

**SAUK CENTRE CITY COUNCIL
REGULAR MEETING
WEDNESDAY, NOVEMBER 21, 2018**

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

The Sauk Centre City Council met in a Regular Meeting on Wednesday, November 21, 2018 at 6:30 p.m. in the City Hall Council Chambers pursuant to due notice being given thereof. Present were Council Members Diane Kelly, Dave Thomas, Keith Johnson, Heidi Leach and Mayor Warren Stone. Also present was City Administrator Vicki Willer, City Planner Sarah Morton, Police Chief Bryon Friedrichs, Public Works Supervisor Ben Clink and Administrative Assistant Nicki Vogt. 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 as presented. A vote being recorded as follows: For: Council Members Leach, Thomas, Johnson, 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 Thomas to approve the November 7th Regular Meeting Minutes and the November 9th Special Meeting Minutes as presented. A vote being recorded as follows: For: Council Members Kelly, Thomas, Johnson, Leach and Mayor Stone. Against: None. The motion passed.

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

None.

5. PUBLIC HEARINGS

None.

6. REPORTS/PRESENTATIONS

- a. Police Chief Friedrichs stated that in October there were 165 Verbal Warnings and 448 ICRs for a total monthly total of 613.
- b. The Planning Commission met on Tuesday, November 13th and discussed the following:
 - Code Amendment – See 7a and 7b
 - October 2018 Building Permit Report – total construction value of \$94,625.
- c. Public Works Supervisor Ben Clink updated the Council on the Public Works activities as follows:
 - Signage has been installed on the North End Project
 - No Outlet sign has been installed in Morningview
 - The campground circle paving project is complete
 - All Public Parking signage have been installed
 - Sinclair Lewis Park Benches have been installed

- Christmas decorations are up for the season
 - The crew is working on maintenance and repairs of equipment
- d. The Airport Commission met on November 14th and discussed the following:
- The Airport road is now paved
 - Updates to the Zoning Ordinance are underway
 - Review of the 20 year CIP

7. ACTION ITEMS

- a. The Planning Commission, at their regular meeting on October 9, 2018, conducted Public Hearings on an Ordinance Amendment regulating RV Storage.
- Expanded definition of Recreational Vehicle to include Wheelhouses
 - Amended Exterior Storage of Recreational Vehicles by removing restriction on winter storage and adding language on storage areas, maintenance and use as living quarters.

The City Council, at their October 16, 2018 meeting, remanded the Ordinance to the Commission for further review. The Commission continued discussion on November 13, 2018 and provide the following amendments.

§ 95.019 NUISANCE PARKING AND STORAGE

(B) *Unlawful parking and storage.*

(1) A person must not place, store or allow the placement or storage of ice fish houses, wheelhouses, skateboard ramps, playhouses or other similar non-permanent structures outside continuously for longer than 24 hours in the front-yard area of residential property unless more than 100 feet back from the front property line.

§ 156.003 DEFINITIONS.

RECREATIONAL VEHICLE. Any type of vehicle, ~~at least 16 feet long and 6 feet in height,~~ either self-powered or drawn by another vehicle used primarily for purposes of recreation or transport of recreational equipment, including, but not limited to, campers, motor homes, boats, travel trailers, camper trailers, wheelhouses, boat trailers and horse trailers.

§ 156.020 EXTERIOR STORAGE OF RECREATIONAL VEHICLES.

The exterior storage on a residentially zoned property of no more than 1 recreational vehicle is permitted ~~between April 1 and November 30 of each year, and the exterior storage of recreational vehicles is not permitted between December 1 and March 31 of each year.~~ when in compliance with this code. Any recreational vehicle shall be parked or stored in such a manner to minimize visual impact on adjacent residential uses and public streets.

(A) License. Such stored or parked recreational vehicles must display current license.

(B) Storage location. Such stored or parked vehicle shall not block any means of ingress/egress from a building or limit snow removal and snow storage in the event of a snow emergency.

(C) Living Quarters. Recreational vehicles shall not be used for living, sleeping, or housekeeping while parked or stored.

(D) Operable Condition. Recreational vehicles shall be in operable condition. No recreational vehicle shall be parked or stored in a location other than in a building unless it is in a condition for the safe and effective performance of its intended function. No recreational vehicle which in a state of visible external disrepair shall be parked or stored outside of a building.

§ 156.075 OUTSIDE STORAGE.

(A) In all districts except I/C, all material and equipment shall be stored within a building or be fully screened (see § 156.076 below) so as not to be visible from adjoining properties, except the following:

- (3) Recreational vehicles, wheelhouses, boats, equipment and the like;

Council Member Johnson introduced Resolution No. 783, an Ordinance Amending Sections 95.019 Nuisance Parking and Storage 56.003 Definitions, 156.020 Exterior Storage of Recreational Vehicles, 156.075 Outside Storage of the City Code of Sauk Centre all Relating to Recreational Vehicles. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Johnson, Thomas, Leach, Kelly and Mayor Stone. Against: None. The motion passed.

- b. The Planning Commission, at its October 9, 2018, meeting held a public hearing on various proposed amendments to the City's Fence Standards.

The Commission took action on a proposed Ordinance at its November 13, 2018.

- Removes three-foot setback from property line. Fences will be allowed adjacent to a rear or side property line.
- No fences allowed in front yard forward of front plane of a house in residential districts
- Changed permit procedures within easements to correctly reflect position titles.

The current Code with revisions underlined or struck through follows:

§ 156.077 FENCES.

(A) As used in this section, the terms **FENCES** and **WALLS** refer to structures erected for the purpose of enclosing a lot, yard, or a portion thereof; fences and walls do not include:

- (1) Retaining walls;
- (2) Decorative or landscaping walls that are 2 feet or less in height.

(B) As used in this section, the terms **FENCES** and **WALLS** refer to structures erected for the purpose of enclosing a lot, a yard, or a portion thereof, retaining walls, and decorative or landscaping walls. A wall, fence or hedge may occupy part of the required front, side or rear yard.

- (1) Fences and walls are permitted in all use districts, subject to the provisions of these regulations.
- (2) No fence or wall shall be constructed without a permit from the Zoning Officer.

(C) *Fence and wall height.*

~~(1) Fences and walls located within the front yard of a lot in a residential district shall not exceed a height of 3 feet.~~

~~(2)~~ (1) Fences and walls located within the rear or side yard of a lot in a residential district shall not exceed a height of 6 feet except when located within a sight triangle where the height is limited to 3 feet.

~~(3)~~ (2) Fences and walls located in all other land use districts shall not exceed a height of 8 feet, unless a higher fence is approved as part of a conditional use permit allowing the use.

~~(4)~~ (3) If 2 different zones abut, the higher fence or wall requirements shall apply.

~~(5) All heights shall be measured from the natural level of the ground, immediately below where the fence will be installed. For purposes of this section, **NATURAL GROUND** shall be defined as the top of the earth after the finish grading of the lot per the approved site plan or certificate of survey. Minor depressions or hills that do not exceed 1 foot change in elevation from the adjacent ground outside of the depressions or hills that are less than 10 feet in length along the line of the fence from edge to edge shall not be considered when measuring the height of the fence from the ground. Fences installed on a slope shall run parallel to the slope.~~

~~(6)~~ (4) For purposes of this section, front yard is the area forward of the front plane of the house.

(D) *Fence materials.*

(1) Fences shall be constructed of wood, metal, plastic, or other durable material. All wooden fences, other than those constructed out of redwood or cedar, shall be stained or painted on both sides. Metal fences shall be made of non-rusting material or treated to prevent rust.

(2) The use of creosote lumber as fencing or wall material is prohibited.

(3) The use of chicken wire, cattle panels, wire mesh, or other non-durable, plastic or metal products as fencing or wall material is prohibited.

(4) Fences shall not be constructed of hazardous materials that could affect the health and/or safety of the general public.

- (5) Barbed wire and electrical fences are prohibited, except as follows:
 - (a) Properties actively used for agricultural operations may install barbed wire or electrical fences;
 - (b) Security fences and walls in commercial and industrial districts may be topped with a barbed wire fence not exceeding 2 feet in height.

(E) *General fence and wall standards.*

- (1) ~~Fences and walls shall be constructed at least 3 feet inside the property line. Fences may be installed adjacent to any rear or side property line or five feet from any property line adjacent to an alley.~~
- (2) ~~In residential districts, fences and walls forward of the front plane of the house are not allowed.~~
- (3) That side of any fence or wall considered to be its finished side (i.e., the side having no structural supports) shall front abutting property.
- ~~(3) No fence or wall shall be constructed that is approximately parallel to an existing fence and creates an area between the fences or walls that has limited accessibility for purposes of maintenance.~~
- (4) All fences and walls shall be maintained in a safe condition. The landowner of the property on which the fence or wall is located shall be responsible for the maintenance and repair of the structure.
- (5) No fence or wall may be constructed or maintained in a location that obstructs the ability of a driver of a motor vehicle to see another motor vehicle or pedestrian on any street or alley or sidewalk or impede the vision of the roadway from a driveway providing access to a roadway.
- ~~(6) Fences and walls are prohibited, and shall not be permitted, within the flood plain district.~~
- ~~(7) In residential districts, fences and walls in the front yard shall be constructed with an opacity or opaqueness of less than 50%.~~

(F) *Fences and walls within easements.*

- (1) Fences and walls are prohibited, and shall not be maintained, on or in an easement, except by written permit granted pursuant to the following procedures:
 - (a) The landowner, together with the landowner's permit application, shall submit a written request describing the easement to be affected;
 - (b) The Zoning Officer shall refer the permit application and request to the Public Works ~~Director~~ Supervisor and Public Utilities ~~Superintendent~~ Commission for review and recommendations;
 - (c) Based upon the recommendations of the Public Works ~~Director~~ Supervisor and Public Utilities ~~Superintendent~~ Commission, the Zoning Officer shall approve or deny the request;
 - (d) Any approval must be accompanied by specific conditions or modifications to the original request as deemed appropriate to protect the city's easement interests; the permit must contain the specific conditions stated in the approval.
- (2) If the request for the fence or wall is approved:

- (a) The city retains the right to require the landowner to remove or abate the fence or wall where the fence or wall interferes in any manner with the city's use of the easement;
- (b) If there is an emergency necessitating immediate access to the easement, the city reserves the right to remove the fence or wall to obtain access to the easement;
- (c) The landowner shall bear all costs for removal of the fence or wall in the event the landowner is required to remove the fence or wall for access to the easement, or in the event the city removes the fence or wall in the case of an emergency;
- (d) The landowner shall be responsible for, and bear all the costs of, restoration of the fence or wall in the event the landowner is required to remove the fence or wall for access to the easement, or in the event the city removes the fence or wall in the case of an emergency.

(3) If the request for the fence or wall is approved, the city specifically reserves all rights of an easement holder afforded under the common law of the State of Minnesota.

(Ord. 643, passed 5-18-2005; Am. Ord. 668, passed 11-5-2008; Am. Ord. 7-21-2010; Am. Ord. 700, passed 11-3-2010; Am. Ord. 705, passed 4-20-2011) Penalty, see § 10.99

Council Member Kelly introduced Ordinance No. 784, An Ordinance Amending Section 156.077 of the City Code Regulating the Placement and Construction of Fences. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Kelly, Thomas, Johnson, Leach and Mayor Stone. Against: None. The motion passed.

c. Pay Request #3 has been submitted by Stantec on behalf of Molitor Excavating for the Getty Street Project.

Contract Amount	315,016.00
Completed to Date	260,134.70
Less Retainage (5%)	<u>-13,006.73</u>
Subtotal	247,127.96
Less Prior Payments	<u>-156,464.59</u>
Due this Request	<u>90,663.37</u>

A motion was made by Council Member Leach and was seconded by Council Member Thomas to approve Pay Request #3 to Molitor Excavating for \$90,663.37. A vote being recorded as follows: For: Council Members Leach, Thomas, Johnson, Kelly and Mayor Stone. Against: None. The motion passed.

- d. Kathy Struffert, Ambulance Director, submitted a request for the appointment of Timothy Duvall as and EMT contingent upon his completion of EMT Training and passing his classes, certification skills and written tests.

A motion was made by Council Member Johnson and was seconded by Council Member Kelly to approve the appointment of Timothy Duvall as a Probationary EMT effective upon his completion of training and licensing. A vote being recorded as follows: For: Council Members Johnson, Kelly, Thomas, Leach and Mayor Stone. Against: None. The motion passed.

- e. Kathy Struffert, Ambulance Director, has requested that Jami Cole be approved for a Step Increase.

Jami Cole will have been an EMT with the Department for fifteen years on December 17, 2018. Struffert is requesting she be advanced to EMT-B Level 4 on that date.

A motion was made by Council Member Johnson and was seconded by Council Member Leach to approve the advancement of Jami Cole to Level 4 on December 17, 2018. A vote being recorded as follows: For: Council Members Johnson, Leach, Thomas, Kelly and Mayor Stone. Against: None. The motion passed.

- f. Ambulance Director Kathy Struffert budgeted for wage increases for 2019. The request is for a two percent increase (2%) except for on-call/backup rate and that the wages paid to the Training Coordinators be increased to be equal to the EMT-B Level 4 wage.

Current Wages are:

Driver	11.13
Probationary EMT	11.69
Level 1	13.35
Level 2 (after 5 years)	14.76
Level 3 (after 10 years)	16.15
Level 4 (after 15 years)	17.46
Director	19.65
Assistant	18.56
Training Coordinator	16.38

The estimated impact to the budget is \$4,300 for 2019.

A motion was made by Council Member Leach and was seconded by Council Member Thomas to approve a two percent wage increase as presented for the Ambulance Department and an increase in Training Coordinator Wages to be equal to EMT-B Level 4 wages, beginning January 1, 2019. A vote being recorded as follows: For: Council Members Leach, Thomas, Johnson, Kelly and Mayor Stone. Against: None. The motion passed.

- g. Steve Moritz, Fire Chief, has requested that the Fire Department Rate be increased from \$11.00 per hour to \$12.00 per hour. This rate is applied to hours actually on a run or during training/meetings.

The impact to the Department is approximately \$4,000 for 2019.

A motion was made by Council Member Johnson and was seconded by Council Member Kelly to approve a rate increase to \$12.00 per hour for the Fire Department. A vote being recorded as follows: For: Council Members Johnson, Kelly, Thomas, Leach and Mayor Stone. Against: None. The motion passed.

- h. As part of the Assessment process, property owners are given the option to apply for an assessment deferral based upon age, income or disability. The deferment allows the owner to defer payment of the Assessment until they no longer occupy the property, at which time the assessment becomes due.

For the 2018 Project, the City has received applications for deferral from nine property owners.

Ebensteiner, Jason
Bowman, George
Edgar, Kenneth
Melchert, Charles
Waldorf, Berthold
Jameson, Thaddeus
Stansbury, Robert
Botz, Carolyn
Birr, Sharon

All have provided the necessary documentation to qualify for the deferment.

A motion was made by Council Member Johnson and was seconded by Council Member Thomas to approve application for deferral of assessments for indicated properties. A vote being recorded as follows: For: Council Members Johnson, Thomas, Leach, Kelly and Mayor Stone. Against: None. The motion passed.

- i. Christmas Day, a Legal Holiday, falls on a Tuesday this year. Generally, the City Council approves City Hall to close at Noon on Christmas Eve with employee's taking half a vacation day.

It has been requested that the Council approve closure of City Hall for the full day on Monday, December 24 if employees wish to utilize a full vacation day. If an employee does not wish to use a vacation day, City Hall will remain open.

A motion was made by Council Member Johnson and was seconded by Council Member Leach to approve the closure of City Hall on December 24, 2018. A vote being recorded

as follows: For: Council Members Johnson, Leach, Thomas, Kelly and Mayor Stone.
Against: None. The motion passed.

- j. The Police Department has sought quotes for the sale of the following excess property through a licensed FFL Dealer.

<u>Equipment</u>	<u>Bidder</u>	<u>Amount</u>
45 Cal Highpoint	LikeNu Gun & Pawn	\$125.00
22 Cal H&R	LikeNu Gun & Pawn	\$100.00
22 Excam	LikeNu Gun & Pawn	\$ 60.00

Council Member Kelly introduced Resolution NO. 2018-96, Resolution Accepting Bid and Authorizing Sale of Excess Equipment. The motion was seconded by Council Member Thomas. A vote being recorded as follows: For: Council Members Kelly, Thomas, Johnson, Leach and Mayor Stone. Against: None. The motion passed.

8. UNFINISHED BUSINESS

- a. The Airport Board will soon begin the update of the Airport Zoning Ordinance. The process requires the forming of a Committee including Township and County officials, a City Council representative, Airport Board Representatives and staff.

The process will involve about five meetings including a Public Hearing.

By general consent, Council Member Leach will be the appointed Council Representative.

9. NEW BUSINESS

- a. The City’s Library Custodian has requested that the City review the Job Description for the position and have it graded for placement on the Wage Scale.

By general consent, the Personnel Committee will review the Library Custodian Job Description.

10. CONSENT AGENDA

The Council considered the following Consent Agenda Items:

- a. Schedule of Claims Unpaid Claims \$119,112.84
 Paid Claims \$24,875.38
 Total \$143,988.22
- b. October Checks Paid Claims/Payroll \$341,461.86
- c. Resolution No. 2018-97, Resolution Accepting Contributions.
 Anonymous Donors \$165.54 Dog Park

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

The Council thanked the anonymous donors for their donation.

11. INFORMATIONAL ITEMS

None.

12. ADJOURN

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

With no further business to come before the Council, Mayor Stone adjourned the meeting.

Respectfully submitted,

Mayor Warren Stone

City Administrator Vicki Willer