

ST. STEPHEN CITY COUNCIL AGENDA – January 6, 2010

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FROM DECEMBER MEETING

READING OF BILLS

READING OF RECEIPTS

TREASURER'S REPORT

PETITIONS, REQUESTS, AND COMMUNICATIONS

FIRE DEPARTMENT

REPORTS OF BOARDS AND COMMITTEES:

1. ROAD AND BRIDGE
2. PARK BOARD
 - a. Lighting Contest Winners
 - b. Chairperson Recommendation for Approval – Edith Gerads
3. PLANNING COMMISSION
 - a. General Floodplain Ordinance
 1. FEMA Preliminary Flood Insurance Study Report & Flood Insurance Rate Map for Stearns County, MN & Incorporated Areas
 - b. Accessory Buildings, Farm Buildings and Permits for Council approval

POLICE DEPARTMENT

HEALTH COMMITTEE

UNFINISHED BUSINESS

NEW BUSINESS

- *2010 Schedule of assignments for Council
- *2010 Salary review
- *2010 Mileage change & mileage for custodial staff
- *Emergency engine/generator maintenance worksheet
- *1989 Ford vehicle renewal
- *County Assessor's Local Board of Review Letter

MEETING ADJOURNED

MINUTES
ST. STEPHEN CITY COUNCIL
January 6, 2009 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Thomas J. Vouk, Roger Trobec – Council, Dolores Supan – Treasurer, Cris Drais – City Clerk

ABSENT: None.

MINUTES OF DECEMBER MEETING: Roger Trobec questioned the word “hammer” used in the description from the City’s Engineer on page 3 during the Blenkush Variance Hearing discussion. The Clerk will add the word “turn-around” to the minutes to clarify. Jeff Blenkush made a motion to approve the minutes with the word “turn-around” included with the word “hammer” on page 3. Rusty Paggen seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk presented the Claims. The total for the month of January is \$32,527.17. This includes the Claims, Net Pay for December plowing, the Fire Department’s 2nd half of 2009 payroll and the 4th Quarter Taxes. Jeff Blenkush made a motion to approve the Claims. Tom Vouk seconded the motion. Motion carried.

READING OF RECEIPTS: Receipts for the month total: \$111,854.11

<u>TREASURER’S REPORT:</u>	Beginning Balance	\$323,762.47
	Add: December Deposits (including Dec. Interest \$170.69)	\$111,854.11
	Less: January Checks	\$25,793.34
	New Checkbook Balance	\$409,823.24

Dolores Supan shared that an LGA check for the end of 2009 will be coming to be deposited in January. It is for approximately \$65,000. A CD is due on January 21st at St. Stephen State Bank. The interest for 6 months is 1.60%. Dolores recommended leaving the CD at St. Stephen State Bank as it’s our shortest term CD in case there’s a need for some extra money. The council was in favor of leaving the CD at St. Stephen State Bank. The CD will automatically renew. Roger Trobec made a motion to approve the Treasurer’s Report. Jeff Blenkush seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS: Nothing.

FIRE DEPARTMENT: Steve Trobec reported that the Relief Association will be receiving a \$1,000 supplemental reimbursement from the state in March or April. This is a reimbursement because of the pension payout to Jeff Trobec.

The Annual Meeting will take place on January 25th. By-law changes will be approved at this meeting and brought to the City Council for approval at the February meeting.

Jeff Drais reported at the FD meeting that an additional \$1,461 will be coming from Homeland Security Emergency Management for the Hazmat training during the Mock Bus Accident. In addition, Jeff also mentioned at the meeting that in regards to a Fire Aid Grant for training and a thermal camera that he applied for, it looked favorable for receipt as the City’s checking account routing number was requested. The grant is for approximately \$18,000.

Ray Trobec reported that the FD held elections and the City Council’s approval is needed at this time. The election results were:

Ray Trobec – Chief
Jeff Drais – Assistant Chief
Gene Skaj, Aaron Rudolph, Brian Quaal & Jeff Blenkush – Captain
Stephen Trobec – Secretary/Treasurer

The following appointments also took place:

Safety Office – Jason Trobec
Training Officer – Jeff Drais
Fire Prevention – Brian Quaal

Rusty Paggen made a motion to approve the elections and appointments made by the Fire Department. Roger Trobec seconded the motion. Motion carried.

3. **Planning Commission:** Ben Supan reported that at the last meeting Rich Hanson requested a conditional use for the basement of his building to be residential. The Planning Commission recommended the City Council approve the conditional use permit.

On January 12th, there will be a joint meeting with the Planning Commission & the City Council along with the Township Board with Ron Euteneuer coming at 7:00 for a Question & Answer session about Building Inspections. The Planning Commission & Township Board will meet afterwards. If time allows the Planning Commission will meet on any current issues.

Ben presented the sample of the City Sign. The City Council needs to make a decision on the sign having shading or not on it. The signs will be 3x4. Ben hasn't heard back from the Lion's Club on how much they'll pay. Originally the Lion's Club had been listed on the sign but was removed so as to not show favoritism. The Council chose the blended look. The County will set the signs. The cost is unknown. There is \$500 in the City's account from Northern State to cover the cost. Discussion took place on the location of the signs.

Ben also reported that new officers will be elected for the Planning Commission at the January meeting.

The Accessory Building page will be reviewed by the Planning Commission.

Flood Plain Ordinance: The ordinance has arrived from the attorney's office. The Clerk didn't get maps from the attorney's office. The Clerk had shared a link to the FEMA website with the attorney's office to show that the maps on file in the City office haven't changed. The Clerk reported that the Preliminary Flood Insurance Study Report & Flood Insurance Rate Map for Stearns County from FEMA just arrived. The City has 90 days to comment on the report. A copy will stay with the City and one will be passed on to the Planning Commission for them to look at in February.

The Clerk will contact the attorney's office about the Table of Contents and the numbering of the pages for the Flood Plain Ordinance.

POLICE DEPARTMENT: There was nothing that stood out in the Police Report. Channel 9 News reported on a snowmobile being seized from a gentleman within the City Limits. Tom Vouk reported that snowmobiles are going through the Hlebain Park but just driving through it vs. driving in circles.

HEALTH COMMITTEE: Nothing.

UNFINISHED BUSINESS: The Mayor asked if everyone received a copy of the letter from Alice Supan. The letter requested a copy be sent to the City's attorney. The Mayor asked if everyone was okay with sending the letter to the attorney. The Clerk will send the letter to the City's attorney.

NEW BUSINESS: Tom Vouk shared that the Comprehensive Plan was adopted in October 2005 and is to be reviewed every 5 years. The Planning Commission will look at the plan and it can go on the City's agenda after that.

Schedule of Assignments for the Council: The Mayor asked for the Council's input on the committees that they sit on. Do they want to change committees or continue? Tom Vouk brought up his position on the Road & Bridge Committee and that since he isn't available for issues because of working out of town, he didn't know if he should move to another assignment.

The Mayor recommends the assignments remain the same with 1 change of assignment between Tom & Rusty. Tom will move to the Police Commission & Rusty will join Road & Bridge.

Acting Mayor: Roger Trobec
Police Commission: Jeff Blenkush & Tom Vouk
Health Commission: Jeff Blenkush & Roger Trobec
Park Board: Jeff Blenkush & Roger Trobec
Planning Commission: Rusty Paggen & Tom Vouk
Road & Bridge: Rusty Paggen & Roger Trobec
Emergency Management: Jim Schumer
Road Overseer: Jerome C. Supan
Building Permit Inspector: Ben Supan

Jeff Blenkush made a motion to accept the assignments. Roger Trobec seconded the motion. Motion carried.

Roger Trobec made a motion that the City maintains SEH as the City's Engineer. Jeff Blenkush seconded the motion. Motion carried.

Jeff Blenkush made a motion to keep the Sartell Newsleader as the City's newspaper. Rusty Paggen seconded the motion. Motion carried.

The Clerk shared a request from the St. Cloud Times to advertise for the City what's going on in St. Stephen. The Council was fine with sharing meeting information with the St. Cloud Times.

In December a motion was made to stay with the St. Stephen State Bank for the City's operating account.

Jeff Blenkush made a motion to keep Rajkowski Hansmeier as the City's attorney. Tom Vouk seconded the motion. Motion carried.

Salary Review: The Clerk shared that Roger Trobec pointed out that in 2009 the Treasurer's salary was raised to \$175 per month. Mileage for 2010 is 50¢.

Roger Trobec was concerned about the salary for election judges. Discussion took place on raising the salary. Roger Trobec made a motion to raise the salary of the election judge to \$8.00 per hour. Jeff Blenkush seconded the motion. Motion carried.

The salary of the Clerk needs to be listed as \$25/hour.

Tom Vouk made a motion to stay with the salaries on the Salary Schedule with the updates to: Treasurer, mileage, election judges & Clerk to be included. Jeff Blenkush seconded the motion. Motion carried.

Position	Salary	Pay Period
Mayor	\$200	Per month
Council	\$125	Per month
Clerk	\$25	Per hour
Treasurer	\$175	Per month
Janitor	\$100	Per month
Planning Chair	\$30	Per mtg.
Planning Member	\$20	Per mtg.
All Day Conference	\$100	Per day
Special Meeting	\$40	Per mtg.
Election Judge	\$8	Per hour
Yard Work	\$8	Per hour
Machine Work	\$8	Per hour
Road Work	\$15	Per hour
Building Permit Inspector	\$25	Per inspection
Mileage	50¢	Per mile
Snow Plow Operator	\$27	Per hour
Park Board Chair	\$30	Per mtg.
Park Member	\$20	Per mtg.
Recorder	\$30	Per mtg.

Mileage for the janitor: Discussion took place on paying the janitor for mileage for City business; for example getting supplies, taking the vacuum cleaner in for repair, etc. Roger Trobec made a motion to pay the janitor for mileage related to City work. Jeff Blenkush seconded the motion. Motion carried.

Ziegler Annual Preventative Maintenance agreement: Discussion took place on work already being done on the generator by the old school after the lightning strike. Roger Trobec shared his thought that the load test should be done every other year. Someone on the FD used to check the water and oil monthly. Discussion took place on the possibility that Joe Gordon may have taken over this task for Jeff Trobec. Steve Trobec will check with Ray about Joe doing the monthly maintenance and let the City know. The Clerk will contact Ziegler and let them know that the City will contact them for service in the future.

1989 Ford renewal notice: Tabs are to be renewed but which vehicle is it? Discussion took place on City vehicles needing tabs on plates. Rusty Paggen will check the VIN listed on the plow truck to the number listed on the renewal form.

County Assessor's Local Board of Review Letter: The letter asks if the City wants to maintain its own Board of Review and Equalization or give that up to the County. Roger Trobec made a motion to keep the City's own Board of Review. Rusty Paggen seconded the motion. Motion carried.

Jerome Supan asked if the City Engineer, Randy Sabart should attend the February meeting with regards to the parking lot if there are any changes requested before bidding starts. The Clerk will contact him and invite him to the February meeting.

Dolores Supan asked about the cigarette ash urn topic from January. The Clerk didn't get copies made so the topic will be discussed at another time.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 8:50 p.m.

Respectfully submitted,

Cris M. Drais

City Clerk

Cindy D. Vandenberg
Mayor

ST. STEPHEN CITY COUNCIL AGENDA – February 3, 2010

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FROM JANUARY MEETING

READING OF BILLS

READING OF RECEIPTS

TREASURER'S REPORT

PETITIONS, REQUESTS, AND COMMUNICATIONS

FIRE DEPARTMENT

Relief Association By-laws

Snowmobile Sale

Antenna Lease

REPORTS OF BOARDS AND COMMITTEES:

1. ROAD AND BRIDGE
 - a. Snow Removal Timeline
 - b. Postmaster – Mailboxes
 - c. City Hall Parking Lot Project
2. PARK BOARD
 - a. Summer Ball Program
3. PLANNING COMMISSION
 - a. Welcome Signs

POLICE DEPARTMENT

HEALTH COMMITTEE

UNFINISHED BUSINESS

*Drug & Alcohol Contract for Testing

NEW BUSINESS

*HID Light for Flag

*Cigarette Ash Urns for Entrances

MEETING ADJOURNED

MINUTES
ST. STEPHEN CITY COUNCIL
February 3, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Jeff Blenkush, Rusty Paggen, Thomas J. Vouk, Roger Trobec – Council, Dolores Supan – Treasurer, Cris Draiss – City Clerk

ABSENT: Cindy VanderWeyst, Mayor

Acting Mayor Roger Trobec will run the meeting.

MINUTES OF JANUARY MEETING: The minutes were reviewed. Rusty Paggen made a motion to approve the minutes. Tom Vouk seconded the motion. Motion carried. Roger Trobec requested a copy of the Pay Schedule for 2010 for each Council member. The Clerk will provide that along with Committee member information at the next meeting.

READING OF THE BILLS: The Clerk presented the Claims totaling: \$20,950.32 which includes January plowing. Tom Vouk asked for confirmation on Unit 12 being the new truck. That is correct. The truck sustained damaged during a call. Jeff Blenkush made a motion to approve the Claims. Rusty Paggen seconded the motion. Motion carried.

READING OF RECEIPTS: Receipts for the month total: \$93,610.40. The receipts include an LGA deposit of \$65,711.75. A final tax settlement check for approximately \$6,000 will appear on the next month's deposits.

A CD came due on January 21st. The First State Bank of St. Joseph was able to give the City an interest rate of 2.00% on a 6 month CD. The CD was renewed.

TREASURER'S REPORT:

Beginning Balance	\$409,823.24
Add: January Deposits	\$ 93,610.40
(including Jan. Interest \$191.34)	
Less: February Checks	\$32,575.17
New Checkbook Balance	\$470,858.47

Roger Trobec asked about getting another CD with such a good interest rate. Dolores said she'd try. Jeff Blenkush made a motion to approve the Cash Control statement along with putting \$50,000 in to a new 6 month CD. Rusty Paggen seconded the motion. Motion carried.

Discussion took place on the City's checking account. The bank will notify the City when new checks are needed.

Tom Vouk made a motion to approve the Treasurer's Report. Jeff Blenkush seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS: Nothing.

FIRE DEPARTMENT:

Steve Trobec shared that when the Pension Analyst reviewed St. Stephen's schedules, it was discovered that an additional \$2,004 is needed to put in the pension fund from the number prepared in August. The new amount is \$19,097.

Steve explained the 2 changes to the Relief Association's by-laws (one to allow people to rejoin the relief association after a leave & a clarification of the partial years service payment). Rusty Paggen made a motion to approve the by-law changes. Tom Vouk seconded the motion. Motion carried.

The City Council needs to approve the rate of return set by the Relief Association for deferred pensions for 2009. The Relief Association set the rate for 2009 at 5%. Tom Vouk made a motion to set the rate of return at 5% for 2009 for the deferred pension rate of return. Rusty Paggen seconded the motion. Motion carried.

The state reimbursement for Jeff Trobec's pension for \$1,000 should be coming in March.

The FD snowmobile was sold immediately for \$1,800.

Three Fire Fighters just finished Fire Fighter I & Fire Fighter II and just passed the tests. Two now have to take a First Responder Class.

The antenna lease contract is a 2-5 year term. The 2nd term will be an automatic renewal.

The Fire Chief magazine will be highlighting the St. Stephen Fire & Rescue GPS system. Roger Trobec met with Ray Trobec and a representative from Geocom in order to get background information for the article. It will appear in the magazine in March or April.

Ray Trobec reported on equipment checks and changes that have taken place.

Ray Trobec said that at the Lake Region Meeting the 2010 Census was discussed. The Clerk will put information about the census on the website and see if it can go in the church bulletin. At this time there is no plan to put out a City newsletter. The census will be advertised in other ways.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge:

- a. Snow removal timeline: The Clerk shared that the Mayor wondered if there's an unwritten guideline on when snow's removed. There was a resident that was concerned about the snow not being moved, called the City saying he'd move the snow himself & charge the City for the work. The snow has been moved. Keith Posch, the new snow plow employee introduced himself.

Discussion took place about using the County for the sand/salt vs. J.R. Ferche. At the end of the season the City is responsible for notifying the County on how much sand/salt was taken. Rusty Paggen would recommend using the County for the rest of the winter for sand & salt for the plowing season. Jerome Supan says it's worth a try to use the County for the remainder of the season.

Keith requested reimbursement for his father-in-law for sand that he got from him. Rusty Paggen made a motion to pay Pete Skaj \$50 for a load of sand and for loading it. Jeff Blenkush seconded the motion. Motion carried.

Jeff Blenkush made a motion to use the County for salt/sand for the remainder of the winter. Rusty Paggen seconded the motion. Motion carried.

The Clerk clarified that a claim can be prepared for Pete Skaj for \$50? Yes, a claim for \$50 will be added to the month's claims list.

At this time, the meeting jumped to Police Department as Lieutenant Sheriff Jon Lentz stopped by.

Jerome Supan met with the Postmaster about the mailboxes in the Smoley Addition. The Postmaster is going to redo the mailbox system in the addition. The Postmaster will take care of the process. He will contact the City when letters go out to the residents. The Postmaster might also look at 2nd Street N and other areas in town. Too much time is being spent driving up and down the same road in order to deliver mail.

Jerome said that the sign on 2nd Street N should be replaced in the spring as it isn't reflective.

City Hall Parking Lot Project: City Engineer Randy Sabart attended the meeting. Randy reviewed the scope/intent of the work on the parking lot. The design of the parking lot is in an effort to maintain the shape and contour of the lot as it currently is. The drainage was discussed. The striping of the parking lot was discussed. It's an added cost (\$2,200-\$2,300) & maintenance cost. Discussion took place on the sidewalk having a drop vs. the parking lot being flush with the sidewalk vs. having cement curb stops. Randy stated that there weren't any soil borings done previously. Without these, if poor soils or different materials are found, that could be a risk with regards to which direction the contractor has to move in order to correct any possible problem. The cost estimates were prepared in January 2009. Discussion took place on the costs of acquiring bids. Jerome wondered if it'd be about \$1,000 beforehand on the bidding process. Roger Trobec asked about the cost of quotes & Randy Sabart thought the cost would be between \$300-\$500 and would limit the City to 2-3 contractors. Tom Vouk asked about the \$19,750 for engineering services. \$8,300 has already been spent for the design. About \$13,000-\$14,000 is left. At the time Randy's budget had included 50 hours of a technician on site.

Roger Trobec asked for the thoughts of the Council. Randy Sabart clarified that the Council would be able to reject both quotes and bids, but would have to explain why it didn't accept the lowest bid. Jerome Supan suggested getting 2 quotes. Rusty Paggen suggested going with bids vs. quotes. Tom Vouk stated that \$100,000 is too much for a parking lot & thinks the money should be put towards another project. Jeff Blenkush agrees with Tom that we have roads & city streets that are in need of work, but the longer the City waits it's just going to get more expensive.

Rusty Paggen made a motion to put our parking lot project out for bids (by unit price) with painting and lights as an alternate. Jeff Blenkush seconded the motion. Motion carried.

Randy will update the bidding documents. Between now and April is a common time to be looking for bids. There will be a tight window on work time. Randy would lean more towards calendar days vs. working days.

2. **Park Board:** Edith Gerads reported that Marilyn Schumer will attend the meeting in order to discuss the Summer Ball Program.

LeRoy Supan suggested the City check with Stearns Electric on being reimbursed for being charged for a light & meter by the skating pond. The meter has shown a zero reading. It's been 2-3 years since there's been skating there.

3. **Planning Commission:** Ben Supan reported that Perry Nistler is the new Chairperson. Dan Schultz is the Deputy Chairperson. Ben reported that all of the signs have arrived. The County will call City Hall when they are going to come and get the signs in order to put them up. The Lions Club stated that they'd pay \$500 towards the purchase of the signs. A copy should be sent to the Lions Club. Come spring the City will have to put the sign on 6th Avenue.

Tom Vouk had questions for the Council on the Building Inspector topic. His main question is: If we don't adopt the state building code & don't have an inspector, is the city liable? Roger Trobec shared that he's leary with hiring a building inspector as the City might be liable if the inspector were to miss something. Discussion took place on having and not having a building inspector and the verbage in the Ordinance Book.

Tom Vouk made a motion to invite Attorney Tom Jovanovich to the next City Council meeting at 7:30 for questions & discussion about the state building code & building permits and in order to ask for legal advice on the direction the city should go on the Building Inspector idea. Jeff Blenkush seconded the motion. Motion carried.

Letter from Sam DeLeo: He put down \$3,000. What was the amount used? The Clerk will prepare the information for the March meeting. Does he have a claim to get some of his money back?

Tom Vouk reported that Perry Nistler, Bruce Peterson & Tom himself will be meeting with Brockway Township on the feedlot setback. The County & Township are at a 750 ft. setback. The City's setback is 1,000 ft. The township would like the City & the township's number to be the same. Roger Trobec shared that this was an issue with the project Sam DeLeo was involved with.

POLICE DEPARTMENT: Lieutenant Sheriff Lentz was visiting Council meetings during the month. He brought the January report and was wondering if there were any concerns on behalf of the Council. Rusty Paggen asked about the wage increase letter that the City received. Lieutenant Sheriff Lentz shared that the wages were not going to change. Discussion took place about the Church crosswalk on the County road. Lieutenant Sheriff Lentz said he'd make the cars aware of this for when they're in the area. The snowmobile patrol will be in the area again as the sleds have been recently repaired. Lieutenant Sheriff Lentz will be back in May. ***The meeting returned to the Road & Bridge report at this time.***

HEALTH COMMITTEE: Nothing.

UNFINISHED BUSINESS: Drug & Alcohol Policy – The Clerk reviewed that the City Attorney suggested using a consortium for this testing. The City is required to have a Policy in place as we have drivers holding a commercial license in our employee. Tom Vouk made a motion to join the consortium with a template policy to come back to personalize for the City for the drug testing of the City's drivers. Jeff Blenkush seconded the motion. Tom added that the policy should be tweaked since it would apply to the City in the winter months. Motion carried.

The First State Bank of St. Joseph would like to come and introduce themselves to the City Council. Roger shared a letter from the bank's president, Greg Reinhardt and Branch Manager, Jane Litchy. The Bank will be invited to attend the meeting at 7:30 p.m.

***Tom Vouk made a motion to amend the time of Attorney Tom Jovanovich's appearance at the March Council meeting to 8:00 p.m. Jeff Blenkush seconded the motion. Motion carried.*

Dolores Supan asked about the situation with Alice Supan's paychecks. Roger Trobec questioned that Alice hadn't been in to pick up her checks? No. He stated that the ball is in Alice's court. The agreement with the attorney is that Alice needs to sign the paper and then everything is done. Dolores stated that the issue should be taken care of within a month. Tom Vouk suggested asking Cindy to call the City Attorney. What is Tom J.'s recommendation? The Clerk stated that when the W2s were prepared, the money is included on Alice's W2. The comment was made that you can't force someone to cash a check. Rusty Paggen stated that with the two checks she is receiving full payment and isn't sure what else you can do about the matter. Alice did submit a letter and asked that it be sent to the attorney, but yet the letter didn't state her wish with regards to the pay or the agreement. The Council is not sure what to do at this point.

NEW BUSINESS: Cigarette Urns: The Clerk & Janitor looked at urns for cigarettes vs. ice cream pails. One concern with plastic is it melting from a burning cigarette. A question brought up was where would the placement of an urn be? How close to City Hall is a person allowed to smoke? The Clerk will look in to the matter.

Generator hook-up: Jeff Blenkush has received information from one business. He's hoping to have more information for the next meeting.

Tom Vouk shared that 2014 will be the 100th Anniversary of the City. Discussion took place on having a parade on county roads. How is that done? Tom just wanted to share the information.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 10:10 p.m.

Respectfully submitted,

Cris M. Draiv
City Clerk

Cindy D. Wandukweit
Mayor

St. Stephen City Council Agenda – March 3, 2010

Call To Order: 7:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FROM February MEETING

READING OF BILLS

1. Payroll: Special Meeting Pay with Ex-Officios in Attendance

READING OF RECEIPTS

TREASURER'S REPORT

PETITIONS, REQUESTS, AND COMMUNICATIONS

7:30 – First State Bank of St. Joseph, Jane Litchy

FIRE DEPARTMENT

8:00 – City Attorney, Tom Jovanovich – City Building Inspector Topic

REPORTS OF BOARDS AND COMMITTEES:

1. ROAD AND BRIDGE
 - a. 2010 Signs/Posts & Culvert Orders – County form
 - b. SEH Proposal for Parking Lot 2010
2. PARK BOARD – No Report
3. PLANNING COMMISSION
 - a. Accessory Buildings Ordinance

POLICE DEPARTMENT

HEALTH COMMITTEE

1. David Schaff – Water Tested at City Hall

UNFINISHED BUSINESS

1. Generator Quotes
2. Sam DeLeo

NEW BUSINESS

1. Equalization Meeting, Wednesday, April 21, 2010 at 6:30 p.m.
2. Criminal Prosecution Agreements for Attorney's Office

MEETING ADJOURNED

MINUTES
ST. STEPHEN CITY COUNCIL
March 3, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Thomas J. Vouk, Roger Trobec – Council, Dolores Supan – Treasurer, Cris Draais – City Clerk

ABSENT: None.

MINUTES OF FEBRUARY MEETING: The minutes were reviewed. Jeff Blenkush made a motion to approve the minutes. Rusty Paggen seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk asked for clarification on pay of ex-officios attending a Special Meeting. For the January Planning Commission Meeting, the ex-officios attended the meeting as Council Members & then became ex-officios for the regular Planning Commission Meeting. Rusty Paggen & Tom Vouk confirmed that they are to only be paid for the special meeting. They won't receive ex-officio pay for the January meeting. The Clerk will let the PC Recorder know this also.

The Clerk presented the Claims totaling: \$15,534.20 which includes Claims, 1st Qtr. Payroll & 1st Qtr. PERA. Discussion took place on the JR Ferche bill and the quality of the product the City received. Tom Vouk made a motion to pay the bills for \$15,534.20. Jeff Blenkush seconded the motion. Motion carried.

READING OF RECEIPTS: Receipts for the month total: \$13,015.17.

<u>TREASURER'S REPORT:</u>	Beginning Balance	\$470,858.47
	Add: February Deposits	\$ 13,015.17
	(including Feb. Interest \$189.32)	
	Less: March Checks	\$71,018.32
	New Checkbook Balance	\$412,855.32

Dolores printed a copy of the Current Investments for the Council. The grand total as of March 23, 2010 for the Business Savings Account & CDs is \$289,273.11. Dolores also shared that she moved \$50,000 from the City's Checking Account to the Business Savings Account.

Tom Vouk asked for clarification on the Cash Control Statement: why is the Fire Truck Fund negative? Assistant Chief Jeff Draais explained that \$17,000 comes from the Brockway Township check when it arrives & \$17,000 comes from the City. When the account was originally set up, a whole payment cycle was made without the \$17,000 being put in by the City. Jeff stated that the account is a year off because it was stated that the truck wasn't budgeted for originally. Discussion took place on when the City should be putting their \$17,000 contribution in to the truck fund.

Jeff Blenkush made a motion to approve the Treasurer's Report. Rusty Paggen seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

Jane Litchy, First State Bank of St. Joseph: August 8, 2010 – checking routing change will take place. The date may change, but everything will be merged at that point. Jane stated that the bank won't be leaving St. Stephen. Currently the building ownership is being checked through appraisals and will be checked by the FDIC before the First State Bank of St. Joseph can purchase it. The St. Joseph bank is locally owned by investors in St. Cloud.

Discussion took place on the change in checking accounts, routing numbers, check ordering.

FIRE DEPARTMENT:

Gene Skaj, Relief Association CEO, stated that there have been problems at Trobec's Bar with gambling deposits. He let Jeff Draais, Gambling Manager of the Relief Association explain. Jeff Draais stated that with pull-tabs and any gambling, you are required to make a deposit within 4 business days once a game has been closed. A cash bank at the site is supposed to be maintained. Around February 9th, the Relief Association accountant, Randy Dorn, contacted Jeff about deposits being made late. A fine could be handed down by the state (Gambling Control) for late

deposits. Jeff went to talk with Ray Trobec and told him he had to get the deposits in on time. On February 23rd, Jeff was contacted by the accountant, who confirmed if Jeff had talked to Ray about the situation. Jeff said he had. The accountant told Jeff that in going back, BINGO deposits hadn't been made since December and that several games hadn't been closed totaling \$6,600. Jeff went back to talk with Ray and told him he had until March 1st to get the money in. The following day Jeff contacted Gene Skaj, Relief Association CEO. The \$6,600 was deposited but as Gene & Jeff checked further, it was discovered another \$4,000 had to be made up. Again, games were deposited and \$2,000 was owed. Jeff was told that the money would be deposited by Thursday, March 4th. Jeff contacted Gambling Control on March 1st and asked what the proper procedure was for handling this. After talking with a Compliance Specialist, he was transferred to an Investigator to speak with. Jeff was told that because the money is paid back/being paid back, the Sheriff doesn't have to be called. Jeff was informed that gambling at Trobec's had to be shut down. This was done on Monday, March 1, 2010. The pull tab machines were pulled, BINGO and paddle tickets (meat raffles) will no longer take place. The Fire Department's raffle on the steak fry has to change its site. Trobec's has been marked as a location that can no longer have gambling. In order to have gambling there in the future, the building would have to be sold to someone unrelated.

Discussion took place on another organization have a drawing at Trobec's. Jeff Drais said it can't happen. The Knights of Columbus were granted a one day site license. The Clerk will notify them of this event. The KCs will have to submit a letter to Gambling Control to move the location of their drawing. The same as the FD will have to do.

Jeff stated that he believes fines will be enforced by Gambling Control and that he'll have to go to the Cities and explain the incident. Tom Vouk asked if he knew of a timeline but Jeff didn't know how it would all work with Gambling Control.

Steve Trobec wanted to confirm if it's all right to use the copier for Relief Association copy work. The Council had no problem with this.

4 Firefighters went to Fire Service Day at the Capitol. The big issue this year is the Fire Service Account. This is a service charge on homeowner's insurance. This money is used for FF training and the fire marshal. At this time the state would like to put the money in the general fund.

Steve Trobec reported that he attended an 800 MHz meeting in Albany. Some pagers might need to be reprogrammed or replaced. The Civil Defense sirens may need to be reprogrammed. 2012 is the potential date.

FEMA Grant (\$18,000): \$9,000 – thermal camera. The additional money will be used for vehicle training. There is also talk about a rapid intervention training.

Jeff Drais received his Fire Instructor Certification.

Jeff Drais explained that the 2009 Grants just started coming out in February 2010. Jeff believed that at the end of March 2010 that submissions can be made. There is no guarantee when a grant is applied for that the FD will receive it.

Tom Vouk returned to the Relief Association Gambling topic. Jeff Drais stated that there aren't any criminal charges at this time. Discussion took place on the City's liability with the situation. The City and the Fire Department aren't liable. To clarify, the pension money, gambling money & the general fund are separate accounts. Any fines will have to be paid out of non-gambling funds if fined. No fines can be taken from the Pension Fund.

***At this time, Tom Jovanovich, City Attorney, came to the meeting. Jeff Drais recapped the details he shared with the Council earlier.*

Rusty Paggen asked Tom Jovanovich what should the City do about the situation? Tom Jovanovich recommended an accountant audit the situation. Tom Jovanovich asked if Gambling Control will be investigating. Jeff Drais stated he believed so. Tom Jovanovich stated that it was a conflict of interest with Ray making the deposits. Tom Jovanovich recommended that the City make sure that an investigation is taking place.

Tom Jovanovich asked if the other situation should be discussed at this time. Mayor VanderWeyst stated that the person removed himself from the meeting agenda. Tom Jovanovich got forms from Alcohol and Gambling. Tom Jovanovich recommended making sure all of the money is back in the Relief Association account before any type of license switch is done.

Tom Jovanovich recommended the Relief Association get an independent audit.

Tom Jovanovich stated also that if a liquor license is pulled by Gambling Control that there is no renewing of the license or issuing it to someone else.

8:00: City Attorney, Tom Jovanovich: City Building Inspector Topic –

Question 1: If the City has a building code in their ordinance, do they have to have a building inspector? Yes, you do have to have a building inspector if you're going to have the state building code apply to the City. Currently the City isn't in compliance. In the City's ordinance, a uniform building code has been adopted which isn't even in existence. If the City is going to have a building code, it'd be best to reference the state's code.

Discussion took place on the City's liability if the City doesn't have a building code. There is no liability. If there is a problem during a building, it's between the contractor and homeowner.

One reason for having a building code for a city the size of St. Stephen is to have better control over buildings and the quality of the work done.

Tom Jovanovich stated that a Building Code is not a statement on the City's part of insuring something is right.

Tom J. stated that if the City retained a Building Inspector, the City might want to think of sharing the inspector with another city. The City would want to ensure that the inspector have the appropriate insurance if a lawsuit were to occur.

Roger Trobec asked Tom Jovanovich for the advantages on having a building inspector. Tom replied that the advantage is that the City is getting its buildings built to a certain standard. Tom stated that St. Stephen might be the only city he represents that doesn't have a building inspector. With a building inspector you "catch" a lot of things during the building process.

Tom Jovanovich's suggestion was: put out a request for proposals, get inspectors in to talk with the council, have them share the pros and cons and make sure that working relationship between the city and inspector is a good working relationship.

Tom J. stated that something has to be done with the City's code if we don't have a building inspector. We refer to a code that's non-existent. Roger Trobec asked what has to be done to change it. Tom J. stated a public hearing would need to be held to change the ordinance.

Tom Jovanovich shared names of people in other cities to contact and get information on the city's cost of having a building inspector. Are costs passed through to the homeowner?

Tom J. stated that you'd want a building inspector to have general liability insurance in the event something did happen.

Mayor VanderWeyst asked if building permits should still be issued by the City. Discussion took place on calling building permits to another name. Site permits can be issued.

Tom Jovanovich recommended within the next 3 months some action be taken.

Discussion took place on a building inspector helping create the language used by the City. Thoughts were shared that the Planning Commission be involved in a process of picking a building inspector. One thought shared was to interview building inspectors and then make follow-up calls to current employers. Perry Nistler will be involved in the process. Perry suggested putting an rfp out for candidates, pick 3 and have them present themselves to the Planning Commission & City Council. Perry will put this on the Planning Commission agenda.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge:

- a. 2010 Signs/Posts & Culverts Order from the County: nothing needed at this time.
- b. Water in Smoley Addition: Jerome Supan contacted Ferche's about moving the snow.
- c. Jerome Supan talked with someone from the County & was told that a flashing light at the crosswalk can be quite expensive.
- d. City Hall Parking Lot: Jerome Supan talked to Randy Sabart and the City is responsible for removing or lowering any underground utilities.
- e. Parking Lot Dirt: Jerome Supan talked with Randy Sabart about the dirt and wondered about having it put on 12th Avenue to fix the low area and have a culvert put in. Discussion took place on stock-piling the dirt from the lot vs. putting it on 12th Avenue. Jerome stated that the common excavation doesn't belong to the City. If the City wants the dirt, an addenda would have to be sent out to those bidding on the parking lot job. Discussion took place on 12th Avenue being its own project down the road.

Tom Vouk made a motion if it can be done to try and salvage the common excavation from the parking lot and stock pile it down by the city maintenance building. Jeff Blenkush seconded the motion. Motion carried.

- f. Jerome Supan requested the use of City Hall for the Legion on Memorial Day. The Council had no problem with that.
- g. Roger Trobec made a motion to hire Astech to sweep the streets. Rusty Paggen seconded the motion. Motion carried.
- h. Parking Lot Bids: March 9, 2010. Roger Trobec will be at City Hall to receive bids along with Jeff Blenkush. Jeff Blenkush got Dolores Supan's mailbox key to check the mail. Randy Sabart will be here also. The bids will be opened at City Hall on March 9, 2010 by Randy Sabart.

- i. **SEH Proposal for City Parking Lot Project:** Roger Trobec made a motion to approve the proposal. Jeff Blenkush seconded the motion. Motion carried.

Park Board: LeRoy Supan shared that the Park Board is getting ready for the ball program. Grass cutting bids will take place in April. The Park Board is accepting bids for port-a-pots for the year.

Planning Commission: Accessory Building Ordinance changes are ready for the Council to approve. After reviewing the ordinance, it was discovered that some changes still need to be made to the ordinance. It will go back to the Planning Commission and be brought back to the City Council.

POLICE DEPARTMENT: Jeff Blenkush contacted someone from the Sheriff Department about the language in the ordinance during the Chicken Fry on where people can and can't drink. According to the Sheriff, the ordinance isn't clear.

HEALTH COMMITTEE: Water testing was done at City Hall.

UNFINISHED BUSINESS:

- a. **Generator Quotes:** Design Electric & Avon – both companies came out. The generator cannot be started automatically. The grant Jeff Draais is looking to apply for is an automatic system for the generator. So any work done on the generator would be removed in order to make it an automatic system if the grant was awarded. The consensus of the Council is to table work on the generator at this time. Jeff Blenkush will notify the companies of the grant possibility. Tom Vouk asked if the generator can be used right now. It seems that it could be used.
- b. **Sam DeLeo:** The escrow account was for \$3,000. Mayor VanderWeyst said that she'd talked with Sam and a statement from SEH for \$544.48 wasn't taken off yet and he understood. The Clerk will contact Sam to confirm the balance due to him would be \$976.57. Roger Trobec made a motion to contact Sam DeLeo that the City's records indicate he is owed a balance of \$976.57 and upon being paid that amount will sign an agreement stating that he isn't owed any more by the City of St. Stephen. Jeff Blenkush seconded the motion. Motion carried.
- c. **Tom Vouk, Perry Nistler, Bruce Peterson from Planning Commission – Task Force Meeting:** Could a joint planning committee work together? By working together in a joint effort, this would help to keep the County out of matters. Roger Trobec asked for clarification on when orderly annexation comes in to effect. Discussion took place. The Mayor recommended looking over orderly annexation agreement.
- d. **Welcome Signs for City:** Jerome Supan said that the Legion would like to put a sign up with the welcome sign like the Lions Club. Jerome suggested the Legion present the sign to the Council before it can be put up. No objections from the Council.
- e. **Mailbox Move:** The Postmaster is looking at April for the move of mailboxes. A letter will go out to the residents.

NEW BUSINESS:

- a. **The Equalization Meeting** will be April 21, 2010 at 6:30 p.m.
- b. **Grant for Polling Place:** If 100% coverage of service, something to look in to.
- c. **Criminal Prosecution Agreements for Attorney's Office:** Roger Trobec made a motion to sign the forms for the attorney's office. Jeff Blenkush seconded the motion. Motion carried.
- d. **Steve Trobec** shared that **Rodger Bellinger** will be will be contacting Council members about the FD retirement party on March 20th for Kurt Dullinger and Greg Supan.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 10:35 p.m.

Respectfully submitted,

Cris M. Draais
City Clerk

Cindy VanderWeyst
Mayor

St. Stephen City Council Agenda – April 7, 2010

Call To Order: 7:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FROM March MEETING

READING OF BILLS

READING OF RECEIPTS

TREASURER'S REPORT

PETITIONS, REQUESTS, AND COMMUNICATIONS

Snowmobile Club
Edith Gerads – Neighborhood Noise

FIRE DEPARTMENT

Garage Door Opener for Little Garage Request

REPORTS OF BOARDS AND COMMITTEES:

1. ROAD AND BRIDGE
 - a. Parking Lot: Randy Sabart
2. PARK BOARD
 - a. Tri-Rec at April Meeting
3. PLANNING COMMISSION

POLICE DEPARTMENT

HEALTH COMMITTEE

UNFINISHED BUSINESS

NEW BUSINESS

Buyse Roofing of St. Cloud – Roof Maintenance Program
Grass Mowing Bids 2010
Benton Cooperative Telephone Company – Monopole Tower
Liquor License Renewals
Stearns County Sheriff's Updated Information Request
City Primary Elections: Tuesday, August 10, 2010

MEETING ADJOURNED

MINUTES

ST. STEPHEN CITY COUNCIL

April 7, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Thomas J. Vouk, Roger Trobec – Council, Dolores Supan – Treasurer, Cris Draais – City Clerk

ABSENT: None.

MINUTES OF MARCH MEETING: The March minutes were reviewed. Corrections: Page 2, 4th line: totally should be totaling. Page 2, paragraph before entrance of City Attorney: Sentence added: No fines can be taken from the Pension Fund. Jeff Blenkush made a motion to approve the minutes with all corrections made. Rusty Paggen seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk presented the Claims totaling: \$23,760.19. Rusty Paggen made a motion to pay the Claims. Jeff Blenkush seconded the motion. Motion carried.

READING OF RECEIPTS: The Clerk presented the Receipts for the month totaling: \$62,519.82.

TREASURER'S REPORT: The Cash Control statement will be provided after the meeting as the Treasurer just returned to town. *The following information is based on that statement:*

Beginning Balance	\$412,855.32
Add: March Deposits (including March Interest \$173.37)	\$ 62,519.82
Less: March Checks	\$15,841.70
New Checkbook Balance	\$459,533.44

PETITIONS, REQUESTS, AND COMMUNICATIONS:

Snowmobile Club: Kevin Tadych – requesting approval of a gambling permit for a fundraiser on October 2, 2010. The dinner will take place at Trobec's with the drawing at the Parish Hall. Rusty Paggen made a motion to approve the request. Roger Trobec seconded the motion. The motion carried.

Edith Gerads: A noise was brought to her attention in addition to the 4-wheeler noise. It is coming from Tadych's and a neighbor nearby Tadych's and sounds like a loud train noise. Edith reported that it's louder than the actual trains. The Mayor stated that those hearing the noise should call the sheriff and make them aware of the noise. No further questions or comments.

FIRE DEPARTMENT:

Jeff Draais reported that the firefighters decided that they wanted the position of Assistant Chief filled while there is an Acting Chief. The firefighters voted Aaron Rudolph as Assistant Chief and Steve Trobec as Captain (in Aaron's position). Mayor VanderWeyst clarified that since the March 3, 2010, meeting that Ray Trobec turned in a letter requesting a temporary leave of absence from the position of Fire Chief. On March 4, 2010, Ray Trobec turned a letter in to Mayor VanderWeyst asking for a temporary leave as Fire Chief. The leave is not from the Fire Department. Jeff Draais is now in the position of Acting Fire Chief. Tom Vouk made a motion to accept the temporary leave of absence letter turned in by Ray Trobec. Rusty Paggen seconded the motion. Roger Trobec abstained from voting. Motion carried.

Rusty Paggen made a motion to approve the new acting positions for the Fire Department:

Jeff Draais – Acting Fire Chief
Aaron Rudolph – Acting Assistant Chief
Steve Trobec – Acting Captain

Jeff Blenkush seconded the motion. Roger Trobec abstained from voting. Motion carried.

Jeff Draais reported that it was suggested at a FD business meeting to store either the Rhino or 6-wheeler in the garage in order to hook the trailers up quickly. As a result, the FD is requesting permission to have an electric garage door opener installed. There would be 2 transmitters and a keypad on the garage. Discussion took place on what to do

if there was a power outage. It was clarified that the played pull-tabs are locked separately from the area where the trailer would be. Due to the discussion about what to do in the event of a power outage, the item was tabled for the May 5th meeting.

It was reported that on the last Eggen's fuel bill a charge had been made for pop for the FD pop machine. The Relief Association will reimburse the Fire General Fund for the amount paid.

Jeff Drais reported that 2 firefighters are enrolled in a First Responder class.

The recent grant received was discussed. The FD will be looking at thermal cameras. The grant will also cover a September drivers training through the Technical School.

The next grant available for application should be opening in the next couple of weeks.

Tom Vouk asked if there was any new news related to the Relief Association. Jeff Drais reported that the preliminary audit is done. The accountant will look it over. Gambling Control has a copy of the preliminary audit and wants a copy of the final audit. The Relief Association is in contact with Gambling Control.

Roger Trobec asked if all of the money has been paid back. Jeff Drais stated yes.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge: Jerome Supan stated that the barricade at the end of 2nd Street NE should be fixed. The Council had no problem with the barricade being fixed. Jerome asked if the streets had been swept yet. The county took care of the county roads. The Clerk will call Astech and check for when the City's on the calendar for service.

City Engineer Randy Sabart attended the meeting to discuss the Parking Lot bids that were received. Randy shared that the lowest bid was under the engineer's estimated dollar amount. At this time the Council has reached the point of moving forward with accepting or not accepting a bid. Roger Trobec asked about a timeline. The completion date was set for July 16, 2010. The final payment would be due September 17, 2010 after seeding was complete. Randy stated that this was a unit price contract. There were 30 bid items. If there is less that the contractor has to use, the city pays less. If more of something is needed, the city would pay more. The salvage aggregate will be put by the city garage off of County Road 5.

Discussion took place on striping. Jeff Blenkush said no to striping. The city doesn't have any big projects lined up right now and the price isn't going to go down. Some day more might have to be spent. Rusty Paggen stated the project is too much now. It's something to wait on. Tom Vouk said as far as striping it isn't really needed as the parking lot isn't crowded often. Tom stated that as he's said in the past, the price is too much to pay for a parking lot. Roger Trobec agreed to no striping. Roger stated that something has to be done with the apron on the back side. The city isn't going to get a cheaper cost. It came in almost \$12,000 under estimate. He'd like to see it paved and to complete the City Hall project after 20 years.

Roger Trobec made a motion to award the bid to J.R. Ferche for \$90,993.19 based on the SEH proposal without striping. Jeff Blenkush seconded the motion.

Jeff Blenkush – Yes, Rusty Paggen – No, Cindy VanderWeyst – Yes, Tom Vouk – No, Roger Trobec – Yes. 3 Yes votes and 2 No votes. Motion carried.

Randy Sabart will issue the contract to J.R. Ferche and schedule a pre-construction meeting. Randy will check with J.R. Ferche and see about a starting date.

Park Board: Edith Gerads reported that Chris Kosloski will be attending the April meeting in order to discuss the Tri-Rec. program. Tom Vouk asked if the City has made a motion for a donation this year to Tri-Rec. yet. To date, no the city hasn't made a donation. If the request is made the city will look at it in May.

Nelson Toilet Rental's bid came in at \$45 for a regular rental, \$55 for winter rental (since chemicals have to be added) and \$85 for a handicapped rental. The bid was lower than Sanitary's. Roger Trobec made a

motion to hire Nelson Toilet Rental for port-a-pot rentals at \$45, \$55 and \$85. Jeff Blenkush seconded the motion. Motion carried.

Grass Mowing Bids: Was the Park Board happy with service last year? Yes. Discussion took place on running an ad in the Sartell Newsleader once for advertising on Friday, April 16th with a closing date of Friday, April 30th. Tom Vouk made a motion to advertise for mowing bids in the Sartell Newsleader. Jeff Blenkush seconded the motion. Rusty Paggen asked about locking someone in for a few years like is done with snow removal. Tom added to his motion that it would be a 3 year contract vs. a 1 year season. Jeff Blenkush seconded the motion. The bids will be opened May 5th. Randy Sabart suggested the contract state that the contract can be terminated for non-performing. The Mayor suggested to move forward with the motion made by Tom Vouk and see what happens with the bids in May.

Tom Vouk asked what was going to be done with the shrubs. The Mayor said it's too early to look at them now as they're still dormant. The topic will be discussed in May.

Planning Commission: Perry Nistler shared that the Accessory Building Ordinance has been revised and will come back to the City Council in May. The task force with Brockway Township would be on an as needed basis. A joint planning board would be created but no new ordinances would be needed. Finally with regards to the topic of building officials, is the City looking at an RFP to hire a building official or to bring building officials in and talk about code. Much discussion took place on the positive and negative of a building inspector. The Planning Commission will vote at the April meeting and bring their recommendation to the Council in May on which direction to go: building inspector or no building inspector.

POLICE DEPARTMENT: The Mayor asked if everyone on the Council needs a copy of the Sheriff's monthly report. Is the copy in the office enough? A recommendation was made to make copies of the monthly report for the Council members on the Police Commission and they will go through the report and share anything important.

Jeff Blenkush shared that he will call again in order to clarify the ordinance related to the Chicken Fry.

HEALTH COMMITTEE: Discussion took place on the weight restrictions on the County Roads and 6th Avenue. The Mayor asked about if any council members had seen the house on 1st Avenue SE recently. The first house. It's a dead-end road. There is a mess in the yard. The Mayor requested a letter be sent to the homeowners.

UNFINISHED BUSINESS: A letter was sent to a homeowner in the Smoley Addition referencing a building permit that had expired. The letter asked that the unfinished work be completed within 3 months. It has now been 3 months. Should another letter be sent? Another letter should be sent asking the homeowner to contact the City and share their plans of completion.

Sam DeLeo: Copies of papers in the office were sent to Sam DeLeo for him to review. He has not contacted the City about the amount believed to be owed to him.

Stearns Electric: LeRoy Supan asked if the Clerk was able to get a credit at all for the ice rink light that hadn't actually been working for some time. The Clerk reported that the gentleman from Stearns Electric said that if it could be proven that the light had been off for the month that he'd take the last month's bill off but that he couldn't go back and credit the city for a year or two. The charge didn't appear on the latest month's bill.

NEW BUSINESS: Buysse Roofing: The Clerk explained that on March 6th (a Saturday) a gentleman came to fix a leak around the pipe for the dryer vent. Following the work, the City was sent a picture of the work done and a copy of a maintenance program offered by Buysse Roofing. The program will be reviewed in May.

Benton Cooperative Telephone: Their company is interested in property in St. Stephen for a monopole. They put together a letter informing the city of their request & pictures of examples of their products. A representative will be invited to the May meeting to explain their request further.

Liquor License: The Clerk asked for clarification that liquor license fees should be discussed at the May meeting. This will go on the May agenda.

Stearns County Sheriff Updated Information Form: Information forms were shared with the Council to be submitted for the dispatchers. The information is kept at the dispatch facility. The Clerk will submit the forms.

Primary Election: The Clerk wanted clarification if the City holds a primary election. The City doesn't hold a primary election, but if the state has a primary election the City will participate. The date will be August 10, 2010.

The Clerk clarified that the council members received the memo before the evaluation meeting on the 21st from the County.

Tom Vouk reported that the flag pole was repaired. Tom shared that he will try to get the plaque up.

Dolores Supan asked about the Sprint Nextel reimbursement. She is wondering why there's an additional \$16.17 above the \$120 that the City's received for years. Does the FD know anything about the additional money? To date the City hasn't received a copy of the renewed contract. It was automatically renewed for another 5 year lease.

Alice Supan asked if the Council had considered the request of her last correspondence. The Mayor clarified that the request being referenced was that the work performance be shredded. Alice confirmed this is the request she is referencing. The Mayor stated that there is no documentation on file at City Hall. The Mayor stated that everyone has a copy because Alice attached a copy of it to the letter she submitted to the Council. Alice referenced that it was stated in previous minutes that a person can't be forced to cash a check. Alice stated that she doesn't have a check in her possession. She has a release from the attorney that she won't sign. The release references the second check. A check was sent to Alice which she returned to the City. The Mayor clarified that the release states that the City owes no more to Alice in regards to wages after she receives her second check. Alice stated that she never agreed to sign the release.

Discussion took place on how pay takes place over the course of a month.

Roger Trobec reviewed the situation of how the month of July went. On July 7, 2009, a letter or resignation was submitted after the July Council Meeting. A Special Meeting was held on July 15, 2009 to accept the letter of resignation, appoint a temporary clerk so the August Budget Meeting could be prepared for. Roger stated that City Hall was to be open 16 hours per month. That was not fulfilled with Alice's resignation. The Council decided to pay Alice through July 15th. After much discussion and per the attorney's recommendation Alice was to be paid the 2nd half of the month's salary upon signing the release for the half of the month she didn't work. Roger questioned what does the Council have to do? Alice Supan asked why the release was necessary. She stated again that she didn't agree to sign the release. Roger stated that the Council can't do anything more about the situation.

Alice stated that the paper (release) from the attorney is a result of the action taken by the Mayor. Roger Trobec stated that the release was a result of Alice's resignation. Alice asked, "Why did she resign?" She stated that nothing on her work performance holds water. The Mayor stated that she's sorry that Alice is upset in regards to the work performance she received and stated that if there are errors that are seen, they need to be addressed and if not addressed, the Council/City is at fault. The Mayor stated that errors will not be allowed to happen. Alice asked what the errors are. The Mayor stated that this isn't the time/place to address this. The matter is closed. The Mayor stated that if Alice had issues, she should've brought the issues to the Council before this point. Alice stated that she's tried bringing her issues to the Council. She isn't able to come on Wednesdays. The Mayor apologized to Alice for raising her voice. The Mayor recapped the scenario of how Alice was to be paid.

Discussion took place on the exchange of keys. Alice's keys were turned over to the City's attorney. Alice wouldn't release the keys to Tom Vouk. Alice said she tried to bring the keys in to the building but couldn't get in to the building. The Mayor and Roger stated that Alice shouldn't have had access to the building if she'd resigned from her position.

Alice questioned how council members would react to a meeting such as she attended. She thought the meeting was about hiring a Deputy Clerk. Instead she received the work performance report. The Mayor stated that the meeting was of a professional manner. Alice stated that the allegations are wrong and she doesn't want it to be an official document. Alice stated she didn't know why she'd have to sign a release if it wasn't an official document. The Mayor clarified that the release has nothing to do with the work performance document.

Alice began referencing the work performance items that were mentioned. Roger Trobec stated that a work performance review should not be discussed at a public meeting. He stated the Council didn't see the job performance

until Alice made copies of it for them. It had been kept between Alice and the 2 members of the Council that met with her.

The Mayor asked if the other council members had any questions or comments. No. The Mayor stated that the Council voted to pay Alice Supan the remaining pay for the month of July 2009 upon signing the release and believes it should continue with the motion made.

The Mayor stated to Alice that the work performance was not done to make her feel bad or make her think she was inadequate to do the job. Alice stated she (the Mayor) sure did all of that. The Mayor apologized again.

ADJOURNMENT: There being no further business, Tom Vouk made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 9:35 p.m.

Respectfully submitted,

Cris M. Drais
City Clerk

Cindy Vandulke
Mayor

MINUTES

LOCAL BOARD OF APPEAL & EQUALIZATION MEETING
APRIL 21, 2010

CALL TO ORDER: 6:30 p.m.

PLEDGE OF ALLEGIANCE: All together

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Cris Drais – City Clerk

SIGN IN SHEET: No one in attendance for the meeting.

Mike Cebulla and Randy Lahr from the Stearns County Assessor's Office came to hear citizen's comments about the 2010 real estate tax they have been assessed and classification of property.

Prior to the meeting a 2010 Assessment Report was sent for the Mayor and Council to review. The report was prepared to give an overview of the 2010 property assessment.

For the 2010 assessment there were 7 residential sales. The median sales ratio was 99.9%. As a result most residential properties will see a decrease of about 4-5% for the 2010 assessed values.

7 Sale Comparison Sheets were provided. These sales took place from October 1, 2008 – December 31, 2009. The sale amount listed is the price the property was sold at with the personal property already subtracted.

For the few farms in the City, the taxable value will stay the same or go up depending on whether the farms are in the Green Acres program and whether or not their land is productive (farmed land) or nonproductive (non farmed land).

There were no commercial sales in the City.

Mike shared that the 2010 Budget for the County was projected at \$118,000,000.00. Of that total, \$68,700,000.00 would come from property taxes. That's 57% of the County's revenue. To compare, in 2000, 40% of the County's revenue came from property taxes.

Discussion took place on the Green Acres program.

Discussion also took place on foreclosed homes.

ADJOURNMENT: There being no further tax business, Jeff Blenkush made motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 7:27 p.m.

Respectfully submitted,

Cris Drais

City Clerk

Cindy VanderWeyst

Mayor

St. Stephen City Council Agenda – May 5, 2010

Call To Order: 7:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FROM April MEETING

READING OF BILLS

READING OF RECEIPTS

TREASURER'S REPORT

PETITIONS, REQUESTS, AND COMMUNICATIONS

Apple Duathlon

St. Stephen Sportsman's Club – Gambling Permit

Liquor License Fees July 1, 2010-June 30, 2011

Benton Cooperative Telephone Company – Monopole Tower

FIRE DEPARTMENT

Garage Door Opener Request

Grass Mowing Bids Open @ 8:00 p.m.

REPORTS OF BOARDS AND COMMITTEES:

1. ROAD AND BRIDGE
2. PARK BOARD
3. PLANNING COMMISSION

POLICE DEPARTMENT

Lieutenant Sheriff Jon Lentz

HEALTH COMMITTEE

UNFINISHED BUSINESS

Buysse Roofing of St. Cloud – Roof Maintenance Program

NEW BUSINESS

MEETING ADJOURNED

MINUTES

ST. STEPHEN CITY COUNCIL

May 5, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Draiss – City Clerk

ABSENT: None.

MINUTES OF APRIL MEETING: The April minutes were reviewed. Roger Trobec made a motion to approve the minutes. Jeff Blenkush seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk presented the Claims totaling: \$8,519.48. Jeff Blenkush made a motion to pay the Claims. Rusty Paggen seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer presented the Receipts for the month totaling: \$779.95.

TREASURER'S REPORT:

Beginning Balance	\$459,533.44
Add: April Deposits	\$ 779.95
(including April Interest \$115.15)	
Less: April Checks	\$32,760.19
New Checkbook Balance	\$436,553.20

Dolores Supan shared that the checking account interest has been lowered from 0.50% to 0.30%. Rusty Paggen made a motion to accept the Treasurer's report. Jeff Blenkush seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

1. Apple Duathlon Planning Committee: A representative for the committee shared that the Apple Duathlon will be riding through St. Stephen again this year. The Duathlon starts on May 29th at the Middle School at 8:30 a.m and will be coming up 6th Avenue SE, traveling W on County Road 5 and then N on County Road 2. There will be a water stop by Howie's Corner Bar. Last year's event had 450 participants and about the same number is expected for 2010. 2010 is the 28th year of the event.
2. St. Stephen Sportsmen's Club: The Clerk shared that calls were received the day before and the day after the seedling giveaway. It was a very successful event. A representative from the club requested a gambling permit for a calendar raffle. The raffle drawing will be done at City Hall on June 30th for the month of July. Information on the raffle is posted at Conomart. Jeff Blenkush made a motion to approve a gambling permit for the Sportsmen's Club. Rusty Paggen seconded the motion. Motion carried.
3. Benton Cooperative Telephone Company: Duane, the representative, shared that Benton Cooperative would like to put up a 190' monopole in St. Stephen in order to improve the communications available to residents: local cell phone coverage and high speed internet. Due to the hills in the area there is poor coverage. The current rate for rent is \$350 per month. Benton Cooperative is looking at a 10 year lease. With a 190' monopole, lights would not be required. A 60'x60' space is needed. There could be some flexibility with the size of the space. Discussion took place with regards to if a City ordinance is in place addressing towers. A variance for a tower over 65' would need to be applied for. The representatives will get coordinates for the gravel pit area and see if it'd be a doable site. Upon finding a site a variance would need to be applied for because of the height needed.
4. Liquor License Fees: The fees listed on the dry erase board are for the July 1, 2009 – June 30, 2010, license year. The state hasn't raised fees for the new year. Roger Trobec stated that the fees should be maintained for the next year. Tom Vouk stated that the City can't raise the fees without justification. One example would be if the Sheriff's fees were to go up, maybe the liquor license fees could be looked at. Tom stated he was fine with leaving the fees the same. Jeff Blenkush made a motion to keep the liquor license fees the same for July 1, 2010 – June 30, 2011. Tom Vouk seconded the motion. Motion carried.

FIRE DEPARTMENT: Jeff Draais reported that there were 4 calls. There have been no grass fires. May's training will be vehicle extrication in the gravel pit. The fire fighters have been told to park along the shoulder of County Road 5 during the parking lot project. Ralph Barhorst was recognized at the last business meeting for having 37 years on the fire department.

The Relief Association sold 248 steaks during the steak fry and made \$1,641.00. The profit is down a little from last year.

The preliminary gambling audit has been passed on to Randy Dorn, Relief Association accountant, for verification.

Jeff reported that the additional charge for making the garage accessible in the event of a power outage would be an extra \$20 to the original quote. The total cost would be \$352.00 to install a garage door opener on the small garage. Rusty Paggen made a motion to install a garage door opener on the small garage. Roger Trobec seconded the motion. Motion carried.

Gene Skaj requested that the East door on the bay be looked at by a locksmith. After entering the code the door doesn't always open. The Clerk will contact Security Locksmith.

Light bulbs are needed for the bay. They seem to burn out faster. More will be picked up.

REPORTS OF BOARDS AND COMMITTEES:

Park Board: The tree give away was successful. 2000 trees were given away in about half an hour. Chris Kosloski gave Edith Gerads a donation letter for the Tri-Rec program. There are activities offered in St. Stephen due to high interest. Jeff Blenkush made a motion to make a \$1,000.00 donation to the Tri-Rec program. Tom Vouk seconded the motion. Motion carried.

Roger Trobec shared that the cross light had a bulb burned out. In the past Stearns Electric helped change the bulb after the City had purchased a bulb. Since it was the weekend, Avon Electric was contacted to get the bulb and change it. This will be done in the future. Roger remembered LeRoy Supan mentioning the light at the skating rink wasn't working. Avon Electric took care of this matter also. The Council considered the call a regular maintenance, so it's okay that it was done.

GRASS MOWING BIDS OPENED AT 8:00 P.M.

Bids were submitted this year by Mike Tadych, of St. Cloud and John Huls, of St. Joseph.

Mike Tadych: 2010, 2011 & 2012: \$410.00 (per cut)

John Huls: 2010: \$290.00, 2011: \$330.00, and 2012: \$365.00 (per cut)

LeRoy Supan will continue to be the contact person if there's a concern about the lawn care for the City. Rusty Paggen made a motion to hire John Huls for the 2010-2012 Lawn Mowing Seasons. Jeff Blenkush seconded the motion. Motion carried.

Chuck Ertl submitted a bid for ditch cutting for the City. \$553.00 for June and \$985.00 for August. Roger Trobec made a motion to hire Chuck Ertl for the ditch cutting job for the 2010 season. Rusty Paggen seconded the motion. Motion carried.

Tom Vouk made a motion to have Huls Lawn Service see what needs to be sprayed at the ball parks and at the Hall and look at the bushes/shrubs at City Hall to see about replacing those that aren't healthy. Jeff Blenkush seconded the motion. Motion carried.

Mayor VanderWeyst shared information about adding a skateboard park to Parkway Park. She has done research by visiting the Cold Spring skateboard park, has talked with Lisa Schmidt, our insurance representative and Tom Jovanovich, City Attorney. The Cold Spring skateboard park is a converted tennis court. In talking with Lisa Schmidt, if the ramps are kept under 4' and the bowls are kept under 6' insurance wouldn't increase. Tom Jovanovich didn't have concerns with a skateboard park. The Mayor shared that the main cost is putting down the platform. She believes there are volunteers in town who would help with this part. Kids have been seen at the church and at Conomart with skateboards and the Mayor thought a skateboard park might help in preventing future complaints about the older children in town skateboarding where they really aren't supposed to but doing it because they don't have a place to skateboard. Edith Gerads took the skateboard park information for the Park Board meeting.

Road and Bridge: Jerome Supan asked about striping 6th Avenue SE in front of City Hall. It was discussed to see if it could be done when Brockway Township does 75th Avenue. Or if County Road 5 is going to be done. When Brockway gets to the point where they're ready to stripe the road, Jerome should check on having 6th Avenue SE done for the City.

There's a section of 6th Avenue SE past Ray Smoley's to the South that is a significant dip in the road. Tom Vouk made a motion to have Joe Paggen cut out and repair the section of 6th Avenue SE South of Ray Smoley's home. Jeff Blenkush seconded the motion. Motion carried.

Jerome Supan reported that the barricade on 2nd Street NE has new boards and posts.

Jerome asked that thank you's be sent to Ferche, Bob Hlebain, Joe Paggen & Burski for snow removal service.

Planning Commission: Perry Nistler wasn't in attendance. At the last meeting, the Planning Commission voted 4-2 and made a recommendation to not adopt the state building code. As a result, our existing ordinance needs to be changed. The Council would have to set a public hearing and vote afterwards on changing the ordinance. The term Building Permit will have to be changed to Site Permit throughout the ordinances. The Clerk would e-mail the City's attorney that the Planning Commission has recommended that the City Council not adopt the state building code. The attorney's office would prepare the new ordinance/update the ordinance book for a public hearing. In the ordinance book, would the term building permit be clarified to mean site permit? Roger Trobec made a motion to send a request to the attorney to have the ordinance changed to reflect the City not adopting the state building code from the Planning Commission's recommendation and to have the ordinance at the next meeting in order to have a public hearing if possible. Jeff Blenkush seconded the motion. Motion carried.

The Accessory Buildings verbage is still being discussed.

The Rice Compost Site is available to St. Stephen City residents. The Clerk reported that Sartell does not allow St. Stephen residents to use their compost site.

POLICE DEPARTMENT: Officer Lentz wasn't able to attend the meeting due to training. He will attend the June meeting. Police Commission members received the police reports. Nothing to report.

HEALTH COMMITTEE: Jeff Blenkush asked if there was any activity on the house behind Cornerstone Salon and Cornerstone Insurance. The Clerk wants to take pictures of the house to send to the mortgage company.

UNFINISHED BUSINESS: Buysse Roofing: Discussion took place on the maintenance contract provided to the City by Buysse. Mayor VanderWeyst made a motion for the City's attorney to look over the 3 year roof maintenance contract and if it's okay to go with the contract. Roger Trobec seconded the motion. Motion carried.

Flag Pole: Tom Vouk has a sign for the flag to put up from Post 221. Discussion took place on which direction to mount the plaque. It will be put in facing the south.

Welcome to St. Stephen Signs: Jerome Supan will contact a gentleman from the County about getting the signs mounted.

Sam DeLeo: There has been no contact from him with regards to his request for reimbursement.

NEW BUSINESS: Mayor VanderWeyst shared that she and the Clerk received calls regarding a fire arm being used within the city limits. The resident (a neighborhood watch captain) sent a letter to the homeowner and delivered a copy of the letter to City Hall for reference.

Nancy Vouk will be on leave until June 11, 2010. Discussion took place on what to do in her absence. Various people will help out with covering during her absence.

Jerome Supan asked if the postmaster had made any contact about the mailboxes being moved. The City Clerk hasn't heard from him.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 9:02 p.m.

Respectfully submitted,

Cris Drais

City Clerk

Cindy Vandenberg
Mayor

MINUTES
ST. STEPHEN CITY COUNCIL SPECIAL MEETING
May 26, 2010

CALL TO ORDER: 6:30 p.m. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Cris Drais – City Clerk

ABSENT: None.

Mayor VanderWeyst shared that she received a request from Trobec's Bar & Grill to close ½ Street SW between the Parish Hall and Trobec's Bar & Grill because of the Trobec's Bar & Grill Chicken Fry.

Ray Trobec was in attendance at the meeting.

Ray Trobec requested permission for ½ Street SW between the Parish Hall and Trobec's Bar & Grill to be closed also on the 2nd Thursday in September, September 9th for the Car Show.

Ray Trobec asked if this request has to be made every year. The Chicken Fry is always the 1st Tuesday in June and the Car Show is the 2nd Thursday in September.

Discussion took place on the question. It was decided that the question will be brought to the City's Attorney.

Jeff Blenkush made a motion to close ½ Street SW on June 1, 2010, for the Chicken Fry and the 2nd Thursday in September, September 9, 2010, for the Car Show. Rusty Paggen seconded the motion. Motion carried.

ADJOURNMENT: There being no further business, Roger Trobec made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 6:34 p.m.

Respectfully submitted,

Cris Drais

City Clerk

Cindy Vanderweyst
Mayor

St. Stephen City Council Agenda – June 2, 2010

Call To Order: 7:00 p.m.

Pledge of Allegiance

Approval of Minutes from April Equalization Meeting, May Meeting & Special Meeting

Reading of Claims

Reading of Receipts

Treasurer's Report

Petitions, Requests and Communications

Church of St. Stephen Gambling Permit Request

St. Stephen Fire & Rescue

Reports of Committees & Board:

1. Road & Bridge
2. Park Board
3. Planning Commission

Sheriff's Report

Health Committee

Unfinished Business

 Bysse Roofing

 Benton Cooperative Telephone Company

New Business

Meeting Adjourned

MINUTES
ST. STEPHEN CITY COUNCIL
June 2, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Drais – City Clerk

ABSENT: None.

MINUTES OF APRIL APPEAL & EQUALIZATION MEETING, MAY MEETING & SPECIAL MEETING: The April Appeal & Equalization minutes were reviewed. Jeff Blenkush made a motion to approve the minutes. Rusty Paggen seconded the motion. Motion carried. The May 26th Special Meeting minutes were reviewed. Roger Trobec made a motion to approve the minutes. Jeff Blenkush seconded the motion. Motion carried. The May 5th City Council minutes were reviewed. Roger Trobec made a motion to approve the minutes. Jeff Blenkush seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk presented the Claims totaling: \$17,766.99.

The Clerk asked for clarification on the Huls Lawn Service Claim with regards to spraying for weeds. The City Hall portion was lumped together with 2 parks. Should that charge be divided in to 1/3 for the City's General Fund & 2/3 for the Park Fund? Discussion took place. The Clerk will update the Claims to reflect 1/3 of the weed spraying fee to be taken from the General Fund.

The Clerk asked if the Claim for Joe's Countryside Excavating could include the additional charge for putting the City's signs back up on 6th Avenue SE along with the new welcome sign since that will be done shortly after the June meeting vs. receiving another statement from Joe's right after the council meeting. Discussion took place. Roger Trobec made a motion to pay the Claims including the additional amount to Joe's Countryside Excavating after the City's signs have been put up. Tom Vouk seconded the motion. Motion carried.

Roger Trobec shared that the County helped put the City's welcome signs on the county roads and that the Lions Club signs need to be put on the outside post. They were put up on the inside post. Jerome Supan will contact someone from the Lions Club to get the signs moved.

READING OF RECEIPTS: Discussion took place on the Pledged Securities. The City is over pledged \$95,818.18.

The Treasurer presented the Receipts for the month totaling: \$1,143.76.

Dolores Supan shared that she checked with Falcon Bank regarding the Business Savings account. The current interest is 1.80%. When the account was opened, the interest rate was 1.90%. The bank reported that interest rates on CDs have gone down also. A 24 month CD is paying less than the interest on the Business Savings Account.

Roger Trobec shared that he's been thinking about taking money from the CDs and paying off the loan to Wells Fargo on the Fire Department's Truck #12. Paying it off now could possibly save the City over \$100,000 in interest. Dolores Supan shared that there is currently \$290,140 between the CDs and Business Savings Account and approximately \$410,000 in the checking account after bills are paid.

The City would have to continue making payments in to the Truck Fund. Discussion took place on the idea. Tom Vouk said that it wouldn't be the worst idea. Unless the city could look at road work, although that would come out of the Road & Bridge Fund. Tom asked how it'd look to the townships. The commitment wouldn't change as the payments still need to be made. Rusty Paggen stated that the CDs would be gone and after the parking lot is paid for the checking account would be down \$90,000 +. He said he can see doing double payments but doesn't think draining all of the CDs now is a good idea. By making double payments you can save money. Steve Trobec shared that it's a lease so double payments can't be done. There is no penalty for paying it off early. It would have to be paid all at once. Roger stated that it doesn't seem to make sense to be paying 5% interest when the City could afford to pay it off and there aren't projects planned. If a project came up, such as a road, it wouldn't be a year or 2 and since over \$100,000 is budgeted for Road & Bridge, things could be covered. Jeff Blenkush shared that we're not making a lot of money where the money currently is. To save almost \$100,000 in interest certainly is a good chunk of money for the City. Jeff asked

where would the City be sitting if the truck were to be paid off? Discussion took place on account balances. Mayor VanderWeyst asked that for the next meeting to have a balance and interest amount for Truck #12 to be discussed further.

TREASURER'S REPORT:

Beginning Balance	\$436,553.20
Add: May Deposits (including May Interest \$106.99)	\$ 1,143.76
Less: May Checks	\$8,519.48
New Checkbook Balance	\$429,177.48

Jeff Blenkush made a motion to accept the Treasurer's report. Rusty Paggen seconded the motion. Motion carried.

POLICE DEPARTMENT: Officer Jon Lentz was in attendance for a quarterly stop. Officer Lentz shared information regarding the Chicken Fry. 6 citations were issued for alcohol in possession while someone was crossing the street from one bar to the other bar and for having alcohol in the parking lot across from the Church. Officer Lentz reported that alcohol compliance checks were done over the Memorial Day weekend on Friday & Saturday. Official notice will come next week to the City. Mayor VanderWeyst asked about the Chicken Fry Ordinance. Does it still need to be looked at? Officer Lentz said that for the one time of the year that it happens, it's workable. As long as people realize that it's once a year it's manageable. If more events were to be planned with the same type of regulations the ordinance would probably have to be revisited.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

Church of St. Stephen Gambling Permit: The Clerk read the Church's request for a gambling permit for the Parish Festival on September 5 & 6 with the raffle drawing on September 6. Rusty Paggen made a motion to approve gambling permit for September 5 & 6 for the St. Stephen Parish. Jeff Blenkush seconded the motion. Motion carried.

FIRE DEPARTMENT: Jeff Drais reported that there were 7 calls, most were medical. The Fire Aid application was submitted for the generator and sprinkler system totaling \$158,000. June training will be the continuation of pumping at the gravel pit. Minnesota Certification Board would like to hold certification testing at the Hall in June.

Tom Vouk asked if the audit is done. The accountant is verifying numbers. Jeff Drais & Gene Skaj were to meet with Gambling Control in Roseville but the meeting is being rescheduled. Jeff reported that the St. Cloud Times has tried to make contact. Mayor VanderWeyst shared that Jeff received a letter from a St. Cloud Times reporter citing MN statues requiring him to release information to her about the situation. The letter was forwarded to the City's attorney. Tom Jovanovich is going to contact the reporter and wants the council and the reporter to understand that at this time there is no information to share as it's an ongoing investigation.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge: Randy Sabart, City Engineer, stated that he had contacted Triple A Striping about the North end of 6th Avenue SE. With the parking lot not being finished, Randy shared that he has concern about new striping being ruined by the trucks going in and out of the parking lot during the work. Randy talked with the company about the price and it would probably be less than the quote Jerome received. Discussion took place on the timing of striping. The consensus was to pass on the striping if the township has it done and the parking lot isn't finished vs. running the chance of ruining new striping.

Discussion took place on the state of the parking lot project. Corrective work on the lot will not be a cost to the City. When Randy hears an updated schedule from J.R. Ferche, that information will be passed on to the Mayor to share with the Council. Rusty Paggen asked what the warranty is on the job if any problems come up after the work is done. Randy believed it's a 2 year warranty period.

Jerome Supan brought up the topic of culverts on 6th Avenue SE. There are 3 culverts along the road: 1 cement & 2 metal. Discussion took place on the condition of them. They need to continue being monitored.

Rusty Paggen asked what work needs to be done on 12th Avenue. Does a culvert need to be replaced on that road? The road will continue to be monitored.

Tom Vouk shared that the City should continue trying to get right of ways for 6th Avenue so repairs can be done on the road or a road can be built and it's the City's own road.

Roger Trobec shared that he was contacted by Diane (Legatt) Hunt about the road between Jerome Supan's property and Traut property. The City was involved in the court settlement. Roger attended with the City's Attorney as a committee representative. Diane indicated that the property was being sold or was sold and that there was a problem with the right of way that had been acquired. It was being infringed upon by bales and being farmed on. The City's Attorney sent letters to those involved stating that the easement was to be kept open. The attorney called Roger asking what has happened and Roger reported that the problem has been resolved.

Park Board: Edith Gerads shared that she'd gotten estimates on work for the skateboard park. She stated that she wasn't sure what the council wanted her to say because that kind of money isn't in the (Park) budget to work on this type of project other than to do some fundraising this year. The Mayor questioned the Park Fund currently having \$14,000 in their Fund. Edith said that she didn't know what the Park Board had (in its fund) but that the budget mostly is doled out to different places. Mayor VanderWeyst asked if the Park Board has projects they're thinking of that the Council isn't aware of. Edith said, "Not that I know of," but with mowing, toilet rental and maintenance she didn't know if the money was there (for a skateboard park). Roger Trobec shared that at the Park Board meeting it was discussed that mowing is \$5-6,000 and the port-a-pots is \$2,500 and money still comes in during the year for the Park Fund. Discussion took place on the Park Fund. The 2010 Park Fund Budget was reviewed.

Mayor VanderWeyst asked if this was a project the Park Board wanted to continue or not. Edith shared that the Park Board talked about doing some fundraising. The Park Board wants to continue the project but realize that it'll have to be looked at as the next budget planning gets closer. The Mayor asked LeRoy Supan (Park Board member) for his thoughts (on the skateboard park idea). LeRoy stated that he didn't know what the bids were but that the Park Board had talked about if the bids weren't too high the Park Board would approve it or try to get it approved so it could still be done this summer. That was his understanding. Roger Trobec asked if Edith had gone to the Cold Spring skateboard park and had talked with anyone about the park. Edith shared that she and Danita Traut had gone out to the park. They had looked at it but didn't talk with anyone from the City about it. Discussion took place about the May Park Board meeting and previous Park Board meetings/activities. Roger Trobec stated that the Park Board needs to decide what they want to do and bring it to the City Council.

LeRoy Supan shared that the Park Board discussed how much should be left in the fund after the expenses and when the bids were acquired they are reasonable and so the project should be brought forth to the Council. Mayor VanderWeyst shared that she'll purchase the plans for the ramps/rails. Her husband, Mark, will build the wooden structures. The Mayor shared that there are students who are currently taking welding classes that can help also. LeRoy stated that to even get the slab in this year would be a start on the project. The Mayor apologized if she hurt Edith's feelings over the subject. The Mayor asked LeRoy what he thought of the project and he said that based on the bids received the Park Fund is within its budget for putting a slab down this year. LeRoy shared that he is checking on repairing the fence at Legion Park. He didn't have bid information at this time.

Roger Trobec also extended an apology to Edith with regards to the discussion on a skateboard park. He shared that he thought the Park Board thought that the skateboard park was a worthwhile project as there are ball fields but not everyone participates in that activity.

Mayor VanderWeyst asked about converting the basketball court already at the park in to a skateboard park. LeRoy stated that it might be a good location as its further back in the park. It's a concrete slab. LeRoy thought its equivalent to a half court.

Roger shared that he's in favor of the skateboard park idea if it's something kids will use. Tom Vouk asked if the field would be limed this year – no. Will the walking path be resurfaced this year – not necessarily. Tom stated that if people thought it was going to be used he doesn't have a problem with it. The basketball court seems like a good option. He'd go either way. Rusty Paggen would like to do a trial on the basketball

court to see if it gets used. Maybe the court can be used for both based on the seasons. Rusty shared that he'd rather see the \$8,000 go towards a project for more people in the community. Rusty questioned if someone gets hurt at the skateboard park, will that raise the city's insurance.

LeRoy Supan stated that he'll measure the basketball area and bring that information to the Park Board meeting in June. The next Park Board meeting will be June 14, 2010, at 7:00 p.m.

Little League & Softball seasons are beginning. The light for the skating rink has been fixed. The state water inspector was at the park and a report will be coming on their test.

Rusty Paggen shared that in talking with John Huls, John thought it'd be a good idea to spray along the fence vs. weed whacking the fence. The Park Board had decided to spray the fence in the fall. John also stated that his bid for the bushes around City Hall from last year would be the same for 2010.

Planning Commission: The Accessory Building Ordinance has been sent out to the Planning Commission for review again. Roger Trobec asked about the Joint Planning meeting with Brockway Township and Rusty Paggen shared that Perry Nistler was going to look in to an ordinance that would allow for a joint planning board in the orderly annexation area. Roger Trobec asked about the state building code. It will hopefully be ready for review at the July meeting.

POLICE DEPARTMENT: See above. Monthly report provided to those on the Police Commission.

HEALTH COMMITTEE: Jerome Supan asked about the vacant lots in the City Limits. The Clerk is working on the property next to Cornerstone. There is also an open lot in the neighborhood across County Road 5 from City Hall. This lot was discussed last fall. The Clerk will contact one of the owners again about the state of the lot.

UNFINISHED BUSINESS: Buysse Roofing: The maintenance agreement was forwarded to the City's Attorney. He suggested a few verbage changes. The agreement was forwarded to Buysse roofing. They changed the form and it's been forwarded to the attorney again. Otherwise the attorney didn't have a problem with the agreement.

Benton Cooperative Telephone Company: The Clerk e-mailed Duane, the representative that came to the Council meeting and he said that they'd be putting together a proposal for the City and Planning Commission in order to apply for a variance. Nothing has been received yet.

Liquor Licenses: The license fees were approved at the last meeting. Tom Vouk made a motion to approve the liquor license for the St. Stephen Parish for July 1, 2010 to June 30, 2011. Rusty Paggen seconded the motion. Motion carried. Jeff Blenkush made a motion to approve the liquor license for Trobec's Bar & Lounge for July 1, 2010 to June 30, 2011. Tom Vouk seconded the motion. Motion carried. Roger Trobec made a motion to approve the liquor license for Howie's Corner Bar for July 1, 2010 to June 30, 2011. Jeff Blenkush seconded the motion. Motion carried.

Postmaster: The Clerk hasn't heard from the Postmaster.

Sam DeLeo: The Clerk e-mailed Sam but hasn't heard back from him.

NEW BUSINESS: City Hall Building: When the toilet is flushed in the women's bathroom the pump or something seems to be running more than usual. The noise is outside the bathroom. Vesi Majerus will be contacted.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 9:01 p.m.

Respectfully submitted,

Cris M. Draus
City Clerk

Cindy Vandeweyer
Mayor

St. Stephen City Council Agenda - July 7, 2010

Call To Order: 7:00 p.m.

Pledge of Allegiance

Approval of Minutes from June Meeting

Reading of Claims

Reading of Receipts

Treasurer's Report

Fire Truck Payment

Off Site Document Storage

Petitions, Requests and Communications

St. Joseph Post Office - Smoley Addition

Lisa Schmidt - LMC Insurance Renewal

St. Stephen Fire & Rescue

Reports of Committees & Board:

1. Road & Bridge

a. Parking Lot: Application for Payment No. 1

b. 2nd Street NE & 6th Avenue NE Sign

2. Park Board

3. Planning Commission

a. State Building Code - Ordinance Amendments

b. Accessory Building Ordinance

Sheriff's Report

Health Committee

Unfinished Business

Hul's Lawn Service - Landscaping

Buyse Roofing - Maintenance Agreement Signed - Date of Service

Sam DeLeo - Correspondence

New Business

2011 Budget Meeting Date

July Newsletter

2010 Election Information

Household Hazardous Waste Collection - August 28, 2010 from 9 a.m. - 1:00 p.m.

City Hall Building: Carpet Cleaning, Blinds, Office Painting

Meeting Adjourned

MINUTES
ST. STEPHEN CITY COUNCIL
July 7, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Drais – City Clerk

ABSENT: None.

MINUTES OF JUNE MEETING: The June minutes were reviewed. Jeff Blenkush made a motion to approve the minutes. Rusty Paggen seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk presented the Claims totaling: \$115,881.45. The Claims include a final payroll for snow removal and the 1st half of 2010 FD payroll. Jeff Blenkush made a motion to pay the Claims. Roger Trobec seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer presented the Receipts for the month totaling: \$889.53.

TREASURER'S REPORT:

Beginning Balance	\$429,177.48
Add: June Deposits	\$ 889.53
(includes June Interest \$114.06)	
Less: June Checks	\$19,185.81
New Checkbook Balance	\$410,881.20

Fire Truck Payment: A packet of information was prepared that included the early payoff invoice, the payment schedule for the loan, and information on the CDs including the penalty for early withdrawal. The balance after making payment #15 would be \$285,249.80. The pre-payment penalty is \$6,740.46 for a total of \$291,990.26. With the Claims to be paid the checking account would be \$294,999.75. The City did receive 2 checks from the County totaling \$107,014.25. This would bring the balance in the checking account to \$402,014.00. There wouldn't be a penalty for taking money from the business savings account if \$100,000 were taken from the account. A balance of \$500 must be kept in the account. Dolores shared that if the truck were paid off now, \$89,441.60 would be saved in interest. Roger Trobec shared that he'd like to move ahead with paying off the loan with money still being put in to the Fire Truck fund from the city and the FD contract. The Clerk confirmed that the agreement with Wells Fargo did have a pre-payment penalty. Dolores Supan shared that a CD comes up on July 21, 2010, at St. Joseph State Bank for \$45,220.99. It can be closed as the interest rate is lower than at Falcon Bank. The money can be put in the checking account. A large payment on the parking lot has been made. Mayor VanderWeyst asked that the topic be tabled to the end of the Council meeting for council members to think about and it will be discussed under Unfinished Business.

Off Site Document Storage: Dolores Supan shared that the safety deposit box at the bank is full and no other boxes are available at the St. Stephen location in order to store data on CDs from the Clerk & Treasurer's computers. A means of storing data outside of City Hall is important in the event of something happening to the building, ex. storm damage. Discussion took place on the subject. Roger Trobec made a motion to go ahead with setting up an off site data storage account for the Clerk & Treasurer's computers. Jeff Blenkush seconded the motion. Motion carried.

Tom Vouk made a motion to accept the Treasurer's report. Roger Trobec seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

St. Joseph Post Office – Smoley Addition: Tony Terwey, St. Joseph Postmaster & Craig, local mail carrier, attended the meeting in order to discuss mailboxes in the Smoley Addition. Mailboxes in St. Joseph were pulled out in cul-de-sacs and put on a straight away last year. Tony asked for the City's support in talking to residents in the 2 cul-de-sacs in the Smoley Addition to move those boxes also. Moving the mailboxes assists the drivers with not having to retrace their route while delivering, is a safety issue for drivers and assists in the winter with snow removal. If the 2 cul-de-sac

mailboxes are moved, that would affect 6-7 residents. If the whole development has mailboxes moved to one side of the road 23 residents are affected. Tony explained that the process involves visiting the residents in person. If the homeowner isn't available he will leave a card asking the resident to call him. Finally a letter will be sent out. Tony shared that he's looking at having boxes moved by September 1, 2010. If they aren't moved by that date a resident's mail will be held at the St. Joseph post office. Discussion took place on posts for multiple mailboxes, community mailboxes and swing away posts. Roger Trobec made a motion for the City to provide a unit for each cul-de-sac for multiple mailboxes to be put on by the homeowners with the post installed by Joe Paggen. Jeff Blenkush seconded the motion. Motion carried. The Council also supports having all in Smoley Addition move their mailbox to one side of the street throughout the development.

Lisa Schmidt – LMC Insurance Renewal: Lisa brought a packet of information on property, automobiles and mobile equipment for the Council to review. Insurance renewal is September 19, 2010. Discussion took place about property in the open. Mayor VanderWeyst informed the Council that the park shelters had a significant lean to them. They aren't currently covered on the insurance. This would be an example of something Lisa would like the Council to look at. Is there property in the open that isn't covered?

The insurance will be carried over from last year unless additions or removals are made to the coverage.

Discussion took place on submitting an insurance claim under Errors & Omissions. 1 claim was submitted during the last insurance year and 90% was reimbursed, but too many submissions of this type and the insurance company would probably become suspicious. E-mails should be submitted to Lisa regarding any changes to the insurance coverage.

FIRE DEPARTMENT: Jeff Drais reported that there have been 25 calls to date. This is about half as normal for the year. 3 fire fighters were recently certified Fire Fighter I & II. July's training will be Fit Test Training (required annually) along with stations on July 26th due to the Lake Region Meeting on July 19th.

Relief Association: Jeff Drais went before the Compliance Review Board on June 29, 2010. 4 charges were brought against the Relief Association and each charge was found to be true. Each charge could've brought a \$1,000 fine. The Relief Association received a \$1,000 civil penalty to be paid within 30 days. The non-gambling fund must be used to pay the fine. The Compliance Board required the following of the Relief Association: present a corrective action plan (this was already sent to Gambling Control), formally create a 4 person gambling committee (there was an informal committee in place prior) and the premises permit at Trobec's Bar & Grill is revoked for 2 years.

Mayor VanderWeyst asked that the letter received by the Relief Association from Gambling Control be sent to the City's attorney.

Steve Trobec informed the Council that the pension paperwork is done. The 2011 contribution is \$19,057.00. The Fire Department and City contribute to this throughout the year. To date \$14,740.00 has been put in. An extra \$4,317.00 is required which will come out of the FD General Fund.

Tom Vouk asked if the letter from Gambling Control was the end of the issue? Jeff Drais stated that it is for the Relief Association and Gambling aspect. Mayor VanderWeyst shared that the City's attorney would like to meet with Jeff Drais, Gene Skaj, the Relief Association's accountant, Ray Trobec & the Mayor to discuss the issue, the letter and make his recommendation on if there's anything the City should do.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge:

- a. **Parking Lot:** Application for Payment No. 1 – Randy Sabart, City Engineer, attended the meeting. Application Payment No. 1 does not cover turf work along with the cost of the lowering of the gas main. Triple AAA Striping did the work on 6th Avenue SE in front of City Hall. The company agreed to give the City the same price as the township. Sam DeLeo sent an e-mail sharing that he was concerned about being billed for items he doesn't believe he should've been charged for but since he isn't able to find more detailed papers in his office, he will accept the amount of reimbursement determined by the Clerk.
- b. Jerome Supan reported that the City's welcome sign has been put up on 6th Avenue SE. The Lions Club signs have been moved to the right post on the welcome sign. The Building Permit signs on the city limits will remain up as the public meeting for the ordinances will determine if there's a

change in the ordinance. Jerome confirmed with Rusty Paggen if salt/sand will come from the County again during the plowing season. Rusty said yes. Jerome asked if the drug testing is in progress. The Clerk shared that the City Attorney approved the company to be used so she will get the application taken care of. Jerome shared that he has a mailbox post to be used for the 2 cul-de-sacs in the Smoley Addition. Discussion took place on mailbox posts. Mayor VanderWeyst shared that she received a phone call about a pot hole on 2nd Street NE. Joe Paggen will take care of the project. Discussion took place on other projects around the City in order to not waste the hot mix purchased. Ben Supan stated that since the City has a road overseer (Jerome Supan), why not let him decide on necessary projects. The Council agreed.

Park Board:

Edith Gerads shared that the slide at Hlebain Park needs to be replaced. The plastic where children hold on to the side while sliding is cracked. An estimate for replacement was shared with the Council. Roger Trobec made a motion to replace the slide in Hlebain Park. Jeff Blenkush seconded the motion. Motion carried. The slide will be ordered and Edith will try to arrange shipping to the park garage at the Lions Park.

Edith gave a copy of the water test done at the Lions Park with the Clerk. It has been filed.

Edith presented an estimate on fence repair needed in the Smoley Addition. It will cost a total of \$770 to replace the damaged sections of fence. Each piece costs \$385. Each occurrence would be a \$250 deductible on the insurance since it can't be proven if the damage was done at the same time. Jeff Blenkush made a motion to repair the fencing. Rusty Paggen seconded the motion. Motion carried.

Mayor VanderWeyst shared that Mark VanderWeyst and LeRoy Supan repaired all of the park shelters. It was determined that the damage had been caused by wind as the shelters were all leaning in the same direction.

The Park Board wants the walking path seal coated. In contacting Sartell, Edith found out that the City has an employee that does the seal coating and it costs over \$10,000 to take care of the paths within the City limits. The Mayor shared 2 bids received: CK Seal Coating - \$1,250.00 & Jet Black - \$1,829.00. The gentleman from CK Seal Coating said that with having only foot traffic on the walking path, the life of the seal coating is longer and it wouldn't have to be redone for 5 years. Avoiding shoveling also prolongs the life of the job. Discussion took place on the project and what services are included. The path hasn't been done before. To overlay the walking path would be \$9,000. Tom Vouk made a motion to have CK Seal Coating seal coat the walking path for \$1,250.00. Jeff Blenkush seconded the motion. Motion carried.

Skateboard Park: The Mayor asked Edith if she received a bid on the construction of items from her neighbor. There was no bid, but the neighbor said he could do it for half the price of the information previously discussed. Mayor VanderWeyst shared plans for a ½ pipe & a fun box. Quotes from Simonson Lumber & Menards were obtained. Grind rails are \$150 each. In talking with those that skateboard, 2 grind rails will be sufficient. Mark VanderWeyst will build the equipment. The only cost to the City might be for saw blades. Discussion took place. Roger Trobec made a motion to build the skateboard park items with the bid from Simonson Lumber for \$2,088.65 and to purchase 2 rails at \$150.00 each. Jeff Blenkush seconded the motion. Motion carried.

Tri-Rec is using the park until the end of July, so no construction will begin at the park. Roger Trobec shared that the \$1,000 donation to the Tri-Rec program is a good investment for the City as a lot of children are utilizing the program. It seems they have good activities provided and quality people working.

Returning to 2nd Street NE & 6th Avenue NE Sign under Road & Bridge: The sign has been vandalized with paintball paint. It will be taken care of.

Smoley Field: The port-a-pot was tipped over on a weekend. The gate on the field is being opened. It's been opened for dogs to run on the field also. On the lower field forks & spoons were stabbed in the ball field. Mayor VanderWeyst has a call in to the Sheriff. Discussion took place on kids out after the City curfew. The Mayor reported that when she heard about the port-a-pot, she was told about a group of kids hanging out between 10:00 p.m.-12:00 a.m. that are crawling on the netting for the batting cages, crawl on top of the park equipment & jump down and smoke inside the pink play equipment. The kids know when the Sheriff is coming through town. It was also shared that a garage was broken in to while the residents were out of town. A dog was brought in to track but the scent was lost when 6th Avenue was reached. Parkway Park is busy with people after 11:00 p.m. Fireworks have been set off on Main Street also. Tom Vouk asked about the curfew siren being set off like it used to be. Sartell's siren is set off at the Paper Mill. Rice uses a curfew siren. Discussion on a curfew siren took place.

Planning Commission:

State Building Code – Ordinance Amendments: In each Ordinance, the word “building” was taken out and “site” was put in its place. The Council reviewed the ordinances. Rusty Paggen made a motion to have a public hearing to determine the Ordinance 41, 42 & 45 changes during the August 4, 2010, meeting at 7:30 p.m. Jeff Blenkush seconded the motion. Motion carried.

Accessory Building Ordinance: Roger Trobec had questions for Chair, Perry Nistler. The Council discussed Roger’s questions. In section d) “garage” should be added to the words “attached” & “detached”. Also, the word “maximum” will be added when referring to the size of the accessory building. With the previous changes made, the ordinance will be sent to the attorney. Rusty Paggen made a motion to add the Accessory Buildings Ordinance to the public hearing in August. Tom Vouk seconded the motion. Motion carried.

Ben Supan brought up a recent County meeting where new rules on construction were discussed. Ben thought that new ordinances might have to be developed for the City regarding developments and what responsibility/liability the City has if the developer goes out of business. The City’s attorney will have to help in setting something up. Discussion took place on the topic.

SHERIFF’S REPORT: Many items related to this topic were discussed during the Park Board report. The Sheriff’s Compliance Check done at the end of May 2010 was shared with the Council members. After each member has read the report they are to sign their initials. The report will be filed in the Clerk’s office.

HEALTH COMMITTEE: The Clerk shared that she talked with the owner of the lot in the neighborhood across from City Hall and shared the concern about the lot. It wasn’t burned during the winter when a burning permit wasn’t required. The owner shared that others are using the lot as a dumping ground and isn’t sure what to do. Discussion took place and it was recommended that the owners clean up the property and post a sign. The Clerk shared that she has found a number through the County Assessor’s Office to call about 7 Main Street West. A representative for the company received pictures via e-mail of the property and got a number for Bank Corps that has the house in foreclosure. Ben Supan shared that St. Joseph has a process in place where the homeowner receives a notice and if not the City cleans it up and the bill is put on the taxes. Tom Jovanovich is the attorney for St. Joseph also. The Clerk will contact him to find out what can be done.

UNFINISHED BUSINESS:

Huls Lawn Service – Landscaping: The quote for 2009 would be the same for 2010. Discussion took place on the state of the landscaping. Jerome Supan shared that one idea is to cut those that aren’t looking healthy down to the ground and see if they come back next season. The Mayor & Clerk will take care of the landscaping.

Byusse Roofing: The Maintenance Agreement has been signed. The City needs to pick a date closer to fall for service. The Clerk will contact them and set up an October service date.

Sam DeLeo: Discussed earlier under Road & Bridge – Should a Claim be prepared to pay him? Roger Trobec stated that Sam should sign a paper releasing the City after he’s reimbursed. Tom Jovanovich did address this and Sam submitted a letter stating such already. Roger Trobec made a motion to prepare a Claim this month yet to Sam DeLeo for \$976.57. Jeff Blenkush seconded the motion. Motion carried.

GM Drilling Claim: Roger Trobec stated that a new pressure tank was installed.

Fire Truck Pay-Off: Discussion took place on where to pull funds in order to pay the truck off. One example: \$100,000 from the Business Savings Account. Dolores Supan didn’t know about cashing in all CDs. Maybe cash in the CD at St. Joseph Bank. Rusty Paggen questioned if the CDs were designated Road & Bridge or General Fund. Discussion took place on keeping track of the money put back in a newly created fund. Roger Trobec made a motion to pay off the loan to Wells Fargo with money from the General Fund and keep making payments in to the General Fund of \$17,000 from the FD Truck Fund and the \$17,000 that was being levied until the end of the payment schedule: October 13, 2021. Jeff Blenkush seconded the motion.

Jeff Blenkush – Yes, Rusty Paggen – No, Cindy VanderWeyst – Yes, Tom Vouk – No, Roger Trobec – Yes. 3 Yes votes and 2 No votes. Motion carried.

Discussion took place on why some voted against the motion: possible road construction, drop in LGA, if a loan is needed down the road, the interest rate won’t be as low as the 5% currently held with Wells Fargo, it will take over 10 years for the City to be paid back, buying right of way on roads. Discussion on the rates the CDs are earning interest was discussed also.

Dolores asked about the CD at St. Joseph State Bank. What should be done with it? It's approximately \$45,000.

Jeff Blenkush made a motion to add a Fire Truck claim for \$291,990.26 to this month's claims to pay off the fire truck. Roger Trobec seconded the motion. Motion carried.

Roger Trobec asked for an explanation of the accounts money came from to pay off the truck for the next meeting.

NEW BUSINESS:

2011 Budget Meeting Date: Wednesday, August 25, 2010. The meeting will be the last Wednesday of the month at 6:30 p.m.

July Newsletter: A sample of the newsletter was shared with the Council. Additional items were discussed to be added. The newsletter will be sent out by the end of July.

2010 Election Information: An information sheet was share with the Council on the judges for the 2010 election and the training they're attending. Roger Trobec made a motion to approve the judge list for the 2010 election. Rusty Pagen seconded the motion. Motion carried.

Household Hazardous Waste Collection: August 28, 2010 from 9:00 a.m. - 1:00 p.m. 6-8 volunteers are needed from the City as the County isn't able to provide helpers in the past as they have. Volunteers need to be 18 years of age or older.

City Hall Building: Nancy Vouk asked about getting the carpets cleaned again. They were done last in 2008 and it's been done annually in the past. The blinds are no longer pink and are taped in to place in the Council Chamber and the other rooms are fragile. Is it possible to get the offices painted? The Clerk will get an estimate on blinds. The Clerk will check on the carpet cleaning. The Clerk will contact Nelson Painting about the cost to paint the 3 offices.

ADJOURNMENT: There being no further business, Tom Vouk made a motion to adjourn. Jeff Blenkush seconded the motion. Motion carried.

TIME: 10:47 p.m.

Respectfully submitted,

Cris Drais
City Clerk

Cindy Vandeweyer
Mayor

St. Stephen City Council Agenda – August 4, 2010

Call To Order: 7:00 p.m.

Pledge of Allegiance

Approval of Minutes from July Meeting

Reading of Claims

Reading of Receipts

Treasurer's Report

Petitions, Requests and Communications

Knights of Columbus Gambling Permit

St. Stephen Fire & Rescue

7:30 p.m. Ordinance 41, 42 & 45 Changes Public Hearing

Reports of Committees & Board:

1. Road & Bridge
2. Park Board
3. Planning Commission

Sheriff's Report

Health Committee

Unfinished Business

Comprehensive Plan
Chicken Fry Ordinance
City Hall: Carpet cleaning, blinds quote & painting

New Business

General Election Canvassing Meeting Date: November 8, 2010

Meeting Adjourned

MINUTES
ST. STEPHEN CITY COUNCIL
August 4, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Draiss – City Clerk

ABSENT: None.

MINUTES OF JULY MEETING: The July minutes were reviewed. Jeff Blenkush made a motion to approve the minutes. Rusty Paggen seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk presented the Claims totaling: \$16,152.86. The Claims include the 2nd payment for the parking lot. The payment covers the lowering of the gas line & 50% of the turf establishment. Mayor VanderWeyst informed the Council that after the last big storm at the end of July, the well received damage. GM Drilling & Design Electric were both out to provide service. There might be a claim submitted to the insurance. Jeff Blenkush made a motion to pay the Claims. Tom Vouk seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer presented the Receipts for the month totaling: \$212,804.98. The 1st half of the tax settlement & the 1st of the LGA for 2010 came in. Dolores reported that she cashed in the CD at St. Joseph Bank. It was a Road & Bridge CD to be used towards the parking lot.

TREASURER'S REPORT:

Beginning Balance	\$410,881.20
Add: July Deposits (includes July Interest \$72.15)	\$212,804.98
Less: July Checks	\$408,848.28
New Checkbook Balance	\$214,837.90

The next CD for renewal is October 20, 2010.

Roger Trobec made a motion to accept the Treasurer's report. Jeff Blenkush seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

Knights of Columbus Gambling Permit: LeRoy Supan representing the KC's requested a gambling permit for a Turkey Party at the Parish Hall on October 24, 2010 at 1:00 p.m. Jeff Blenkush made a motion to approve a gambling permit for the Knights of Columbus' event on October 24, 2010. Roger Trobec seconded the motion. Motion carried.

FIRE DEPARTMENT: Mayor VanderWeyst shared Ray Trobec's letter of retirement with the Council. Mayor VanderWeyst made a motion to approve Ray Trobec's letter of retirement effective July 21, 2010 as Fire Chief for the City of St. Stephen. Rusty Paggen seconded the motion. Roger Trobec abstained. Motion carried.

Jeff Draiss shared that upon Ray Trobec's retirement, he was elected Fire Chief by the Fire Department. Tom Vouk made a motion to accept Jeff Draiss as Fire Chief, Aaron Rudolph as Assistant Chief and Stephen Trobec as Captain. Jeff Blenkush seconded the motion. Motion carried.

Jeff Draiss reported that there were 8 calls in July. They were mostly weather spotting. The siren was set off 1x which because of circulation spotted down in Chanhassen. Jeff shared the reminder that the siren is not meant to be heard from inside.

The Fire Department received 3 grants: 1) Stearns Electric – Operation Round Up: \$500 for 2 pagers, 2) DNR: \$3,000 50/50 grant for a slide in pump unit for the Kawasaki and 3) MN Board of Firefighter Training & Education: \$1,200 to

be used for someone coming & teaching a pump class. Usually it's someone from a pump manufacturer. This will happen sometime in January.

A thermal imaging camera was purchased out of the Fire Aid Grant – 95% coverage of the purchase price.

Relief Association: Steve Trobec reported that the Relief Association Charitable Gambling would like to make a \$5,000 donation to the FD equipment fund.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge: Jerome Supan reported that the St. Stephen population sign on the East side of town has been removed. Jerome will contact the County. Joe Paggen is working on the jobs around town. Discussion took place on the mailbox posts for the cul-de-sacs in Smoley Addition. Jerome asked if the City is putting up posts throughout the addition. That was discussed when Tony, St. Joseph Postmaster was at our meeting and the City decided to only provide posts for the cul-de-sacs. Jerome corrected the date on the Legion Chicken Fry mentioned in the City newsletter. The correct date is September 24, 2010. That information will be listed on the City's website. The culvert on 6th Avenue SE by Smoley's was discussed. The Council feels the project should be waited on.

The regular meeting was closed at 7:29 p.m. in order to begin the Public Hearing for Ordinances 41, 42 & 45.

Ordinance 41: the verbiage change of building permit, building inspector & building code to site permit, site inspector & building site code as we don't have a building inspector. Frank Mahlich asked if any part of the ordinance procedure is being changed. The Mayor stated no, just wording was changing.

Ordinance 42: the verbiage change of building permits to site permits & repealing the adoption of the uniform building code. No comments or questions.

Ordinance 45: the verbiage change of building permit, building code & building official to site permit, site code and site inspector. Frank Mahlich asked who the acting City Official is on 45-5. City Building Official is removed and Site Inspector is inserted. Ben Supan is the City Site Inspector.

**The Accessory Building Ordinance will be discussed at another public hearing as the City did not hear back from the Attorney on the ordinance.

Rusty Paggen made a motion to close the public hearing. Jeff Blenkush seconded the motion. Motion carried.

Public hearing closed at 7:35 p.m.

The Mayor asked for comments/questions from the Council regarding the changes.

Tom Vouk stated that he didn't know if he agrees with the Planning Commission recommendation to the City to not adopt the building code. A building code isn't 100% guarantee of work performance but feels a few inspections during the building process would help.

Jeff Blenkush stated that as it was explained by the City's Attorney, the route we are going is right.

Rusty Paggen stated he agrees with eliminating. The owner needs to be responsible.

Roger Trobec stated that what seemed scary was that the building inspector had too much power. Is that needed in a City our size? People still have to build according to state code. The Planning Commission has to watch plats brought to them carefully and the site inspector should inform the builder of having inspections during the process. Roger stated he's in favor of the steps being taken by the City.

Tom Vouk stated that he believes the other side does make valid points. Tom stated that if the City is thinking about doing it ever, this is the time to do it when building is slow.

Mayor VanderWeyst made a motion to accept changes made to Ordinances 41, 42 & 45. Jeff Blenkush seconded the motion.

Jeff Blenkush – Y, Rusty Paggen – Y, Cindy VanderWeyst – Y, Tom Vouk – N, Roger Trobec – Y. 4-Yes & 1-No. Motion carried.

Park Board: Mayor VanderWeyst reported that the tentative date for starting the construction for the skateboard park is August 21, 2010. Kids are encouraged to help that might be using the park. The rails have been ordered.

The slide for Hlebain Park has been ordered and it takes about 3 weeks to be delivered.

A date for seal-coating the walking path hasn't been set yet as Kids Club's last day at the park is August 19, 2010. The Mayor reported that it took 24 hours for their driveway to dry after being treated. The walking path is in direct sunlight, so it should dry well. It should be done before the end of August.

Planning Commission: A new copy of the Accessory Building Ordinance with the additional words was shared with the Council. Tom Vouk shared that outdoor boilers were discussed at the last meeting. Perry Nistler was going to check what neighboring cities do about them. The budget will also be discussed at the next meeting. A joint meeting might be coming up with Brockway Township. Roger Trobec asked Perry if there was any ordinance on a fire pit within a patio. Building code doesn't cover something like that Perry stated. It is more of an insurance issue.

SHERIFF'S REPORT: Roger Trobec stated that he saw a driver accelerate to get through the crosswalk when someone was starting to walk through the crosswalk. Roger asked if it's a legal crosswalk. Jerome Supan stated that the County stated that the Parish Council needs to bring the matter to the City and the City then brings it to the County. Perry Nistler asked if the area could be designated a Church zone with reduced speed during Mass. Jerome shared that a concern of the Parish Council is the loss of parking spaces on either side of a designated crosswalk. Roger stated that he'd be in favor of sending the County a letter asking the County to make the crosswalk a legal crosswalk so drivers have to stop or slow down. The Clerk will check with the County if the crosswalk is a legal crosswalk and if it isn't what steps have to be taken to make it one.

Roger Trobec made a motion to send the County a letter to make the crosswalk a legal crosswalk for safety purposes. Jeff Blenkush seconded the motion. Motion carried.

Discussion took place on the state enforcement day on July 22, 2010, on County Road 2 by Trobec's Bus Garage.

Were there any curfew problems since the last meeting? No.

Frank Mahlich stated that race cars have been racing up the road and in to the cul-de-sac in front of his home. The cars are actual race cars and possibly driven by minors. The Clerk will call Jon Lentz.

HEALTH COMMITTEE: The Clerk received a call from a gal who said she was the contact person for the property. She said she'll put a rush on the bidding process. The work hasn't been done. The woman hasn't returned calls or answered calls from the Clerk. At this point the Clerk will contact the Attorney to confirm the process necessary to have the work taken care of.

UNFINISHED BUSINESS:

Insurance – TORT Liability Waiver: The Mayor stated this needs to be signed. In previous years the City has checked that they don't waive the monetary limits. Does the City want to do the same for 2011? Jeff Blenkush made a motion to not waive the monetary limits on the TORT liability. Tom Vouk seconded the motion. Motion carried.

Is anything missing on the insurance coverage? The Mayor stated that the 3 shelters at Parkway Park aren't covered. Do we want that on the policy? If so, what are they worth? The fence isn't covered at this time. Did we get a listing of what's on the PIO (Property in the Open)? No. If a list can't be produced, why have the coverage?

Comprehensive Plan: At one time the Council asked for the Planning Commission to look at it. To date they haven't. It will go on future agendas to be reviewed. The Planning Commission will report back to the Council.

Chicken Fry: At the special meeting, Ray Trobec asked if it could just be a blanket statement that ½ Street SW is closed every year. The attorney's recommendation is that the request be approved every year in case an issue ever came up. The Clerk will contact Ray about this matter.

City Hall: Carpet Cleaning – information to come in September. Painting – Derek Nelson gave the Clerk a sample packet. It was discussed to have the painting done in the winter when work is a little slow for him. Blinds – the Clerk shared a quote from the Little Blind Spot for a solar screen. The quote includes the shade with a fascia for 9 blinds throughout the building with installation. Cindy VanderWeyst made a motion to go with the solar screen with fascia. Roger Trobec seconded.

Jeff Blenkush – Y, Rusty Paggen – N, Cindy VanderWeyst – Y, Tom Vouk – Y, Roger Trobec – Y. 4-Yes & 1-No.
Motion carried.

NEW BUSINESS:

LGA Notice: \$105,818 for 2011.

General Election Canvassing Meeting Date: With 2 Council positions on that ballot, the Council needs to canvass the results. It is done 3-10 days after the election. It can't be done at the November Council Meeting. Would Monday, November 8, 2010 work? November 8, 2010 at 6:30 p.m.

A gentleman from the apartments in the old school called City Hall wondering about responsibility for the field as vehicles have been damaged. The Council stated that it's the Church's property.

Jean Reinhofer from 210 Main Street W called about a drainage ditch from her to another property that hasn't been maintained is causing her septic needing to be pumped. Is it the City's responsibility? Jerome Supan will look at it.

Jerome Supan shared that the owner of the apartment building has had baseball players crawl the drain pipes to get foul balls. Who should be contacted about that? The Clerk has a contact name and address and will pass it on to Jerome.

Ben Supan shared that at the last Council meeting it was discussed that the money would be put back in upon repaying the City for the truck fund but it isn't spelled out in the minutes. Rusty Paggen made a motion to clarify the Fire Truck Fund follow the same payment schedule to go back in to the accounts where it came from. Jeff Blenkush suggested changing the name at the Budget Meeting. Roger Trobec read the previous meeting's minutes and in the motion it is labeled where the money is to go and until when. Rusty rescinded his motion.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 8:44 p.m.

Respectfully submitted,

Cris M. Drais
City Clerk

Cindy VanderWeyst
Mayor

St. Stephen City Council Agenda – September 1, 2010

Call To Order: 7:00 p.m.

Pledge of Allegiance

Approval of Minutes from August Meeting & Meeting

Reading of Claims

Reading of Receipts

Treasurer's Report

Petitions, Requests and Communications

Dr. Joseph Hill, Superintendent – Sartell-St. Stephen School District

St. Stephen Fire & Rescue

Reports of Committees & Board:

1. Road & Bridge
 - a. 2008 Road Project Packet
2. Park Board
3. Planning Commission
 - a. Accessory Building Ordinance – public hearing date

Sheriff's Report

Health Committee

Unfinished Business

City Hall: Carpet cleaning

New Business

Meeting Adjourned

MINUTES

ST. STEPHEN CITY COUNCIL

September 1, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Drais – City Clerk

ABSENT: None.

MINUTES OF THE AUGUST MEETING: The minutes from the August meeting were reviewed. In the section: Reading of the Bills, the 4th sentence should read, "...the **electrical box** received damage." instead of "...the **well** received damage." Roger Trobec made a motion to approve the minutes with the above change made. Jeff Blenkush seconded the motion. Motion carried.

READING OF THE BILLS: The Claims do not include the Worker's Compensation & Volunteer Insurances. Discussion took place on the rate difference on the Worker's Compensation coverage. The City has carried a \$0 deductible in past years. The City will continue with the \$0 deductible, Premium Option #1. The Clerk presented the Claims totaling: \$34,399.77 including the 2 insurance policy renewals, Primary Election payroll and the 3rd Quarter Payroll. Rusty Paggen made a motion to pay the Claims with the added insurance. Jeff Blenkush seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer presented the Receipts for the month totaling: \$1,071.54.

TREASURER'S REPORT:

Beginning Balance	\$214,837.90
Add: August Deposits	\$ 7,147.64
(includes August Interest \$48.05)	
Less: August Checks	\$ 22,228.96
New Checkbook Balance	\$199,756.58

Dolores Supan shared that the next CD coming up for renewal is an 11 month CD that was taken out at Falcon Bank. October 20, 2010 is the renewal date. The City currently has 3 CDs along with the Business Savings Account.

Roger Trobec made a motion to accept the Treasurer's report. Tom Vouk seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

Dr. Joseph Hill, Superintendent – Sartell-St. Stephen School District: Dr. Hill, Superintendent for the Sartell-St. Stephen School District introduced himself to the City Council. He came from the Duluth School District. His family of 5 recently moved to Sartell. He is originally from the Alexandria area. Dr. Hill shared that the school district continues to try to maximize the resources it currently has. 144 St. Stephen children attend school in the district. The topic of the school district borders was discussed. Living within the city limits it would seem that a child automatically attends the Sartell-St. Stephen School District. Discussion regarding prayer time during the school day took place. The Mayor asked Dr. Hill where he wants the district to go in the future. Dr. Hill stated that he wants the district to sustain the level of performance being reached by the students currently. Dr. Hill stated that the district is looking at the next 4 years regarding the budget. The district has to figure out how to do more with less regarding the budget. Dr. Hill said he'd be willing to come back in the future to speak with the Council again.

FIRE DEPARTMENT:

Stephen Trobec reported that the thermal camera has been installed in Unit 12. A few pagers have been purchased. The next grant for the skid unit (a pump for the ATV) has been sent in to the DNR.

Stephen Trobec shared that the Relief Association was certified for its 2% state aid.

Jeff Draais, Fire Chief, submitted the following report:

There were 8 calls last month for a total of 42 calls for the year.

- A good number of the calls this month were weather spotting.
- August 12 – Paging was out at Stearns County Dispatch for a few hours. Our base is supposed to have the capability to do paging from our base. Unfortunately it wasn't working. Luckily we didn't need it. The paging from our base has been corrected.
- August 13 – Windstorm, spent a lot of time clearing roads of trees.
 - Had some difficulty getting answers from the utilities if power was out so we could cut trees.
 - No sirens were sounded, not sure if the county saw on radar the storm coming & could've set it off.
 - We did have weather spotters out; they didn't see anything before the weather got on top of them. They didn't have time to set the sirens off.
 - Officially the damage was caused by straight-line winds & downdrafts. No tornadoes.

Training for September will be Emergency Vehicle Operations which includes individual training with St. Cloud Tech's simulator.

Pumpers had annual pump certification testing done. Both passed. Both Unit 12 & 10 needed some items taken care of – mainly leaking gaskets & valves. Unit 10 due to age needed more work. Some items will be discussed at the fire meeting and decide if they want to fix them soon or wait until a later date. None of the items are critical.

Ken Fournier asked if the brush pile was burned at the gravel pit. It was burned the Sunday before the Council meeting. If a pile is created again, it'll be burned. Ken stated that it was nice of the City to provide a place for residents to get rid of the debris from the storm.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge:

2008 Road Project Packet: The Mayor stated that since talk has taken place about road projects the Council needs to look at it to see where the City needs to go within the next year or 2 regarding road projects.

Siren Maintenance: The branches are starting to shield the display on the siren on 6th Avenue NE. Jerome Supan will contact Carr's Tree Service.

Jerome Supan shared that he's contacted the County regarding the City's population sign and they've probably been stolen. The City will wait to replace them when the new population is put on the sign and it will be retro reflective.

Jerome Supan reported that on 12th Avenue NE. The water is running down the road vs. the ditch. The field is higher than the road. The west side of the road needs to have a ditch added to keep the water off the road. The City doesn't have the right of way and would need permission from Ferche in order to do any maintenance work.

Jerome stated that the ditch by Jean Reinhofer's, 210 Main Street W, seems to be draining. Is the problem more of a septic problem? The City will leave the issue be for now unless contacted by the homeowner again.

Jerome is taking care of the issue of the apartment building roof being walked on by baseball players.

The mailbox stand post was installed in Smoley Addition for the residents to begin using. Discussion took place on 12th Avenue NE becoming the property of the City because it's been maintained by the City for so many years.

Tom Vouk made a motion to get papers from Tom Jovanovich for authorization to do work on 12th Avenue NE with the land owner (Ferche) and to have Jerome line up a local contractor to get the ditch fixed. Jeff Blenkush seconded the motion. Motion carried. Jerome suggested the ditch be 1 ½ feet deep and 5-6 feet wide.

Park Board:

LeRoy Supan shared that the slide has been put up in Hlebain Park. Trees went down in the Pond's Edge Park. The trees have been removed but can the stumps be removed? Could Joe Paggen remove them? Yes, the Clerk will contact him.

The walking path at Parkway Park has been edged & sealed.

The Skateboard Park has the ½ pipe and fun box ready for use. The pieces will be sealed in mid-September. The equipment is being heavily used. The rails are coming.

Ken Fournier stated that he's received complaints from some neighbors wondering about a curfew in the park. There has been a problem with children in the park near his home after park hours with flashlights. Park hours are from 9:00 a.m.-10:00 p.m. but the curfew for children under 16 is 9:30 p.m. Tom Vouk reported that he received a phone call about children at the skateboard park after curfew. The Mayor shared that she's looking at a sign for the skateboard park with rules (per input from City Attorney, Tom Jovanovich) and hours. Roger Trobec shared that the sign should include the equipment to be used at the skateboard park.

Mayor VanderWeyst shared that a scoreboard at Smoley Field is down from the storm. Also, the playground equipment at Parkway Park shifted during the August 13th storm. Mark VanderWeyst will check the equipment although it seems quite stable yet.

Ken Fournier asked if anyone from the Lions Club has approached the City about an additional porta-pot at Smoley Park. The Lions Club had voted to pay for an additional unit. The unit has been tipped over 6 times this past season. Discussion took place on having it staked down in the future.

The Park Board will be having the diamonds and fence line sprayed for weeds.

The Mayor shared that the Park Board might want to start outlining what they want to do. Larger trees for some of the parks, a shelter for the Hlebain Park, etc.

Planning Commission:

Tom Vouk made a motion to set the Public Hearing Meeting for the Accessory Building Ordinance for October 6, 2010, at 7:30 p.m. Rusty Paggen seconded the motion. Motion carried.

Tom Vouk shared that at the last meeting outdoor boilers were discussed. Some neighboring cities don't allow them. The subject has been tabled for now. The Developer's Agreement will be looked at. The City Attorney might need to be consulted with. The Comprehensive Plan will also be reviewed in the future. The budget was also reviewed.

SHERIFF'S REPORT: No report. Roger Trobec asked if anything new has developed regarding the crosswalk in front of the Church of St. Stephen. The Clerk reported that she was told to talk with the same contact that Jerome Supan has spoken with. A phone call wasn't returned.

HEALTH COMMITTEE: The Clerk has directions from the Attorney's Office on how to prepare a letter for the mortgage company regarding the house at 7 Main Street West.

UNFINISHED BUSINESS:

The Clerk shared the charge for carpet cleaning from 2 businesses. Roger Trobec made a motion to have the carpet cleaned in the Council Chamber and hallway with scotch guard for \$249 + tax by the Carpet Master & Upholstery out of Annandale. Tom Vouk seconded the motion. Motion carried.

The Clerk shared that the motion made for the Chicken Fry and September Car Show needs to be amended as the date of the September Car Show changed from the original motion. Jeff Blenkush made a motion to amend the motion regarding closing ½ Street SW. The original date was September 9, 2010. The new date is September 2, 2010. Rusty Paggen seconded the motion. Motion carried.

The Mayor informed the Council that the landscaping on the NW side of the building along with the N side of the building has been trimmed, removed and some perennials have been planted.

The Hazardous Waste Pick-Up was successful. 58 drop-offs were made. The County will be back in 2 years for another pick up. Rusty Paggen commented that the City should look in to doing an appliance drop-off.

NEW BUSINESS:

The Mayor shared that she and the Clerk have been discussing a holiday gathering at City Hall in December. Some ideas are Santa Claus and Mrs. Claus along with sleigh rides with actual reindeer. The Mayor will be paying for the reindeer and sleigh ride portion. The City isn't able to contribute to the event. The Mayor booked for the date of December 11, 2010 from 11:30 a.m. - 2:00 p.m. The idea of goodie bags for the children that visit with Santa was discussed. Ken Fournier said he'd check with the Lions Club if they'd be able to donate any money towards the event. The Council was okay with advertising the event as a City Holiday event. The Clerk will check with the City Attorney about if the City can put any money in to the event. The cost of the reindeer and the sleigh is \$550.

The first week in October is Fire Prevention Week. The Fire Department will be hosting an Open House.

The Budget will be finalized at the December meeting on December 1, 2010 at 7:30 p.m.

After the August 13, 2010 storm, the Clerk is trying to put together a list of emergency contact numbers for the City. The list will also contact the Council's cell phone numbers as a means of trying to get a hold of each other. The Mayor thanked the Fire Department for their work after the storm.

Insurance e-mail: The Mayor suggested leaving the Property in the Open coverage as is since it isn't clear as to what's covered. The Mayor will be contacting Lisa Schmidt in order to add the skateboard park to the insurance coverage.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 9:01 p.m.

Respectfully submitted,

Cris M. Drais
City Clerk

Cindy Vandeweyer
Mayor



St. Stephen City Council Agenda – October 6, 2010

Call To Order: 7:00 p.m.

Pledge of Allegiance

Approval of Minutes from Budget Planning Special Meeting & September Meeting

Reading of Claims

Reading of Receipts

Treasurer's Report

Petitions, Requests and Communications

Gerald Crever re: 12th Avenue NE

St. Stephen Fire & Rescue

7:30 p.m. Public Hearing: Conditional Use Permit, Rusty Paggen

8:00 p.m. Public Hearing: Accessory Building Ordinance

Reports of Committees & Board:

Road & Bridge

Park Board

Planning Commission

Sheriff's Report

Health Committee

Unfinished Business

New Business

Meeting Adjourned

2 6th Avenue SE
St. Stephen, MN
56375
320-251-0964

City Officials

Cindy VanderWeyst
Mayor

Jeff Blenkush
Council Member

Rusty Paggen
Council Member

Roger Trobec
Council Member

Tom Vouk
Council Member

Dolores Supan
Treasurer

Cris Drais
City Clerk
crisdrais@mywdo.com

Website:
cityofststephen.com

MINUTES
ST. STEPHEN CITY COUNCIL
October 6, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Draais – City Clerk

ABSENT: None.

MINUTES OF THE Budget Planning Special Meeting & September Meeting: The minutes for the August Budget Planning Special Meeting were reviewed. Roger Trobec made a motion to approve the minutes from the Budget meeting. Jeff Blenkush seconded the motion. Motion carried. The minutes of the September meeting were reviewed. Jeff Blenkush made a motion to approve the minutes from the September meeting. Tom Vouk seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk asked the Council to review the Municipal Insurance premiums received. The Insurance will be left as it is with the same deductible. The Clerk presented the Claims totaling: \$27,987.45. Jeff Blenkush made a motion to pay the Claims. Roger Trobec seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer presented the Receipts for the month totaling: \$14,947.50.

TREASURER'S REPORT:

Beginning Balance	\$199,756.58
Add: September Deposits	\$ 14,947.50
(includes Sept. interest \$40.61)	
Less: September Checks	\$ 34,399.77
New Checkbook Balance	\$180,304.31

Dolores Supan shared that the next CD coming up for renewal is an 11 month CD that was taken out at Falcon Bank. October 20, 2010 is the renewal date. Based on the current interest rates, Falcon Bank suggested moving the CD to the Business Savings as its current interest is 1.50%. All Council members were in favor of this move.

Rusty Paggen made a motion to accept the Treasurer's report. Tom Vouk seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

Gerald Crever re: 12th Avenue NE: Gerald lives on the end of 12th Avenue NE. Gerald stated that the road is very dusty or mud ¼ of the year. Gerald asked that the City consider putting Class 2 down in order to keep the dust down or something that would stay on the road. Gerald also shared how the road isn't well maintained during the winter. It was shared that Joe Paggen had done the work discussed at the September Council Meeting. The ditch work was done so water no longer runs down the road.

The Mayor shared that the Council is aware of the road's needs and is looking at road work projects in the future. This road is one of those future projects. Discussion took place about the fact that because the road isn't a 4 rod road it can't be tarred by the City which is designated in the ordinance. City Attorney Tom Jovanovich was present at the meeting and shared that it can be hard to find information on road ownership. When Jerome Supan went to the County to find information, they weren't able to confirm ownership. Tom Jovanovich stated that there are ways that ownership can be established: acquisition by purchase, through subdivision and plats, by user or "statutory dedication" and common law dedication. Tom Jovanovich suggests the City get a policy put together in the future. This road was surveyed 5 years ago. Roger Trobec stated that when the road was surveyed and when the stakes were put in, the road that exists right now is off to the East. The engineer is to determine the property lines of land owners and determine where the road is. Currently 12th Avenue NE is a 2 rod road. Tom Jovanovich stated that in most cases upon looking at the road after its surveyed property owners will (in most cases) deed the land needed to the city at no charge because it's in their best interest. After the survey was done, the homeowners along the road said they didn't want the work done. Again Gerald Crever shared that he would be fine with some Class 2 being put down as a means of helping curb the dust and

mud. Tom referenced a letter he prepared for the City regarding the acquisition of right of way for city streets he prepared (attached). Tom stated that when repairs were done to roads, that'd be the time to obtain legal right-of-way. This will help spread out the cost also. The Mayor asked the Council's opinion on putting some Class 2 down the whole road. Any objections? Roger: Not in favor of doing it as it's basically a driveway for 3 people. One doesn't live in the City. The other 2 didn't want any improvement done on the road. Tom Vouk said that it's hard to stick to money the City doesn't own. Rusty Paggen said the City should continue to maintain what is there. He said to haul in some fill would be fine from the gravel pit. Jeff Blenkush stated that he lives on a private road himself, but since it's a private road why should the City maintain it. Tom Jovanovich stated that until the City obtains the right of ways, he understands the City not making improvements on the road. The Mayor reassured Gerald Crevers that the City is going to move forward and try to improve the road by acquiring easements but it may be a while.

7:40 – Regular meeting closed for Conditional Use Permit Application Hearing – Rusty Paggen:

The Mayor asked if anyone had comment or questions. Marilyn Schumer asked for an update of the application process. The Mayor stated that the process was being started again as the conditional use permit application that was submitted in January/February 2007 and had some stipulations with its approval. The permit expired after 180 days since it wasn't used.

Rusty Paggen presented his request. He is hoping to open a bar & restaurant at 4 Central Avenue South, St. Stephen. There is a bigger area in the back of the building for meetings, for example the Legion or Lions Club.

Dave Trobec asked about the building permits that were acquired for the business. The 2007 permit was to construct and finish the interior of the establishment. The 2010 permit was to construct an entrance. The application for 2007 was to construct and finish interior. Dave asked if the City has ever considered outsourcing permits for inspections. The Mayor stated that the City recently decided to not contract with a building inspector.

Roger Trobec asked if there was a recommendation from the Planning Commission. No one from the Planning Commission was present at the meeting to speak about the recommendation. The Mayor shared that the PC minutes haven't been approved yet but that it is stated that a motion was made and carried to approve Rusty's request. No other documentation was included in the minutes. The plans were not reviewed by the Planning Commission as the plans had been looked at in 2007 by the Planning Commission.

Discussion took place about the Planning Commission needing to follow the process of reviewing an application per the ordinance book. Roger Trobec shared his concern that there was no one present at the meeting to share the Planning Commission's recommendation. He read the unapproved minutes from the September 14, 2010, meeting which stated: "Rusty Paggen needs to re-apply for a conditional use permit for his establishment. Pat Kroll made a motion to approve the conditional use permit, seconded by Dan Schultz. The Board unanimously approved." Roger stated that the City is trying to make sure the rules of the ordinance are being followed. Marilyn Schumer stated that she understands that all permits are in and that parking is adequate. She asked what else is needed. What else should we (the public) be aware of?

The Mayor stated that the City requested documentation on the septic to make sure that it was up to date and that it passed with the County. Documentation was received from Environmental Services Department along with Tim Haeg of Watab Inc. The City is aware of the plan of action between Rusty and Environmental Services to assure the septic needs are fully met. The plan of action need to be done by July 2011.

Roger Trobec stated that he wanted a representative from the Planning Commission present at the City Council meeting as he felt the Planning Commission should be demanding a driveway entrance be able to be put in, but according to what the City's been told, it won't be done. A curb cut cannot be put in on County Road 2 as Rusty's business is too close to the Church's entrance along with the old fire department building.

The Mayor asked the City's Attorney for clarification on the County not allowing for a curb cut on County Road 2. Is it a City issue or an issue for Rusty? Tom Jovanovich stated that the County has a formula regarding when to put in curb cuts. They are trying to cut down on them also. Tom Jovanovich stated that he didn't know if it would help to have the City Engineer call the County regarding the curb cut. Rusty stated that even if he got permission from the County for the curb cut, the land owner could refuse him. The owner of the easement is unknown.

The Mayor stated that the City will have the City Engineer contact the County regarding the curb cut.

The Mayor asked if there were any other questions. With no further questions, Roger Trobec made a motion to close the public hearing. Jeff Blenkush seconded the motion. Motion carried.

Public hearing closed at 8:04 p.m.

The Mayor asked if there were any comments from the Council. Roger Trobec stated that his questions are for the Planning Commission because he would like to know what the Commission did with Rusty's application.

The list at the bottom of the application checklist was reviewed by the Council.

Applicant: Rusty Paggen

Case File No.:

APPLICATION CHECKLIST

Required Submissions

Submitted

N/A

Description of Site (legal description)

Y

Site Plan (drawn at scale showing parcel & building dimensions)

Y

Location of all buildings & their square footage

Y

Curb cuts, driveways, access roads, parking spaces, off-street loading areas & sidewalks

Y

Landscaping & screening plans

Y

Drainage plan

Y

Sanitary sewer & water plan with established use per day

Y

Soil type

Y

Provide information that supports a finding that the proposed conditional use permit will meet the following criteria.

That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity, and is compatible with the existing neighborhood.

No concerns of Council

That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

No concerns of Council

That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Info. requested & submitted to Council

That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

No concerns of Council

That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

No concerns of Council

That soil conditions are adequate to accommodate the proposed use.

Info. requested from Watab & looks good

That proper facilities are provided which would eliminate any traffic congestion or traffic hazard which may result from the proposed use.

No concerns of Council

That a demonstrated need exists for the proposed area.	No concerns of Council	
That the proposed use is in compliance with the Land Use Plan adopted by the City.	No concerns of Council	
OFFICE USE ONLY		
Complete Application: <input type="checkbox"/> Yes <input type="checkbox"/> No		Date: _____

The Mayor asked Council members of any concerns. Jeff: It would've been nice to have a Planning Commission representative at the meeting. The information provided shows that the septic will be monitored by the County. Tom: Everything that was of concern has been covered especially the letter about the septic system. Roger: Satisfied with the letter covering the septic concern. The letter states the facility will have occupancy of 125.

Jeff Blenkush made a motion to approve the Conditional Use Permit application submitted by Rusty Paggen on conditions upon his compliance with the letter from Mark Latterell of Stearns County Environmental Services regarding the septic system dated October 6, 2010. Roger Trobec seconded the motion. Motion carried. Rusty Paggen abstained from voting.

The Clerk will file the paperwork for the background check with the Sheriff with a request to have the paperwork by the November 3, 2010, Council meeting for review before the liquor license can be filed for.

The regular meeting was closed for the Public Hearing on the Accessory Building Ordinance at 8:22 p.m.

The Mayor asked for comments or questions on the Accessory Building Ordinance. Roger Trobec stated he had one: *subd. 1 b) No permits for Accessory Buildings shall be issued for any lot upon which there is no dwelling unit.* Roger stated that he'd like to change it to "...for any lot or premise..." Roger stated he'd explain later.

The Mayor asked for any comments from the public in regards to the Accessory Building Ordinance. Tom Vouk made a motion to close the public hearing. Rusty Paggen seconded the motion. Motion carried.

The public hearing was closed at 8:25 p.m.

Roger Trobec clarified adding "premise or parcel" to the ordinance per the unapproved Planning Commission September 14, 2010, minutes. Roger stated that he felt the Planning Commission's Chair or Co-Chair should be in attendance when the City Council is addressing 2 important issues at the meeting that they gave input on. Roger read from the September minutes: "Mike Dullinger contacted..." At this point, Roger stated that maybe it'd be better until after the ordinance was done to address the issue he has with how things were done.

Roger stated that recently he got in to a heated situation with the definition of a lot or premise or parcel. Roger felt a person was singled out. He stated that the definition in the Ordinance book of a "lot" is found on page 41-7 and is very vague. Roger read the definition from the Ordinance Book, "41.04: Subd. 2: 36. Lot. A parcel of land, abutting on or having access to a public street, being a lot designated in a recorded plat or a parcel occupied by a principal building upon the effective date of this Ordinance, or being a parcel of record of sufficient size to provide the yards required by this Ordinance". Roger stated that to him, the definition of a lot is clear but said when the Planning Commission used the definition for lot they made is so narrow that he thought they were unreasonable and would like to make sure that when they're talking about a lot that they're talking about a parcel or a premise where there is a dwelling place. If the Council feels that it isn't necessary there's nothing he can do, but he feels strong about that and thinks the rest of the ordinance looks good.

The Mayor clarified that Roger would like the Ordinance to read as: *No permits for Accessory Buildings shall be issued for any lot, premise or parcel upon which there is no dwelling unit.* The other Council members were okay with the verbiage change.

Rusty Paggen made a motion to approve Section 41:16 General Requirements for Accessory Buildings a-j with the addition of "premise or parcel" added to the sentence *subd. 1 b) No permits for Accessory Buildings shall be issued for any lot upon which there is no dwelling unit.* Tom Vouk seconded the motion. Motion carried.

The Mayor at this time moved to the Planning Commission Report.

FIRE DEPARTMENT: Fire Chief Jeff Draais stated that they had 7 calls. All calls were medical. There have been 49 calls for the year. In September the firefighters participated in a 4 hour driving simulation class. It took place over 3 days. It exposed the firefighters to different driving situations. In November the firefighters will go out to the Highway Safety Center in St. Cloud with the big truck. That will be a 2 hour class. Air pack training will be taking place in October. #12 had an injector that failed which was covered under warranty. Open House will be taking place on Saturday, October 9 from 10-2. The Safe House from Mutual Aid will be on hand. Sparky the Fire Dog will be making an appearance. The Fire Chief will be attending the Chief's Convention in Rochester. Gene Skaj, Relief Association CEO gave a \$5,000 donation for the Equipment Fund. Steve Trobec reported that the 2% Fire Aid was received. Steve thought the amount was up from last year. This year's amount was \$14,546. Extra money was withheld for 3 years because of incorrect calculations. The money is the pension payment. Tom Vouk referenced a letter from the County regarding paging. The FD is in the process of updating all pagers to Minitor 5 which can receive narrowband paging. The City Clerk will have to contact Granite Electronics for the City's sirens. Roger Trobec asked if the Holdingford tower was put up yet. It couldn't be confirmed.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge: Carr's Tree Service took care of the trees around the siren. Jerome Supan delivered the paper for Ferche to sign regarding the 12th Avenue NE project. The City hasn't received their copy yet. The City received a bid from Ferche for snow removal during the 2010-2011 season. Jerome asked if Joe Paggen can clean the branches that were on the road at 9th Avenue NW after the storm. The Council agreed that this was a maintenance issue for Jerome to make the call on.

Tom Vouk made a motion to accept the quote for the 2010-2011 snow removal from JR Ferche. Roger Trobec seconded the motion. Motion carried.

Discussion took place on the City getting sand and salt from the County. Rusty Paggen stated that the County wants the City to replace the sand after 1 year from Hardrives and to replace the salt the next year. Tom Vouk made a motion to get sand for the County from Hardrives to replace the City's use for the season. Jeff Blenkush seconded the motion. Motion carried.

The City Clerk prepared a memo regarding a crosswalk on County Road 2 for the Church after talking with Jeff Miller, Stearns County Assistant County Engineer. The City Clerk can prepare a letter officially requesting a crosswalk to Mitch Anderson, Stearns County Engineer.

The City Clerk reported that she's contacted Doug Legatt regarding his 5 year contract. The City will pay Doug his upfront money upon receipt of the contract. This is normally done in November. Rusty Paggen has talked with Keith Posch and he will be returning as a snowplow driver. Rusty hadn't talked with Joe Gordon yet. No one is aware of when Eric Larson is returning from deployment.

Park Board: The Mayor reported that at the September meeting, Shelley Starz & Kathy Monson from Smoley Addition who have organized the Kids Club activities for the last 2 years would like to join the Park Board. Jeff Blenkush made a motion to accept Shelley and Kathy to the Park Board. Rusty Paggen seconded the motion. Motion carried.

The Park Board will be hosting a Haunted Maze at City Hall on 10/30 from 7-9 p.m. Chris Kosloski will be contacted to see if Tri-Rec would be interested in donating to the event. A donation for the Food Shelf would be the "fee".

LeRoy Supan reported that the ball fields and fence line were sprayed by Huls Lawn Service.

Discussion took place on some unfavorable behavior taking place while people are using the Skateboard Park. Tom Vouk and Rusty Paggen reported that they'd heard about 25 cars parking in the area, getting in the way of residents. People have been seen smoking in the park and urinating in the woods. Ken Fournier said that there have been complaints about parking and people being at the Skateboard Park after dark but before curfew. Residents have stopped the Sheriff while they've been out doing rounds.

Roger Trobec stated that the ordinance needs to be addressed so that it references the skateboard park being used during daylight hours. Who should look at it - Planning Commission or Park Board? It was agreed that both should look at it.

Tom Vouk wondered about the Skateboard Park being in Smoley which would be farther away from residents and would allow for parking.

Planning Commission: Roger Trobec referred to the Planning Commission minutes of Tuesday, September 14, 2010. Roger read: "Mike Dullinger contacted Ben Supan to Build a garage on a lot adjacent to his lot , Ben Supan told Mike that he can not build a garage on a lot that does not have a dwelling. Ben told Mike to bring his site plan and building plans to the planning commission meeting on Tuesday September 13. Mike Did not attend the meeting but came and purchased a building permit from the City Clerk, he told her Roger Trobec told him he could build on that lot. Ordinance 41-6#30 regarding private garages prohibits a garage/accessory building on a lot not occupied by a home. 15 feet is also the maximum height and Mike has completed an application for 20' high with dimensions of 30' x 35' which exceeds the size allowed under the current ordinance. Perry Nistler will contact Mike Dullinger."

Roger stated that he has no authority as far as issuing building permits and didn't use any authority in the issuing of a building permit. Roger stated that the first time Mike (Dullinger) came for a permit, he met with Ben (Supan) and Ben told him he has 2 lots with a house on one lot. Without a house on the other lot he couldn't put a garage on it. Afterwards, Mike went to see Roger and asked Roger what the problem with that was. Roger couldn't find a problem.

Mike is in an addition that was done before the City's ordinances were done. Things are grandfathered in as far as lot size. The correct lot size right now is 20,000 square feet. With the new ordinance it's 22,000 square feet (a half acre). The lots that Mike has each individually are about 13,000 square feet. Where the problem comes in is Mike wants to build a garage. He has a small garage next to his house at the present time.

When Roger called Ben (at this time Roger stated he didn't like talking about Ben as he wasn't present at the council meeting and he wished he was at the meeting, but it is a public meeting and Roger has to use his name) he asked why Ben was telling Mike he couldn't build on his lot. Ben told Roger that it's a separate lot. Roger stated that he told Ben that the lots are contiguous. Roger told Ben that when Mike bought the house which came with the other lot. It's a single parcel, registered as single parcel at the County and shown in the County Auditor's book as a single parcel. It has about 26,000 square feet.

Roger stated that it became personal. Roger stated that Ben told him that he (Roger) wouldn't let Pat Kroll build in there so Mike can't either. Roger asked if Ben had talked to Mike about his land being a single parcel. Roger read the following definitions from the Ordinance Book:

41.04: Subd. 2: 36. Lot. A parcel of land, abutting on or having access to a public street, being a lot designated in a recorded plat or a parcel occupied by a principal building upon the effective date of this Ordinance, or being a parcel of record of sufficient size to provide the yards required by this Ordinance.

41.04: Subd. 2: 48. Premises. A lot or plot with the required front, side and rear yards for a dwelling or other use as allowed under this Ordinance.

41.07: Subd. 3 a) A maximum of one garage and one accessory building may be located on a premises. The maximum size of any private garage or accessory building shall not exceed 960 square feet and the combined total of the private garage and the accessory building located on a premises shall not exceed 1,548 square feet. 41.07, Subd. 3(a) updated 8/2006

Roger stated that Mike considers the two lots his premise, his building site, his dwelling site. Other residents in the neighborhood are in the same situation. The County Auditor taxes the homeowners as a premise – a single dwelling place. Roger stated that Pat (Kroll) wanted to put a full 1,548 square feet on each of his lots. He wanted to use his full garage. He was told he couldn't do that. If Pat used his present garage and subtracted it from the allotted square footage, he could've put up a building with what square footage is left. Roger stated this is what Mike wants to do. Roger stated that after talking with Ben, Ben said OK, Mike can go to Cris (City Clerk) to get his permit and that Ben would sign it, it wouldn't be a problem. Mike came to City Hall the night of the Planning Commission meeting on September 14th. Roger stated that they (Planning Commission) never told Mike to come to the meeting. Mike (Dullinger) stated no they didn't.

Roger received a call that the permit couldn't be issued because he (Mike) has 2 lots. Roger asked the Council to make a determination if he (Roger) was correct in stating that Mike can get a building permit or that he can't. Roger stated that he feels Mike was singled out and told he couldn't build it for other personal reasons.

The Mayor asked Mike what his thoughts were on size. Mike said he could work with anything. The 960 square feet would be fine he stated.

Roger stated that what's in the Planning Commission meeting minutes isn't what happened.

Tom Jovanovich stated that the problem comes that when you have 2 lots and want to build on the other lot and then if the owner sells and the 3rd owner wants to sell the other lot. Tom stated that the City needs to make sure that the new building meets all of the requirements so that if someone wanted to build on the lot they would be able to. The person is stuck with the building on there.

Rusty asked what if a neighbor bought the lot and this new lot puts them over the allowed square footage?

Jeff asked if a person purchased the land as one lot, could it be shown in his abstract or title as one lot?

Tom Jovanovich will have to get the verbiage correct at the office regarding the 2 lots being considered as 1 contiguous lot for future purposes. He will get a document for Mike Dullinger to sign regarding this.

At the September Planning Commission meeting the permit was denied for Mike Dullinger.

Rusty Paggen made a motion to approve the site permit for Mike Dullinger to build an accessory building as long as his 2 lots are considered 1 contiguous lot as long as he stays under the 960 square feet, height requirements and setbacks. Jeff Blenkush seconded the motion. Motion carried.

The Mayor asked Mike if he needed anything else from the Council. He replied no. She apologized on behalf of the City for all of the confusion.

To finish the Planning Commission Report:

Rusty shared that the Commission was looking at the Developer's Agreement. Discussion took place on changing the insurance liability.

The next meeting is October 12, 2010. The Mayor will attend the meeting in Rusty's place. The Mayor stated it needed to be stressed the need for someone from the Planning Commission be at Council meetings.

The Mayor stated that it didn't look favorably on the City's behalf for a public hearing to not have representation from the Commission. The Mayor stated that she understood the Chairperson might not always be able to attend the meetings but that someone should appear to represent the committee.

The meeting returned to the Fire Department Report.

SHERIFF'S REPORT: Nothing.

HEALTH COMMITTEE: Nothing.

UNFINISHED BUSINESS: Randy Sabart contacted the Mayor regarding the condition of the seeding. Upon inspection, the Mayor and City Clerk walked the perimeter of the parking lot and thought it looked awful. Huls reported that it is very uneven and is hard to mow. The Mayor was going to report this to Randy.

NEW BUSINESS: The Mayor discussed the City Clerk attending the Planning Commission meetings. The City Clerk preps things for the meeting and keeps in contact with the Chair via e-mail or can be reached via phone. Tom Vouk said there'd be more use for the City Clerk to be there if developing was taking place. Roger Trobec asked if maybe the City Clerk could attend as needed. The Council agreed.

Election Judges: Same group from the Primary. Rusty Paggen made a motion to approve the Election Judges for the general Election. Jeff Blenkush seconded the motion. Motion carried.

Lions Club Sign: Rusty Paggen shared that the Lions Club had approached Rusty about leasing property from him for a digital sign. It will be controlled by computer. Discussion took place and the Council seemed to think it was a good

idea. Discussion took place on who would have to apply for the site permit. The City Clerk will check with the City Attorney.

The Holiday Get-together will take place on Saturday, December 11th from 11:30-2:00 at City Hall with Mr. & Mrs. Claus and reindeer sleigh rides. It's not considered a City event per the City's Attorney. His recommendation was to put a letter together for City businesses requesting donations to help defer the cost.

The Park Board is putting on the Lighting Contest.

Ken Fournier shared that the City Wide Garage Sale was a success. Trobec's, Howie's, the Bank, Cornerstone Insurance & Salon and Conomart donated in order to cover the newspaper ad.

A City newsletter will be coming out in November.


The report from Buysse Roofing was reviewed. The total cost for the repairs needing to be done is \$1,866.00. A 10% discount will be given if all repairs are done. Jeff Blenkush made a motion to go ahead with the repairs. Roger Trobec seconded the motion. Motion carried.

The Mayor shared that a gentleman dropped off a brochure about the City having a drop off box in the City Hall parking lot. It's for United Cerebral Palsy and Triangle Recycling. Shoes and clothing are accepted along with pots and pans, cell phones and ink jet cartridges. The City is in favor of allowing the organization to put a drop off box in the City Hall parking lot.

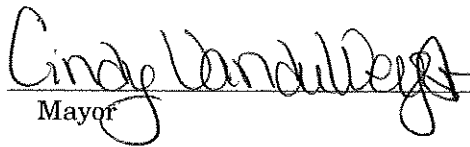
ADJOURNMENT: There being no further business, Tom Vouk made a motion to adjourn. Jeff Blenkush seconded the motion. Motion carried.

TIME: 10:30 p.m.

Respectfully submitted,



Cris M. Drais
City Clerk



Cindy Vandulberg
Mayor



St. Stephen City Council Agenda – November 3, 2010

Call To Order: 7:00 p.m.

Pledge of Allegiance

Approval of Minutes from Special Meeting

Reading of Claims

Reading of Receipts

Treasurer's Report

Petitions, Requests and Communications

St. Stephen Fire & Rescue

Reports of Committees & Board:

Road & Bridge

Park Board

Planning Commission

Sheriff's Report

Contract for 2011

Health Committee

Unfinished Business

New Business

Meeting Adjourned

2 6th Avenue SE
St. Stephen, MN
56375
320-251-0964

City Officials

Cindy VanderWeyst
Mayor

Jeff Blenkush
Council Member

Rusty Paggen
Council Member

Roger Trobec
Council Member

Tom Vouk
Council Member

Dolores Supan
Treasurer

Cris Drais
City Clerk
cris@drais.com

Website:
[www.
cityofststephen.com](http://www.cityofststephen.com)

MINUTES

ST. STEPHEN CITY COUNCIL

November 3, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Draais – City Clerk

ABSENT: None.

MINUTES OF THE September 20, 2010 Special Meeting: The September 20, 2010, Special Meeting minutes were reviewed. Jeff Blenkush made a motion to approve the minutes from the September meeting. Tom Vouk seconded the motion. Motion carried. The October minutes will be reviewed at the December meeting.

READING OF THE BILLS: The Clerk presented the Claims totaling: \$42,037.21. Doug Legatt submitted his proposal for snow service. The proposal is for 2010-2015. Jeff Blenkush made a motion to pay the Claims. Rusty Paggen seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer presented the Receipts for the month totaling: \$29,006.31. The City Clerk shared that she will confirm the process of recording the Fire Truck Fund payment. Payment #16 was to be made on October 13, 2010.

TREASURER'S REPORT:

Beginning Balance	\$180,304.31
Add: October Deposits (includes Oct. interest \$33.42)	\$ 29,006.31
Less: October Checks	\$ 36,313.93
New Checkbook Balance	\$172,996.69

Dolores Supan shared that when she went to transfer the CD at Falcon Bank to the Business Savings Account, the interest rate had dropped to 1.15%. The CD interest rate was 1.30%. A CD at First State Bank of St. Joseph would be at a 1.29% interest rate. Dolores left the CD as is.

Tom Vouk made a motion to accept the Treasurer's report. Jeff Blenkush seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS: None at this time.

FIRE DEPARTMENT: Fire Chief Jeff Draais stated that they had 12 calls. Most of the calls were power line related. The Critical Incident Stress Debriefing Team came out to meet with the firefighters after the fatality on October 22. Training is taking place at the Highway Safety Training Center. #12 is being used for the training. Roger Trobec asked if St. Stephen trucks were being used. Jeff said Truck 10 was on site and that the surrounding areas were notified that in the event of a structure fire, St. Stephen would immediately call Mutual Aid. Jeff said that #12 is going in for a repair and a recall that was received. Jeff stated that the grant for the generator was denied. Jeff said there is a way to see why the grant application was denied. He will report back to the Council. Jeff reported that he attended the Fire Chief's Convention and learned a lot.

Tom Vouk asked a question regarding the FD minutes from October 4, 2010. He read, "After consulting with Stearns County dispatch Chief Jeff Draais said that if the County requests we respond "routine" that we should respond without lights and sirens." What is that all about? Fire Chief Jeff Draais stated that when the County dispatches to SSFD that they should go "routine", there is some reason County believes it's not a real emergency to run the lights and sirens when going out to the call. There may be a cop/sheriff there already or the caller has given dispatch indication of something that the FD doesn't need to run lights and sirens when responding. For example, SSFD can be called for a lift assist: someone has fallen and needs help getting up. The FD might not run lights and sirens on the way to the location.

Tom Vouk asked if the FD thinks we should proceed with getting the generator that's at City Hall hooked up. Jeff said he thinks the City should wait to see what the reason was for the grant being denied. If it was a procedural issue, maybe the grant could be applied for the in the new year.

Gene Skaj, Relief Association CEO gave Dolores a check for \$1,000 for the Equipment Fund. Gene stated that the by-laws need to be redone per legislative changes in 2010.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge: Jerome Supan reported that the blacktop is breaking up on ½ Street by the Parish Hall. Jerome said the section is about 2 feet wide by 14+ feet long. Discussion took place on what to do. Tom Vouk stated the loose stuff could come out and put some Class 2 in at this time. Jeff Blenkush agreed to get the chunks out to avoid damage to the plow truck.

Rusty Paggen made a motion to have Joe Paggen repair ½ Street by removing the loose pieces of blacktop and putting down Class 2. Jeff Blenkush seconded the motion. Motion carried.

6th Avenue SE: Jerome stated that where the City limit meets with the township limits there is a large dip on the Brockway side of the road. Should the City contact Brockway Township about it? Discussion took place on the issue. Since the dip is on the township's side, the City isn't responsible for any repairs. Perry Nistler, Planning Commission Chair, was in attendance and works with Brad from Brockway Township. He will inform him of the condition of the road and update the Council at the December meeting.

Jerome reported that the City streets were bladed November 3, 2010.

Jerome asked if the City would like quotes from Burski for winter assistance if needed. The Council agreed to have quotes provided for the December meeting.

Jerome will confirm with Bob Hlebain that he's available for snow removal assistance again this winter season if needed.

Jerome also reported that the culvert was installed on 12th Avenue NE.

The Mayor asked Jerome if the mailboxes have been moved in Smoley Addition. Jerome stated he didn't know. Perry Nistler reported he thought most of the mailboxes have been moved. Perry said that the letter stated the mailboxes needed to be moved or mail wouldn't be delivered so people moved them.

Park Board: The Mayor reported that the Haunted Maze on 10/30 was a success. Over 100 people attended. There was no entrance fee. 132 pounds of food were collected for the St. Stephen Food Shelf and \$53 cash was received. A lot of students from Religious Ed. helped in order to receive community service hours. The event will take place again next year.

Planning Commission: Perry Nistler reported that in November the Comprehensive Plan Book review was started. Perry reported that someone came to the Planning Commission for approval on an accessory shed. It was approved. Perry is working with the Planning Commission on a checklist for a site application. It will be brought to the Council in December.

Ben Supan stated that at the last Planning Commission meeting it was brought to his attention that he signed a permit for a garage that wasn't brought the PC. Ben stated that John Dockendorf met all of the requirements and so the application didn't need to be brought to the Planning Commission.

Roger Trobec stated that he'd like the Planning Commission minutes corrected regarding Mike Dullinger. Roger stated that Mike said he was not told to come the Planning Commission meeting. Perry Nistler and Ben Supan stated that Mike was asked to come to the Planning meeting. Roger stated that he'd called Ben and told him that Mike's land was the building site and that Ben stated Mike could come in and get his permit. Perry stated that he didn't know Mike was at City Hall the night of the September PC meeting. Roger stated that what's in the PC minutes is a lie. Roger stated that if he'd been told to have Mike come to the PC meeting he would've told Mike to do so. Roger stated he wasn't told to send Mike to the PC meeting. Ben stated that Mike had told him if he (Mike) added on to the garage he had, he'd be too close to the other lot if he wanted to sell it. Ben stated that now Mike was referring to the land as

having 2 properties. Ben stated he told Mike to come to the PC meeting in order to make sure the dimensions were correct for his building and decide at the meeting on the permit. Perry stated that this is a reason the PC is working on a checklist for residents to go through when applying for a site permit so everyone is aware of the steps taken and what left to do. Perry stated that Ben saw the lot and (building) size discrepancy and this is the reason Mike was asked to come to the PC meeting. Roger stated that his conversation with Ben should not have been in the PC minutes because it's not what happened. Perry stated that Cris (Drais) reported that Roger Trobec had told Mike to come in for his permit. Roger stated that this was based on Roger's conversation with Ben. The Mayor stated that what is in the Planning Commission's minutes is what was discussed at their meeting and what Roger feels is correct is in the City Council's minutes. The Mayor stated that what Ben discussed is in the PC minutes. The Mayor stated that there is a huge disagreement and that this is the reason a check list will be done when a site application is being applied for and the checklist will be brought to the Council for approval before it starts being used. The Mayor said she'd like the checklist by the December meeting.

The Mayor asked that when appointments are looked at, the same person has been in it for a few years. How is that person chosen? Is the person appointed? The Mayor stated that she thought maybe a person should have to submit a letter of intent stating their qualifications. Ben Supan stated that he's always been asked if he wants to be site inspector. Rusty Paggen stated that he's talked with Jim Schumer regarding his Emergency Management Coordinator and he has done the position, but if someone else wanted to step in Jim would be fine with that. Jeff Blenkush asked if the site inspector should be recommended from the Planning Commission to the City Council. The Mayor stated that she thinks it's respectful if a person is asked vs. assuming they will do the position. Discussion took place regarding this. Roger Trobec stated that it should be on the appointment list in January. The person should be contacted before the January meeting. Discussion took place on having people sign a letter of intent for the position.

There are 2 terms that are up at the end of the year. The Chair and Deputy Chair review the applications. An ad will be put in the City newsletter advertising for 2 positions along with a legal ad for the Newsleader.

Roger Trobec asked if the City received the language from the attorney regarding Mike Dullinger's land. The Mayor received the letter from the attorney but it is incorrect. Mike is putting off the project until next year due to winter coming. At that time he'll start the process over again.

SHERIFF'S REPORT: The Sheriff's Contract for 2011 was received. The quoted cost wasn't increased from the 2010 contract (\$45/hour). The City Clerk noted that the only change was a quarterly payment system vs. paying 2 times a year. Rusty Paggen made a motion to enter in to the new contract with the Stearns County Sheriff's Department for 2011 at a rate of \$18,720. Roger Trobec seconded the motion. Motion carried.

HEALTH COMMITTEE: Nothing.

UNFINISHED BUSINESS:

Rusty Paggen's Liquor License: The Sheriff's report was received and all is fine. Jeff Blenkush made a motion to approve 4 liquor licenses for Rusty's Inc. Tom Vouk seconded the motion. Motion carried.

Rusty asked that when the license comes back from the state that it's prorated as it'll have to be renewed in June with the others licenses in town. Roger Trobec made a motion that the 4 liquor licenses for Rusty's Inc. be prorated to June 30, 2011. Jeff Blenkush seconded the motion. Motion carried.

Rusty also asked that now that there will be 3 establishments in town applying for liquor licenses and that the Sheriff's rate isn't going up that maybe the City would consider lowering the prices of the licenses.

The Mayor shared that the City would like to put out a newsletter. Does anyone have something to add? The Mayor listed the items being included in the newsletter.

The Mayor reminded those at the meeting of the Holiday event on December 11th. Flyers will be prepared to hand out around town.

Roger Trobec talked with Bob Hlebain about putting up lights after Thanksgiving and Bob was concerned about insurance coverage for people helping. The City has a Volunteer Insurance policy. Decorating will take place the Saturday after Thanksgiving at 9:00 a.m., November 27th. Bob has received a copy of the City's policy.

The Mayor stated that she received a message from the company working on the utility poles on 6th Avenue SE and the new poles are 5 feet taller. As a result, the plug-ins for the decorations will be higher. The Mayor stated that she will pick up the wire needed and the company will provide free installation so it will be in the area needed for decorating.

The Mayor reminded the Council that discussion had taken place regarding the Deputy Clerk position and that it was going to be addressed at the December meeting when looking over the City's budget. The council members shared that they thought it was a good idea to have someone available for assistance.

NEW BUSINESS:

The City Clerk shared the General Election results from the print-out at City Hall. The information doesn't include absentee ballots. The final results from the County will be received by Thursday or Friday. The Council will meet on Monday, November 8, 2010, at 6:30 p.m. to canvass the election. The City Clerk reported:

499 persons were registered for the election at 7:00 a.m.

30 new registrants on election days

523 certified ballots were received

4 spoiled ballots

163 unused ballots

167 returned ballots

356 signatures in the roster book

356 voted ballots returned

523 ballots returned total

13 absent ballots recorded in the roster book

City Council (Vote for 2):

Rusty Paggen – 191 votes

Danita Traut – 191 votes

Ken Fournier – 152 votes

James J. Dahl – 83 votes

Write In Votes – 6 votes

Under Votes – 89 votes

Total Votes - 712

School Board (Vote for 3):

Bill Van Koevering – 95 votes

Kurt Stelten – 114 votes

Dan Goetz – 123 votes

Mary McCabe – 119 votes

Dan Riordan – 143 votes

Julie Zepfer Anderson - 148 votes

Write In Votes – 1 vote

Under Votes – 323 votes

Total Votes – 1,065

Tom Vouk asked for clarification on an under vote. An under vote would be when you have 2 candidates to vote for and voted for only 1 or don't vote in that particular race.

The City Clerk reported that a voter was at the door at 7:00 a.m. and a voter was present at 8:00 p.m. when the polls closed.

The Mayor wanted to schedule the Holiday Gathering for the City Council, Park Board members, Planning Commission members, Fire Department, and City Workers. December 15, 2010 from 6:30-8:30 was decided.

A bid from Nelson Painting was submitted to the Council. The bid was for painting the 3 offices with the furniture/bulletin boards moved for painting. The total cost would be \$695. Cindy VanderWeyst made a motion to get Nelson Painting to paint the 3 City Hall offices at a cost of \$695. Roger Trobec seconded the motion. Motion carried.

The Mayor stated that an ad needs to be placed for a Recorder as Danita Traut will be serving on the Council.

Rusty Paggen shared that the footings were going to be put in for the Lions Club sign within the next week.

ADJOURNMENT: There being no further business, Jeff Blenkush made a motion to adjourn. Rusty Paggen seconded the motion. Motion carried.

TIME: 8:46 p.m.

Respectfully submitted,

Cris M. Drais
City Clerk

Cindy Vandeweyer
Mayor



St. Stephen City Council Agenda – December 1, 2010

Call To Order: 7:00 p.m.

Pledge of Allegiance

Approval of Minutes from October & November

Reading of Claims

Reading of Receipts

Treasurer's Report

Truth in Taxation Hearing: 7:30 p.m.

Petitions, Requests and Communications

*Benton Telephone Tower Application

St. Stephen Fire & Rescue

Reports of Committees & Board:

Road & Bridge

*Road Overseer's Stipend for 12th Avenue NE Work

Park Board

Planning Commission

Sheriff's Report

Health Committee

Unfinished Business

New Business

Meeting Adjourned

2 6th Avenue SE
St. Stephen, MN
56375
320-251-0964

City Officials

Cindy VanderWeyst
Mayor

Jeff Blenkush
Council Member

Rusty Paggen
Council Member

Roger Trobec
Council Member

Tom Vouk
Council Member

Dolores Supan
Treasurer

Cris Drais
City Clerk
cris@drais.com

Website:
www.
cityofststephen.com

MINUTES
ST. STEPHEN CITY COUNCIL
December 1, 2010 – 7:00 P.M.

CALL TO ORDER: 7:00 P. M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Cindy VanderWeyst – Mayor, Jeff Blenkush, Rusty Paggen, Roger Trobec, Tom Vouk – Council, Dolores Supan – Treasurer, Cris Drais – City Clerk

ABSENT: None.

Council Member Recognition: Mayor VanderWeyst recognized retiring council member Roger Trobec. She thanked him for all he has done for the City during his 28 years of service. The Mayor wished Roger well in his retirement.

MINUTES OF THE OCTOBER & NOVEMBER MEETINGS: The October Meeting minutes were reviewed. Jeff Blenkush made a motion to approve the minutes from the October meeting. Rusty Paggen seconded the motion. Motion carried. The November Meeting minutes were reviewed. Jeff Blenkush made a motion to approve the minutes from the November meeting. Rusty Paggen seconded the motion. Motion carried.

READING OF THE BILLS: The Clerk asked for clarification of how to pay Jerome Supan, Road Overseer, for his time & mileage during the 12th Avenue NE Project. Jerome put in 3 ½ hours on the project. Discussion took place on above and beyond regular work as Road Overseer. Tom Vouk made a motion to pay Jerome Supan \$10/hour + mileage for the 12th Avenue NE Project. Rusty Paggen seconded the motion. Motion carried. Jeff Blenkush made a motion to add \$10/hour for the Road Overseer for work above and beyond the regular monthly stipend to be added to the salary schedule. Tom Vouk seconded the motion. Motion carried. Keith Posch submitted 3 ½ hours of service for plowing that were done with his own truck at City Hall and in the City cul-de-sacs. Jerome Supan shared that he had talked with Keith regarding these plowings. Discussion took place on the pay and Keith making sure he's talked with someone from the City if he is going to plow with his personal vehicle. If Keith were to continue plowing for the City, a contract should be drawn up so that the pay is spelled out. But Keith would also have to present the City with insurance coverage. Rusty Paggen made a motion to pay Keith Posch \$75/hour for using his own vehicle for plowing. Roger Trobec seconded the motion. Motion carried. The Clerk presented the Claims totaling approximately: \$19,508.73. A Claims list will be prepared for the Council when they are complete. Jeff Blenkush made a motion to pay the Claims. Tom Vouk seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer presented the Receipts for the month totaling: \$12,978.39. The Ag & Real Estate Credit is something the City receives annually.

TREASURER'S REPORT:

Beginning Balance	\$172,996.69
Add: November Deposits (incl. Nov. checking interest \$27.62)	\$ 12,978.39
Less: November Checks	\$ 42,037.21
New Checkbook Balance	\$143,937.87

Dolores Supan reported that there have been no changes in the CDs.

Jeff Blenkush made a motion to accept the Treasurer's report. Rusty Paggen seconded the motion. Motion carried.

PETITIONS, REQUESTS, AND COMMUNICATIONS:

Benton Telephone Tower Application: Albert Kangas, representative, stated that Benton Telephone is proposing to install a 195' self support tower for the purpose of providing wireless voice and data services to the community. The proposed location of the tower would be in the corner of Benedict and Alice Supan's property directly behind the City's garage. The Mayor asked why the tower style is changing from the style originally brought before the City Council. Albert stated that the height is specific to the design of the tower. Benton Telephone is proposing a tower similar to the one currently located on Townline Road. The Mayor asked what led to the change in the design. Albert stated that the proposed tower can handle more of a load of carriers. A monopole is harder to upgrade. Albert stated

that there'd be a 60'x60' compound with an 8' chain link fence around it. The compound would have a swing gate with a pad lock. Usually there are 3 strands of barb-wire at the top of the fence. Benton Phone Company of Rice would provide cell phone service off of the tower. The tower has the ability to accommodate other companies. Benton Telephone would like to have other carriers on the tower in the future. Jerome Supan asked the following: if the other towers in the area were looked at for providing their service and Albert stated that the other towers were looked at but the strength of the coverage wasn't what the company desired. Was any other part of the proposed property looked at for a tower? If another part of the property was looked at, would the elevation be that much different? The representative wasn't sure. Jerome stated that if the City wanted to expand City Hall or the Fire Department, they could only expand to the East. A tower would restrict that. How would the tower be accessed? Access would be from County Road 5. It would be approximately 155' from the road to the tower. The access road would run along the property line between the City and the owner. The property would be leased from the landowner. It was asked, how far would the compound be from the property line between the land owner and the City's property? The fence part of the compound would be 10' from the property line. Expansion would be between the City and the property owner. Who is building the tower? That is done through a bid process. Would the tower hit the City Hall if it went down in a storm? Albert stated that the tower would actually buckle about 2/3 of the way up vs. fall over. It would never hit the ground.

The Council was asked for their thoughts on the tower proposal. Jeff Blenkush: The look of the mono-pole is more aesthetically pleasing. Not opposed to a tower in town. Rusty Paggen: Agree to liking the look of the 1st proposed tower better. The City can't dictate what a property owner does with their land. The location of the tower being behind the City garage restricting City Hall/Fire Department expansion isn't reason to deny an application. Not against it. Location isn't that bad of a location. Tom Vouk: Jerome brings up a good point about expansion but Rusty is right in that even if the City wants to expand, the owner might not want to sell to the City either. Rather it'd be in this area vs. next to the Church. Roger Trobec: Looked around at towers in the St. Cloud area. Agrees that the look of the mono-pole is better. Asked if the style is set in stone. The representative couldn't say. The reason for the change is the cost effectiveness.

Discussion took place on how the land is zoned. It is zone R-1. The Mayor asked if the application should be sent to the Planning Commission. The Council agreed that the application should go to the Planning Commission for their review. The Mayor asked if Benton is looking at a timeline. The representative said that it takes approximately 120 days to file papers. Possibly to begin in the spring.

7:52 Regular Meeting closed to being the Truth in Taxation Meeting

The Mayor asked if anyone had questions or comments about the 2011 Proposed Budget. Jerome Supan asked if the City was indeed receiving the Local Government Aid. The Mayor stated that the City received documented notification at the end of July for the amount the City would be receiving. Roger Trobec shared that he'd heard a story was going around town that the City didn't receive the LGA and the City did. Cities of less than 1,000 did receive the amount promised. Cities over 1,000 did see cuts. LeRoy Supan asked how the budget compared to 2010. The Mayor stated that the ending balance is the same as 2010 and 2009. Jerome Supan asked how his taxes can be going up. Roger Trobec stated that it could be from a change in classification. Also, taxation on farm land went up. That could be the issue.

There being no further questions from the public, Tom Vouk made a motion to close the Public Hearing on the Truth in Taxation Meeting. Roger Trobec seconded the motion. Motion carried.

The Mayor asked if the Council needed to go through the proposed budget line by line. Had it been reviewed enough during the August meeting? No comment.

Roger Trobec made a motion to approve the 2011 proposed budget as printed for a total of \$225,557.00. Jeff Blenkush seconded the motion.

Jeff Blenkush – Yes, Rusty Paggen – No, Cindy VanderWeyst – Yes, Tom Vouk – Yes, Roger Trobec – Yes. Yes – 4 and No – 1. Motion carried.

FIRE DEPARTMENT: Assistant Chief Aaron Rudolph reported that there were 11 calls in the month of November. Calls for the year to date are: 73. December training will be Rapid Intervention Training (RIT). A trailer will be used from St. Cloud Technical College. This is paid for by a grant. Driving training at the Highway Safety Center went well; the members liked being able to drive the large trucks in various situations including lights and sirens in a controlled environment. Fire Chief Jeff Draais found out that the grant for the generator wasn't approved because it wasn't considered a high priority. Aaron made a request to have the East side of the building sanded as it's very icy and could be dangerous when the fire fighters are coming in for a call. Tom Vouk asked if the FD had talked at all about the other generator being hooked up. Since the Fire Chief just found out the results of the grant denial, the FD hadn't discussed the topic yet. LeRoy Supan asked if the bay doors could be released manually in the event the power went out. They can be. Steve Trobec reported that the 1st reading of the by-law changes will be read at the December FD Business meeting.

REPORTS OF BOARDS AND COMMITTEES:

Road and Bridge: Jerome Supan reported that ½ Street by the Parish Hall was repaired. The brush on 9th Avenue NW was removed. Jerome asked if the trees that went down in the August storm should be removed by the City. Discussion took place on what to do with the trees which turned in to discussing acquiring the road right of way from the property owner. Jerome will go to the courthouse to look in to the abstracts of the property. Tom Vouk also suggested checking with the township. Jerome will give an update at the January meeting of what information was found relating to 9th Avenue NW.

To date, the City Clerk hasn't received a response from Mitch Anderson, County Engineer, regarding the request for a crosswalk on County Road 2 in front of the Church of St. Stephen.

Snowplow Service: Jerome asked if JR Ferche can be called in case of emergency during snow plowing. Yes. A contact number will be given to Joe, Keith & Cris. The Mayor asked if it's possible for the plow truck to get out early before people have to begin commuting to work and the buses need to run their routes. Discussion took place on the pros and cons. Discussion took place on having one person be the "lead" plow guy. Joe Gordon suggested Keith Posch be the "lead" plow guy and he (Joe) will be back up.

Jerome asked about the dip on Townline Road. It isn't within the City limits. Perry Nistler reported that he talked to the Engineer of the project and it's being looked in to.

It was confirmed with Keith Posch that he doesn't use his own truck without talking with someone from the City for snow removal.

Park Board: Edith Gerads requested approval of member Ken Fournier for the Park Board. The Park Board would like to have the lighting contest winner's checks prepared shortly after the judging is done. Roger Trobec made a motion that the City donate \$100 to the lighting contest. Rusty Paggen seconded the motion. Motion carried. The results of the Haunted Maze were submitted to the Newsleader.

Before a motion was made to put Ken Fournier on the Park Board, Rusty Paggen started a discussion about Ken's resignation from the Park Board the last time for those on the Council who weren't on the Council back then. Rusty stated that he remembered Ken stating that he wasn't happy with the City. Roger Trobec stated that Ken Fournier resigned as the Chairperson of the Park Board. James Dahl, Mayor at the time, removed Ken from the Park Board. From that, the ordinance was changed that all Park Board appointees need to be approved by the Mayor. Mayor VanderWeyst made a motion to approve Ken Fournier as a Park Board member. Roger Trobec seconded the motion.

Jeff Blenkush – Yes, Rusty Paggen – No, Cindy VanderWeyst – Yes, Tom Vouk – Yes, Roger Trobec – Yes. Yes – 4 and No – 1. Motion carried.

LeRoy Supan shared that he started the ice rink. LeRoy notified Doug Legatt that the rink has been started.

Roger Trobec made a motion that Dolores Supan write the checks in the amounts of the donations that come in for the lighting contest. Jeff Blenkush seconded the motion. Motion carried.

Planning Commission: Perry Nistler shared that at the November meeting, a check list was discussed for the Site Permit process. A proposed driveway change was brought to the Planning Commission. A joint meeting with Brockway Township is being discussed again. The Mayor shared that Benton Telephone will be attending the December Planning Commission Meeting with a conditional use permit application for a communication tower. The Mayor shared that the City Attorney prepared a Variance Application as the City's never had one before.

SHERIFF'S REPORT: Nothing.

HEALTH COMMITTEE: Nothing.

UNFINISHED BUSINESS: The Mayor extended a Thank You to those who put the Christmas lights up around town. The lights on 6th Avenue SE aren't lit yet as the transfer of power hasn't been completed yet. Roger Trobec thanked those who helped with putting the lights up: Steve Trobec, Jerome Supan, Bob Hlebain, Paul Trobec, Larry Trobec, Tom Vouk and Scott Vouk.

Deputy Clerk & Recorder: The Mayor asked if ads should be run for those positions. Discussion took place on what requirements should be required of the Deputy Clerk. Pay? Hours? \$15/hour. 20 hours/month. \$3,600 for the year. \$4,800 was budgeted for the position. The previous ad will be used. Discussion took place on the hours being an approximate number.

NEW BUSINESS:

An agreement has been drawn up for the Road Overseer, Site Inspector and Emergency Management Coordinator to sign. Where applicable, the agreement states the stipend of the position. The agreement states that if the person in position is unable to continue in the position that the City is given 30 days notice.

The City's Holiday Party will take place on Wednesday, December 15th from 6:30-8:30 p.m.

The Clerk shared an e-mail she received from a former resident who is enlisted and stated that while it's nice that the City displays a flag, the flag is lit incorrectly. From the road, the flag isn't lit well. It's actually back lit. The Clerk contacted Avon Electric. Brad from Avon Electric came and looked at the set up. A new fixture can be put where the current fixture is. That still would only light the back of the flag. The correct way to light the flag is through ground lighting. To replace the City Hall fixture would cost between \$350-400. Uplighting would cost between \$1200-1400 for 2 fixtures.

Discussion took place on ways of lighting the flag. The Clerk will contact Van's Flags to see if they have any recommendations on lighting the flag. Any work done would be a spring project.

ADJOURNMENT: There being no further business, Roger Trobec made a motion to adjourn. Jeff Blenkush seconded the motion. Motion carried.

TIME: 9:37 p.m.

Respectfully submitted,

Cris M. Drais

City Clerk

Cindy Vandeweyer

Mayor