof stated that he spoke with different Mayors and 8 out of 10 he spoke with are taking the "wait and see" approach.

It was the general consent of the Council to take the "wait and see" approach regarding changes to the Liquor Ordinance.

- c. The City has received both written and verbal complaints regarding discarded cigarette butts on public property along the street, sidewalks and alleys.

Patrons of businesses that smoke on the streets, sidewalks and alleys are asked to deposit their discarded cigarette butts in the containers provided or in some other way rather than disposing of them on the streets. Discarded cigarette butts are considered litter.

In addition, much of the City's stormwater system drains to the lake or river and butts left on the streets and sidewalks wash into the system.

9. NEW BUSINESS

None.

10. CONSENT AGENDA

The Council then considered the following consent agenda:

- a. Schedule of Claims - Total of unpaid claims \$101,304.23 and paid claims of \$47,287.22 for a total of \$148,591.45.
- b. Resolution No. 2004-90, Resolution Accepting Contribution. The contribution totaled \$350.00 from the Men's Card Playing Group to be used towards the Senior Center.
- c. Gambling application for exempt permit request from Sauk Centre Area Chamber of Commerce for a raffle on June 27, 2008 at the Chamber office.
- d. Gambling application for exempt permit request from Sauk Centre Lions Club for a raffle on February 27, 2008 at River's Edge Dining & Lounge.

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

11. INFORMATIONAL ITEMS

- a. City staff has been informed that the Next Door Bar & Lounge, LLC will be purchasing the Next Door Bar & Lounge from Timothy Ahrens and is requesting a Liquor License Transfer. The Next Door Bar & Lounge has in place an On Sale, Off Sale and Sunday Liquor License and the Next Door Bar & Lounge, LLC would like to have these three licenses transferred to the new name and owner.

Because City Ordinance mandates a minimum ten day notice, a Public Hearing is set for November 21, 2007 starting at 6:30 p.m. or shortly thereafter.

- b. The Mayor and City Administrator executed the following Wall Advertising Space Rental Agreement Amendments for advertising at the Arena from October 1, 2007 through September 30, 2008.

1. AmericInn Motel

2. Winter's Main Street Drug, Inc.
3. Main Street Theatre
4. Sauk Centre Public Utilities Commission
5. Gillies Sign & Graphics
6. Tree Top Nursery & Landscaping
7. Boyer Motor Co.

Mayor Kirckof thanked the above noted groups for advertising at the Civic Arena.

City Administrator Vicki Willer stated that there are four available advertising spots on the dasher boards and 7 available advertising spots on the wall.

12. COUNCIL COMMENTS

None.

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 8:06 p.m.

Respectfully Submitted,

Mayor Brad A Kirckof

City Administrator Vicki M. Willer