

**SAUK CENTRE CITY COUNCIL  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 21, 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 21, 2007 at 6:30 p.m. at the City Hall Council Chambers pursuant to due notice being given thereof. Present were Mayor Kirckof, Council Members David Thomas, Warren Stone, Al Coenen and Keith Johnson. Also present were City Administrator Vicki Willer, Public Works Director Wessel, Police Chief Metcalf 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 November 7, 2007 regular meeting minutes were approved with corrections.

**4. PUBLIC OPEN FORUM**

None.

**5. PUBLIC HEARINGS**

**Liquor License Transfer – Timothy Ahrens to Next Door Bar & Lounge.**

Mayor Kirckof removed himself from the floor.

Council Member Thomas opened the Public Hearing at 6:35 p.m. and read the Public Hearing procedure.

The purpose of the Public Hearing was to consider an application submitted by Next Door Bar & Lounge, LLC for a transfer of an On-Sale, Off-Sale and Sunday liquor license for a business located at 517 Sinclair Lewis Avenue, Sauk Centre. The premise is currently licensed by Timothy Ahrens and is commonly referred to as Next Door Bar & Lounge. The new licensee will be a limited liability corporation known as the Next Door Bar & Lounge, LLC and the principal of the LLC is Kristie Kirckof.

Insurance liability and workers compensation documents will go in effect on December 1, 2007.

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.

**PLEASE NOTE:** The action on this item was taken immediately following the close of the Public Hearing. Mayor Kirckof re-entered the meeting once action was taken.

## **6. REPORTS/PRESENTATIONS**

- a. Chief Metcalf stated that there were 363 calls in October 2007 in comparison to 272 in October 2006. The increase is due to traffic stops.
- b. At the Planning Commission's November 13 meeting they discussed the following:
  - Public Hearing on a Preliminary Plat for Heritage Hills First Addition which was tabled.
  - 13 building permits (no new dwellings) and 1 demolition permit was issued in the month of October.
  - Minor Subdivision Review for Winter Properties, LLC. (See 7b)
  - 2008 Fee Schedule
- c. At the Airport Commission's November 19 meeting they discussed the following:
  - Projects were moved around in the CIP due to Federal funding.
  - Construction should begin on the 11 unit T-Hangar by May, 2008.
  - Fuel was recently purchased which should last until April or May, 2008.
  - Tie down fees.
  - See #7d

The City received reimbursement in the amount of \$56,114.00 for the airport site preparation project.

## **7. ACTION ITEMS**

- a. See 5a above.

A motion was made by Council Member Stone and was seconded by Council member Johnson to approve Resolution No. 2007-91, Resolution Approving the Application of Next Door Bar & Lounge, LLC for a Transfer of a Off-Sale, On-Sale and Sunday Liquor License to be Located at 517 Sinclair Lewis Avenue, with the following Findings of Fact:

1. The application has been completed in full and all questions have been answered.
2. There were no false statements or any willful omissions found or suspected on the application form.
3. The application fees were paid and a background/criminal history check was completed by the Police Chief on the applicant (Kristie Kirckof). The check came back clear.
4. According to Gary Otte at Legend Insurance, the liquor liability insurance will be in force effective December 1, 2007 and will be valid until the time of renewal on July 1, 2008. The general liability and Worker's Compensation coverage (December 1, 2007-December 1, 2008) will be in effect and will meet the City's requirements.

5. Next Door Bar & Lounge, LLC will meet the standards prescribed in the City's Liquor Ordinance and will abide by all rules and regulations therein.
6. No objections were filed with the City prior to the Public Hearing.

A vote being recorded as follows: For: Council Members Stone, Johnson and Thomas. Against: Council Member Coenen. The motion passed.

The transfer is effective December 1, 2007.

Council Member Coenen stated that he was concerned about the potential conflict of interest regarding the liquor license transfer.

- b. At the Planning Commission's November 13 meeting they reviewed the application from Winters Properties, LLC to allow for the lot split and motion was made to recommend Council approval granting the minor subdivision (lot split) with the following Findings of Fact:

1. The proposal complies with all submittal requirements including payment of fees.
2. The proposal meets or exceeds the Ordinance requirements that lots meet the minimum lot size of 10,500 square feet.
3. Public Utilities including sanitary sewer, water and electricity are available to the property.

The Planning Commission also recommended that the Council approve the minor subdivision (lot split) with the above findings and the following conditions:

1. An instrument of conveyance be recorded with Stearns County within one year to facilitate the split.
2. Iron monuments be placed at the lot corners of the resulting tracts.
3. The applicant relocate existing storm sewer to City specifications and approval.
4. The relocations of the existing storm sewer and vacation of the storm sewer easement be completed prior to issuance of a building permit.
5. Applicant is responsible for costs associated with obtaining utility services to the property including but not limited to water, electric and sanitary sewer.
6. If any future utilities are installed on Getty Street, applicant agrees to pay assessments per City Policy.

Council Member Thomas introduced Resolution No. 2007-92, Resolution Approving a Minor Subdivision (Lot Split) for Bradley J. Winter, D.B.A. Winter Properties, LLC. The motion was seconded by Council Member Johnson. A vote being recorded as follows: For: Council Members Thomas, Johnson, Stone, Coenen and Mayor Kirckof. Against: None. The motion passed.

- c. The plat of W.H. Cates Estates has been before the Planning Commission and Council in the past. The Council previously took action on the plat and its related

documents. In the recording process of the plat and its ancillary documentation, some irregularities of the titling and language content were discovered. These documents were the Declaration and related Common Interest Community documents, the Developer Contract and the Final Plat.

These documents have since been corrected by City Attorney Mayer and he is requesting that the Council acknowledge that the correction to the documents have been made and that the appropriate signatories be authorized to re-execute the documents.

A motion was made by Council Member Thomas and was seconded by Council Member Stone to acknowledge that changes have been made to the documents by City Attorney Mayer and authorize the Mayor, City Administrator and other signatories to execute the documents. A vote being recorded as follows: For: Council Members Thomas, Stone, Johnson, Coenen and Mayor Kirckof. Against: None. The motion passed.

It was noted that plat rules are changing the first of the year 2008.

- d. In order to keep the T-Hangar project on track including funding requests, the Airport Commission requested that the Council direct the Airport Consultant to prepare an Agreement for consideration for administrative and engineering tasks and also to prepare plans and specifications for the 11 unit T-Hangar building.

Once the specs are in, the Council will be asked to approve them and solicit bids. Bidding is expected to occur in February with opening no later than March 15 which would allow time to submit the grant application for funding prior to the May 1, 2008 deadline.

A motion was made by Council Member Johnson and was seconded by Council Member Stone to direct the Airport Consultant to prepare an Agreement for the City's consideration for the necessary engineering and administrative tasks to prepare plans and specifications for and oversee the construction of the 11 unit T-Hangar for which the site has now been prepared. A vote being recorded as follows: Council Members Johnson, Stone, Thomas, Coenen and Mayor Kirckof. Against: None. The motion passed.

- e. Council Member Stone introduced Resolution No. 2007-93, Resolution Approving an Off-Site Gambling Permit for the Sauk Centre Youth Hockey Association. The motion was seconded by Council Member Johnson. A vote being recorded as follows: For: Council Members Stone, Johnson, Thomas, Coenen and Mayor Kirckof. Against: None. The motion passed.
- f. The City Council previously discussed the option of restricting parking on Ash Street south to one side only following the reconstruction anticipated to occur in 2008.

City Engineer Yapp stated that he needs a parking determination for Ash Street South so they can move forward with the designs. It is important to have this determination as the location of the lanes within the right of way will have a bearing on the crown of the road, manhole locations and the striping plan.

A handout was presented showing parking on the west side of Ash Street south with parking throughout to Coborn's at which point 3 lanes of traffic are needed. It was noted that it is best to have parking on the west side throughout all of Ash Street south for uniformity and to decrease shifting of traffic.

After a lengthy discussion, a motion was made by Council Member Stone and seconded by Council Member Johnson to have parking throughout the length of Ash Street on the west side as recommended by City Engineer Yapp. A vote being recorded as follows: For: Council Members Stone, Johnson, Thomas, Coenen and Mayor Kirckof. Against: None. The motion passed.

- g. At the November 7, 2007 Council meeting staff informed the Council that some repairs were needed to the stormwater pond located in East River Heights. City Engineer Yapp visited the site and prepared estimated costs for repair of the pond. Due to the limited time frame, staff solicited quotes from various contractors to determine what the actual costs of the project would be. Quotes were opened on Monday, November 19<sup>th</sup>.

Mid Mn. Excavating has since withdrawn their bid.

Public Works Director Wessel and City Engineer Yapp recommended that Schurman Excavating be awarded the bid.

A motion was made by Council Member Coenen and was seconded by Council Member Johnson to bill the costs to the Developer. A vote being recorded as follows: For: Council Members Coenen and Johnson. Against: Council Members Thomas, Stone and Mayor Kirckof. The motion failed due to lack of majority vote.

City Administrator Vicki Willer stated that under the contract with the Developer, they have met all obligations of that contract which has since been closed.

Council Member Thomas introduced Resolution No. 2007-94, Resolution Accepting Quote for East River Heights Erosion Control Repair Project. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Thomas, Stone and Mayor Kirckof. Against: Council Members Johnson and Coenen. The motion passed.

The bid was awarded to Schurman Excavating at a bid amount of \$17,488.00.

## **8. UNFINISHED BUSINESS**

None.

## **9. NEW BUSINESS**

With an increasing amount of business being conducted over the internet many organizations require the use of credit cards for things such as payment of registration fees, etc. Mn Stat. § 471.392 specifically authorizes cities to authorize their use.

At the present time the City of Sauk Centre does not have a credit card; therefore, staff has been using personal credit cards and then requesting reimbursement for the charges.

Many cities have implemented the use of credit cards through a credit card policy.

It was the general consent of the Council to have staff move forward with the drafting of a credit card policy.

## **10. CONSENT AGENDA**

The Council then considered the following consent agenda:

- a. Schedule of Claims - Total of unpaid claims \$60,159.21 and paid claims of \$196.31 for a total of \$60,355.52.
- b. List of September checks totaling \$502,107.65 (Check No. 26624 through Check No. 26756).
- c. Resolution No. 2007-95, Resolution Accepting Contribution. The contribution totaled \$15,000 from the Sauk Centre Youth Hockey Association to be used towards the Civic Arena.

A motion was made by Council Member Thomas and was 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. 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. Country Insurance

Mayor Kirckof thanked Country Insurance for advertising at the Civic Arena.

- b. At the September 5, 2007 Council meeting they authorized submittal of the 2007 proposal for a Section 319 Implementation Project Grant through the MN Clean Water Partnership. With the finalization of Phase I of the Stormwater Grant that the City recently completed with the MPCA, a solicitation was received from the

MPCA to apply for this next phase of funding which would be the implementation phase. Under this phase multiple projects could be undertaken including education, riverbank stabilization, shoreline restoration, soil work as it relates to stormwater projects, establishment of ponds, etc. The City could potentially use these grant funds to fund a seasonal intern to implement the project.

Staff has been informed that the City of Sauk Centre has not been awarded the grant this round.

**12. COUNCIL COMMENTS**

Council Member Coenen commended the Public Works Crew and Tom Sills for a job well done on the railing at City Hall.

Council Member Coenen reminded citizens to follow the Winter Parking Ordinance. City Administrator Vicki Willer stated that citizens will be informed of a snow emergency via TV, radio, City website, City voicemail system and e-mail.

**13. 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 8:06 p.m.

Respectfully Submitted,

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

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