

**SAUK CENTRE CITY COUNCIL  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 21, 2012**

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

The Sauk Centre City Council met in a Regular Meeting on Wednesday, November 21, 2012 at 6:30 p.m. in the City Hall Council Chambers pursuant to due notice being given thereof. Present were Council Members Al Coenen, Keith Johnson, Warren Stone, Mike Olson and Mayor Rykken. Also present were City Administrator Vicki Willer, City Planner Sarah Morton, and Police Chief Bryon Friedrichs. Mayor Rykken presided thereat.

**2. APPROVAL OF AGENDA**

The agenda was approved as presented.

**3. APPROVAL OF MINUTES**

The November 7, 2012 Regular Meeting Minutes were approved by general consent with corrections. The November 9, 2012 Special Meeting Minutes were approved by general consent.

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

None.

**5. PUBLIC HEARINGS**

- a. Public Hearing to Consider the Vacation of a Part of 10<sup>th</sup> Street S.

Mayor Rykken opened the Public Hearing at 6:35 and read the Public Hearing Procedure.

Administrator Willer presented the Staff Report.

On October 17, 2012, the City Council approved Resolution 2012-75 Accepting Petition and Setting Hearing for the Vacation of a portion of 10<sup>th</sup> Street South.

The hearing was set for November 21, 2012 at 6:30 p.m. Notice was published in the Sauk Herald and notices were sent to affected property owners as required by law. Notice was also sent to Sauk Centre Township as the property borders the Township.

The property in question is right of way along the quarter section line between Lots 6 and 7, State Subdivision which is 66' wide. The existing roadway is largely undeveloped and veers off the right of way. This roadway prior to the development of the freeway was access to farms currently located south of the freeway.

The request to vacate the right of way arose upon receipt of a request for a lot split. The survey obtained revealed that the building constructed in 1993 was constructed on top of the easement and does not meet setbacks.

The request of the property owner is to vacate the roadway from a point which is 138' east of the NW property corner. This line being consistent with the proposed property line of the lot split.

Issues to consider in vacating the right of way include:

1. Future Development to the West (attached overview map)

If the property to the West were to develop, would it make sense to have a connection to 10<sup>th</sup> Street for both access and looping of utilities? The aerial overview shows where the adjacent property lines and roadways in the vicinity are located.

2. Turn Around at end of roadway

Currently the City maintains the roadway from Beltline to the proposed vacation area which is just prior to the accessory building. The City turns around at the front of the building. No maintenance has been performed beyond where the roadway turns to the south.

3. Future maintenance and upgrade of the roadway.

Is it practical for the City to develop the roadway in the future according to the existing easements, especially going south and west along the freeway?

The Council clarified that if the City required a jog in the roadway to go around the north side of the building to maintain access to the west that the property owner understood that proposal. Yes.

Mayor Rykken called for persons to speak in favor or opposed to the petition.

Administrator Willer stated that John Bosl of Sauk Centre Township called with no objection, but recommends that the City Council consider access to property immediately west of this property which lies in the Township as far as access to Beltline Road in the future.

Mayor Rykken closed the Public Hearing at 6:45 p.m.

**6. REPORTS/PRESENTATIONS**

- a. Police Chief Friedrichs presented the October 2012 Police Department Report stating that there were 310 ICRs and 208 Verbal Warnings for a total of 518 calls.
- b. City Planner Morton presented the following regarding the November 13, 2012 Planning Commission Meeting:
  - The Commission was presented with building permit summaries.
  - Recommended Council approval of a Minor Subdivision (Lot Split). See 7e.

## **7. ACTION ITEMS**

- a. Over the past two years the City, through St. Michaels Hospital and Nursing Home, has been working toward a Lease Agreement whereby Centracare would lease the facility from the City and operate the Hospital and Nursing Home.

The City Council has taken action in the past on certain items that required its approval as we move forward.

In addition, the City held a public heard on September 19<sup>th</sup> regarding the tax status of the existing bond (debt) on the hospital property.

A Resolution has been drafted, which, when approved, grants consent to the leasing of St. Michael's Hospital and Nursing Home with respect to the bond and also authorizes execution of all documents to enact the transaction. These documents were previously reviewed by the Council.

Upon execution of all documents, on December 1, 2012, St. Michael's Hospital and Nursing Home will become Centracare Health System-Sauk Centre and will operate under a private 501C3 Corporation.

A final audit will be performed and upon acceptance of the audit, the dollars for the transaction will be transferred.

Council Member Stone introduced Resolution No. 2012-82, A Resolution of the City Council of the City of Sauk Centre, Minnesota, Consenting to the Leasing of St. Michael's Hospital and Nursing Home to Centracare Health System-Sauk Centre. The motion was seconded by Council Member Olson. A vote being recorded as follows: For: Council Members Stone, Olson, Coenen, Johnson and Mayor Rykken. Against: None. The motion passed.

- b. On April 1, 2004, the City of Sauk Centre created Tax Increment Financing District 1-10. The purpose of this District was to provide for a Pay As You Go Tax Increment for the development of Lakeview Medical Clinic. The payment was made to St. Michael's Hospital and Nursing Home to supplement a reduced lease payment received from the clinic.

The final payment was made in 2011 with 2012 increment utilized to repay the City for administrative costs.

With all debt settled, it is recommended that the District be de-certified and that remaining funds be transmitted to Stearns County for redistribution to the County, City and School District.

The final amount to be repaid to the County will be determined after receipt of the second half of 2012 property taxes on approximately December 5, 2012.

Council Member Olson introduced Resolution No. 2012-83, A Resolution Decertifying Tax Increment Financing Economic Development District No. 1-10 (Clinic Expansion Project II) of the City of Sauk Centre. The motion was seconded by Council Member Stone. A vote being recorded as follows: For: Council Members Olson, Stone, Johnson and Mayor Rykken. Against: None. Abstain: Council Member Coenen. The motion passed.

- c. The following have been invoiced through the accounting system and are recommended to be removed for the following reasons:

<b>NAME</b>	<b>DESCRIPTION OF CHARGE</b>	<b>AMOUNT</b>
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**SEND TO COLLECTIONS**

Hellerman, Darlene	Fire/Rescue Call (#2597)	11/16/11	\$ 333.00
Smith, James	Fire/Rescue Call(#2534)	07/22/1	\$ 448.50
Tramm, Dustin	Fire/Rescue Call(#2633)	01/27/12	\$ 359.70
True, Brian K.	Fire/Rescue Call(#2681)	05/23/12	<u>\$ 220.50</u>
			<b>\$1,361.70</b>

**WRITE OFF AS UNCOLLECTIBLE**

Young, Darren	Fire/Rescue Call(2697) (Car/Bicycle Accident)	06/18/12	<u>\$ 301.60</u> <b>\$301.60</b>
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**REMOVALS**

Cates, Erica C.(Late Fee)	(#2579)	10/10/11	\$53.20
Kienitz, Wendell(Late Fees)	(#2529)	06/29/11	\$44.58
	(#2580)		
	(#2703)		
Melchert, Don (Late Fee)	(#2722)	08/01/12	\$2.00
Rein, Christopher(Late Fee)	(#2711)	07/12/12	\$7.65
Ritter, Joseph (Late Fee)	(#2745)	09/06/12	\$3.00
Wessel, Walter(Late Fee)	(#2710)	07/30/12	\$.60
	(#2718)		<u>\$.60</u>
			<b>\$111.63</b>

**ASSESSED TO PROPERTY (From 10/3/12 Meeting)**

Cates, Erica C.	(#2579)	10/10/11	\$2,872.80
Lot Maintenance			
Kienitz, Wendell & Kelli	(#2529)	06/29/11	\$83.80
Lot Maintenance			
Kienitz, Wendell & Kelli	(#2580)	06/29/11	\$1760.40
Lot Maintenance			
Kienitz, Wendell & Kelli	(#2703)	07/03/12	\$37.50

Lot Maintenance			
Wessel, Walter	(#2710)	07/30/12	\$60.00
Lot Maintenance			
Wessel, Walter	(#2718)	07/30/12	<u>\$60.00</u>
Lot Maintenance			
			<b><u>\$4,874.50</u></b>
	<b>GRAND TOTAL</b>		<b><u>\$6,649.43</u></b>

Council Member Johnson introduced Resolution No. 2012-84, Resolution Approving Adjustment to Accounts Receivable. The motion was seconded by Council Member Olson. A vote being recorded as follows: For: Council Members Johnson, Olson, Stone, Coenen and Mayor Rykken. Against: None. The motion passed.

- d. See 5a above.

A motion was made by Council Member Stone and was seconded by Council Member Olson to approve the road vacation as requested, contingent upon dedication of the property to the north and submittal of an amended Certificate of Survey showing the same. A vote being recorded as follows: For: Council Members Stone, Olson, Johnson, Coenen and Mayor Rykken. Against: None. The motion passed.

- e. The Planning Commission met and heard a request for a lot split to create a new lot in the corner of an existing ten acre parcel of land. The split would be a simple metes and bounds split.

The Commission is recommending the split be approved by the City Council, although the split creates a non-conforming parcel of land due to the existence of an accessory structure without the benefit of a primary dwelling unit. The survey does indicate that a primary dwelling unit meeting City standards will fit on the property in the future.

The original parcel that is currently non-conforming because it contains excess accessory structures would no longer be non-conforming because the removal of one accessory structure would correct it.

The Planning Commission recommends approval of the lot split.

Council Member Stone introduced Resolution No. 2012-86, Resolution Approving a Minor Subdivision (Lot Split) for Norbert E. and Patricia Moritz. The motion was seconded by Council Member Johnson. A vote being recorded as follows: For: Council Members Stone, Johnson, Olson, Coenen and Mayor Rykken. Against: None. The motion passed.

- f. Each year, the City, High School Athletic Director, Athletic Trainer and Physician review and sign off on the procedures related to injuries that may occur at the arena during varsity (school) events.

The procedures layout who is in charge and who is responsible for each activity. These procedures are posted at the Arena and are also provided to the City, Ambulance, Police and Rescue (Fire).

A motion was made by Council Member Johnson and was seconded by Council Member Olson to authorize execution of the EAP (Emergency Action Plan). A vote being recorded as follows: For: Council Members Johnson, Olson, Stone, Coenen and Mayor Rykken. Against: None. The motion passed.

- g. Payment Approval No. 4 has been submitted for payment by RL Larson for work completed on the 4<sup>th</sup> Street Project. The payment request is \$426,849.50.

To date, work completed (including this payment) total \$1,156,238.65.

A motion was made by Council Member Stone and was seconded by Council Member Johnson to approve Payment Voucher No. 4 in the amount of \$426,849.50. A vote being recorded as follows: For: Council Members Stone, Johnson, Olson, Coenen and Mayor Rykken. Against: None. The motion passed.

- h. Payment Voucher No. 2 has been submitted by Bargaen, Inc. for payment of the retainage balance for the Airport Crackfill project. The payment request is \$1,619.14

Total for the project to Bargaen is \$32,382.75.

This project was funded 90% with FAA grant dollars and 10% City airport funds.

A motion was made by Council Member Olson and was seconded by Council Member Johnson to approve Payment Request No. 2 to Bargaen, Inc. in the amount of \$1,619.14. A vote being recorded as follows: For: Council Members Olson, Johnson, Stone, Coenen and Mayor Rykken. Against: None. The motion passed.

- i. Several City staff member have requested to take a vacation day on the day after Thanksgiving. In order to accommodate the requests, staff is asking for Council approval to close City Hall that day. This would not be a paid Holiday.

A motion was made by Council Member Stone and was seconded by Council Member Olson to approve closure of City Hall the day after thanksgiving. A vote being recorded as follows: For: Council Members Stone, Olson, Coenen, Johnson and Mayor Rykken. Against: None. The motion passed

## **8. UNFINISHED BUSINESS**

- a. The City is working through Bolton Menk to facilitate the update to the Master Plan and Airport Layout Plan for the Airport. A lead Committee has been invited to participate in the process. A meeting will be held the first part of December to kick off the process.

As the Council Representative on the Airport Commission, Mike Olson has been identified as the Council Representative for the Master Plan Committee.

- b. The 2013 Final Budget and Public meeting will be held on Wednesday, December 5<sup>th</sup>. An updated copy of the budget will be forwarded to all Council Members and Department Heads.

The Finance Committee will review and have possible recommendations for amendments.

**9. NEW BUSINESS**

None.

**10. CONSENT AGENDA**

- a. Schedule of Claims – total of unpaid claims of \$442,335.52 and paid claims of \$19,613.18 for a total of \$461,948.70.
- b. List of Checks for October, 2012 (ACH #1677E through #1699E) AP Checks #033178 through #033276 and three payroll ACH Transfers, all totaling \$875,170.31.

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

City Administrator Willer informed the Council that paid claims are claims where staff is given the authority to pay prior to Council approval. Those claims either have a deadline or are claims that receive a discount.

**11. INFORMATIONAL ITEMS**

None.

**12. ADJOURNMENT**

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

With no further business to come before the Council, Mayor Rykken adjourned the meeting at 7:10 p.m.

Respectfully submitted,

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Mayor Dennis Rykken

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City Administrator Vicki Willer