

St. Stephen City Council Agenda – September 4, 2019

Call To Order: 6:30 PM

Pledge of Allegiance

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

City Officials

Jeff Blenkush
Mayor

Gene Skaj
Council Member

Danita Traut
Council Member

Steve Trobec
Council Member

Tom Vouk
Council Member

Dolores Supan
Treasurer

Cris Drais
City Clerk
[crisdrais@
midconetwork.com](mailto:crisdrais@midconetwork.com)

Website:
cityofststephen.com

Approval of Agenda

Approval of August Council Meeting, 6th Ave SE Open House & Budget
Planning Minutes

Reading of Claims

Reading of Receipts

Treasurer's Report

Petitions, Requests and Communication

Jerry Hettwer ~ Knights of Columbus BINGO Gambling Permit

Laure Fuerstenberg ~ Rezoning Request

St. Stephen Fire & Rescue

Emergency Management

Utility Easement for Generator

7 PM: Pool Ordinance Verbiage Public Hearing

Reports

Road & Bridge

Planning Commission

Continued on Back

Sheriff's Report, Lieutenant Kellan Hemmesch

Health Committee

Unfinished Business

City Hall Rental ~ Table to October

New Business

Garrett Hansen, Cornerstone Insurance ~ Insurance Renewal

6th Ave SE Appraisals

Miscellaneous Announcements

Sartell-St. Stephen Levy Presentation, St. Stephen City Hall: October 2nd @ 5:30 PM

Newsleaders Publication for 2019: Sept 6 & 20, Oct 4 & 18,
Nov 1, 15 & 29 and Dec 13 & 27

Meeting Adjourned

This agenda has been prepared to provide information regarding an upcoming meeting of the St. Stephen City Council. This document does not claim to be complete and is subject to change at any time.



MINUTES
ST. STEPHEN CITY COUNCIL
SEPTEMBER 4, 2019

CALL TO ORDER: 6:30 P.M. PLEDGE OF ALLEGIANCE: All together.

MEMBERS PRESENT: Jeff Blenkush – Mayor, Gene Skaj, Danita Traut, Steve Trobec and Thomas J. Vouk – Council, Dolores Supan-Treasurer and Cris Drais-City Clerk.

ABSENT: None.

APPROVAL OF AGENDA: The agenda for the September meeting was reviewed. Two items are to be added. Under Petitions: Tom Schmidt, Liquor License Request Discussion. Under Unfinished Business: Old Generator. Gene Skaj made a motion to approve the agenda with the addition. Danita Traut seconded the motion. Motion carried.

MINUTES OF THE AUGUST COUNCIL, 6TH AVE SE OPEN HOUSE & BUDGET PLANNING MEETINGS: The minutes of the August Council Meeting were reviewed. Steve Trobec made a motion to approve the minutes. Danita Traut seconded the motion. Motion carried. The minutes of the 6th Ave SE Open House Meeting were reviewed. Gene Skaj made a motion to approve the minutes. Tom Vouk seconded the minutes. Minutes approved. The minutes of the Budget Planning Meeting were reviewed. Danita Traut made a motion to approve the minutes. Gene Skaj seconded the motion. Motion carried.

READING OF THE CLAIMS: The Clerk presented the Claims. The total to date is \$15,938.88. Steve Trobec made a motion to approve the Claims to date. Gene Skaj seconded the motion. Motion carried.

READING OF RECEIPTS: The Treasurer provided the Council with a Receipts Register. Receipts for the month total: \$5,060.94. Receipt 22963 for rental of City Hall shows a non-resident was charged the City resident rate. The renter stated that she was a resident, believing such, as they are parish members. The Clerk was asked to confirm the address of the renter.

Treasurer Supan provided a copy of the Statement of Receipts, Disbursements and Balances (Schedule 1) as of 8/31/2019. It shows totals/balances from 1/1/2019 to 8/31/2019.

TREASURER'S REPORT: For the Period: 8/1/2019-8/31/2019

Beginning Balance	\$1,197,380.68
Total Receipts	\$5,060.94
Total Disbursed	\$46,700.00
Ending Balance	\$1,155,571.62
Less Deposits in Transit	\$0.00
Plus Outstanding Checks	\$297.67
Total Per Bank Statement	\$1,155,869.29

The Treasurer also provided the Council a Disbursements Register for August 2019. Gene Skaj made a motion to approve the Treasurer's Report as presented. Steve Trobec seconded the motion. Motion carried.

PETITIONS, REQUESTS AND COMMUNICATIONS: **Jerry Hettwer, Knights of Columbus BINGO**

Gambling Permit: Jerry Hettwer, on behalf of the Knights of Columbus came before the City Council to request approval of a BINGO gambling permit for October 27, 2019. The application was complete and submitted with the \$100 investigation fee. As of the Council meeting, the Exempt Permit Financial Reporting Form for the last

event had not been received by the Clerk. The Clerk is in contact with CEO Dan Kurowski. Gene Skaj made a motion to approve a BINGO gambling permit for the Knights of Columbus for October 27, 2019 pending receipt of the last event's reporting form. Steve Trobec seconded the motion. Motion carried. **Laure Fuerstenberg ~ Rezoning Request:** Laure Fuerstenberg went before the Planning Commission to request rezoning her property from R1 (Single Family Residence) to RR1 (Rural Residential). The Planning Commission passed a motion recommending that the City Council approve Laure Fuerstenberg's request. Gene Skaj made a motion to hold a public hearing on October 2, 2019 at 7 PM to consider Laure Fuerstenberg's request to rezone her property from R1 to RR1. Steve Trobec seconded the motion. Motion carried. The information will have to be published on September 20, 2019 along with mailing residents within 350' of the property. **Tom Schmidt, Liquor License Request Discussion:** Tom Schmidt appeared before the City Council again regarding his request for approval of a liquor license. The plans were reviewed by Alcohol & Gambling and in reviewing the provided drawings and floor plan submitted on August 22, 2019 the off-sale space would be considered compliant and a recommendation of "approval" would be made, if constructed as proposed. As such, Tom requested the City approve his off-sale liquor license. In order to approve the license, Tom Schmidt's application for intoxicating liquor license would need to have a Sheriff's background check completed, a Certificate of Liability Insurance needs to be submitted, the Buyer's card needs to be submitted and the Off-Sale Liquor License Certificate needs to be submitted. Discussion took place regarding a liquor store being part of the allowed use of the property/correct zoning. Gene Skaj made a motion to approve the liquor license for Tom Schmidt to use at Schmidty's Store for Off-Sale Liquor contingent on the application passing the background check by the Stearns County Sheriff, an approved Buyer's card and state approval of the building done upon inspection by the Department of Public Safety. Steve Trobec seconded the motion. Council Member Tom Vouk asked how many liquor licenses are allowed within the City. Attorney Chris Nelson stated that there is no limit but that one person cannot hold two liquor licenses. Persons/entities are limited to one liquor license. Motion carried.

ST. STEPHEN FIRE & RESCUE: City Clerk Drais reported that there were 9 calls in August for a total of 67 calls in 2019. The September training will be fire attack: practicing rolling up to a fire, setting up and moving water. There are no anniversaries to recognize. Probationary fire fighter Peter Kroll will be taking a 6-month medical leave for health purposes. His time will not accrue but will be a break in service.

Relief Association: President Gene Skaj stated that the Relief Association's audit was done and that the 2% money that goes to the pension should be showing up as a deposit in October.

EMERGENCY MANAGEMENT: Attorney Chris Nelson prepared a utility easement with the Church of St. Stephen, which needs to be signed by Father Eugene Doyle. A copy was shared with City Council. The 6th Ave NE pole hasn't been replaced and no information is currently known about the status. The topic will be added to the October agenda. It's believed the sirens sounded for the 1st Wednesday of the month test. The Mutual Aid Agreement presented by Paul Ritter was discussed. Attorney Chris Nelson stated that it'd be a policy decision per the City Council. Chris Nelson will check on other cities agreeing to the new agreement. The Fire Chief needs to be a part of the discussion along with Emergency Manager Paul Ritter to learn their thoughts.

7:01 PM Pool Ordinance Verbiage Public Hearing: The following was read as the proposed ordinance change:

ORDINANCE 41: AN ORDINANCE AMENDING ZONING ORDINANCE 41.16, SUBD. 15 (attached)

The City Council of St. Stephen, Minnesota hereby ordains as follows:

Section 41.16, Subd. 15 is amended as follows: Subd. 15. Pools

All permanently installed pools must comply with all ordinance requirements with regards to setback requirements. Site permits under Ordinance 42 are required for all permanent pool installations. Temporary type pools, wading pools, etc., do not require a site permit, but must adhere to setback rules as defined in Ordinance 41. Fencing, safety equipment and construction will follow state statutes and rules.

This ordinance becomes effective from and after its passage and publication.

Mayor Blenkush explained the need for the change. The ordinance was never intended for temporary pools to need a site permit. Mayor Blenkush asked if anyone in attendance had a question regarding the proposed change. No response. Mayor Blenkush asked a second time if anyone in attendance had a question regarding the proposed change. No response. Mayor Blenkush asked a third time if anyone in attendance had a question regarding the proposed change. No response.

At 7:04 PM, Tom Vouk made a motion to close the public hearing. Gene Skaj seconded the motion. Motion carried. Mayor Blenkush asked if any Council members had any questions or comments regarding the proposed ordinance change. No response was received. Danita Traut made a motion to approve Ordinance 41: An Ordinance Amending Zoning Ordinance 41.16, Subd. 15 Pools. Tom Vouk seconded the motion. Motion carried.

The City Clerk read the Summary Publication:

CITY OF ST. STEPHEN: AN AMENDMENT TO ORDINANCE 41: ZONING: SUMMARY PUBLICATION (attached)

The City of St. Stephen has adopted an Amendment to the Ordinance 41: Zoning. The Amendment establishes that all permanently installed pools must comply with all ordinance requirements with regard to setback requirements and that site permits under Ordinance 42 are required for all permanent pool installations. Temporary type pools do not require site permits but must adhere to setback rules as defined in Ordinance 41 within the City of St. Stephen.

This publication is a summary of the Amendment to Ordinance 41. The full text of the amendment to Ordinance 41 is available for inspection by any person during regular office hours at the office of the St. Stephen City Clerk.

This Ordinance was adopted by the City Council of St. Stephen on September 4, 2019 and shall be effective upon publication.

Danita Traut made a motion to approve the Summary Publication, An Amendment to Ordinance 41: Zoning. Gene Skaj seconded the motion. Motion carried. The Clerk stated that the summary would be published on September 20, 2019.

REPORTS OF BOARDS AND COMMITTEES:

- 1. Road and Bridge:** Road Overseer Jerome Supan asked for confirmation on the culvert to be checked along 5th Ave SE. Council Member Vouk and the City Clerk believed it was the culvert near the little shelter needing to be checked for debris. It was reported that the culvert by the Parish Hall would be cleaned out now that the Festival is over. A pothole on 1st Ave SE will be fixed. Jerome Supan asked about putting up snow fence along 6th Ave SE. The location of the snow fence was briefly discussed, as the property owner would have to be asked, could the fencing be put along the right of way line and what would happen with snow was there when planting needed to be done.

SEH, Inc. Engineer Randy Sabart reviewed a schedule for 6th Ave SE with the Council. He was asked if the work was doable in the summer of 2020. Weather and the contractor would be the main factors in completing the project in the summer.

Attorney Chris Nelson stated that the 6th Ave SE Appraisal Order needed to be decided in order to be done by October 15, 2019. Attorney Nelson stated that two quotes were received. One quote was for 28 parcels at \$700/parcel equaling \$19,600. One quote was for 28 parcels at \$2,000/parcel equaling \$56,000. Upon approval of an appraisal service, letters would be sent to the property owners before the end of the week to notifying the property owners that appraisers would be coming out. Tom Vouk made a motion to approve Resolution 090419, A Resolution Authorizing Appraisal of Properties for

Right of Way Acquisitions for 6th Ave SE Improvement Project (attached). Gene Skaj seconded the motion. Motion carried.

SEH, Inc. Engineer Randy Sabart asked that the Council consider specific aspects of the construction plan. *First*, driveways slopes that are currently 4 to 1 being switched to 6 to 1 in the construction plan. The change would be an additional \$21,000 cost to the project from fill materials and culverts including every driveway. *Discussion*: What are the typical slopes? They are not uniform. *Comment*: go with 4 to 1 and have the property owner pay the difference if they want a 6 to 1 slope. How many driveways are included: 35-37 (Engineers were counting and trying to confirm on the spot). Preserving the trees could happen with a 4 to 1 slope. Concern with the additional cost was expressed. Does a 4 to 1 slope reduce safety? The state standard is a 4 to 1 slope. Mayor Blenkush asked each Council member their choice and all were in agreement of planning for a 4 to 1 slope.

Second, 9-ton vs 10-ton pavement design. There would be a cost difference of about \$33,000 in gravel. The current City limit is 9 ton. *Discussion*: Go with 9 ton if that's what is ordered in the LRIP grant. Go with 10 ton. Road Overseer Jerome Supan was asked his opinion and he said to go with a 10-ton design. It was stated that the signage could state a lower tonnage. 10 ton was stated again. 9 ton was stated if it is found in the feasibility report. Steve Trobec made a motion to go with a 9-ton design of 6th Ave SE. Danita Traut seconded the motion. Jeff Blenkush – Y, Gene Skaj – N, Danita Traut – Y, Steve Trobec – Y, Tom Vouk – N. Yes – 3, No – 2. Motion carried.

Third, pavement width. *Discussion*: Currently the pavement width design for 6th Ave SE is 11' lanes, 4' shoulders and 1' gravel on each end equaling 32'. For reference, the ordinance, LRIP grant and feasibility report had a width range of 30-32'. The LRIP grant says the lanes must be 11' with 4' shoulders. The shoulders must be paved. Typical lanes are 12' wide. SEH, Inc. Engineer Randy Sabart stated that an 11' wide lane would have an impact on speed (drivers wouldn't go as fast as on a 12' lane where they have additional room). The cost difference is not significant. Council members referenced 11' lanes and the feasibility report referencing 32' of black top. Gene Skaj made a motion to plan for a 32' paved width along 6th Ave SE with 11' lanes. Tom Vouk seconded the motion. Motion carried.

Future meeting dates were set for September 18th at 6:30 PM and October 16th at 6:30 PM. Both meetings will be posted at City Hall.

A seal crack-filling tour needs to be done within the City limits.

Final bank approval is needed regarding the 12th Ave NE right of way acquisition.

9th Ave NW needs to be surveyed. The estimated cost is \$11,700 for boundary and field work. The corridor needs to be surveyed. Tom Vouk made a motion to approve the order of a survey of 9th Ave NW. Steve Trobec seconded the motion. Motion carried.

- 2. Planning Commission:** Deputy Chair Person Perry Nistler was in attendance and reiterated the request for rezoning which has been set for a Public Hearing on October 2nd at 7 PM. Perry stated that at this time, a September meeting may not be held due to lack of business.

SHERIFF'S REPORT: Nothing at this time. Lieutenant Kellan Hemmesch had a fire call and forgot about the St. Stephen Council Meeting. He will attend the October Council Meeting.

HEALTH COMMITTEE: Nothing at this time.

UNFINISHED BUSINESS: City Hall Rental: Tabled for the October Council Meeting.

Old Generator: Tom Vouk stated that he hasn't gotten the generator started. The generator was discussed. Engineer Randy Sabart stated that he knew of a community that may possibly be interested in the generator.

NEW BUSINESS: Garrett Hansen, Cornerstone Insurance ~ Insurance Renewal: Garrett Hansen presented the insurance renewal with the Council. He reviewed an itemized list of buildings, contents and items in the open on the policy. The old generator is currently covered for liability. The City carries a bond at \$75,000 per required amount. The Workers Compensation renewal is also due. Tom Vouk made a motion to renew the Workers Compensation policy with the regular premium option selected. Gene Skaj seconded the motion. Danita Traut abstained. Motion carried.

6th Ave SE Appraisals: Resolution approved during the Road & Bridge Report portion of the meeting.

MISCELLANEOUS ANNOUNCEMENTS:

The Sartell-St. Stephen Levy Presentation at City Hall on October 2nd at 5:30 PM was listed on the agenda.

The 2019 Newsleader publication dates were listed on the agenda.

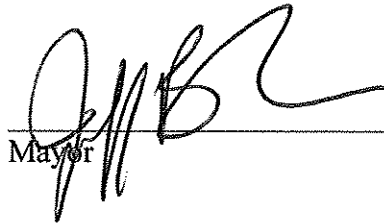
ADJOURNMENT: There being no further business, Gene Skaj made a motion to adjourn. Steve Trobec seconded the motion. Motion carried.

TIME: 8:38 PM

Respectfully submitted,



City Clerk



Mayor

ORDINANCE 41

AN ORDINANCE AMENDING ZONING ORDINANCE 41.16, SUBD. 15

The City Council of St. Stephen, Minnesota hereby ordains as follows:

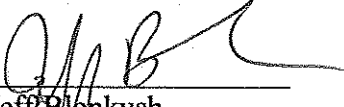
Section 41.16, Subd. 15 is amended as follows:

Subd. 15. Pools

All permanently installed pools must comply with all ordinance requirements with regards to setback requirements. Site permits under Ordinance 42 are required for all permanent pool installations. Temporary type pools, wading pools, etc, do not require a site permit, but must adhere to setback rules as defined in Ordinance 41. Fencing, safety equipment and construction will follow state statutes and rules.

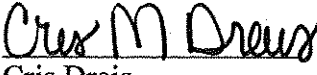
This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of St. Stephen, Minnesota this 4th day of September, 2019.



Jeff Blenkush,
Mayor

Attested:



Cris Drais,
City Clerk

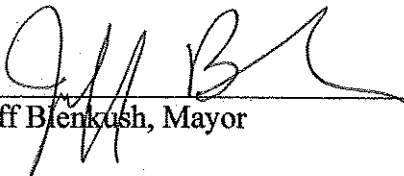
**CITY OF ST. STEPHEN
AN AMENDMENT TO ORDINANCE 41: ZONING**

SUMMARY PUBLICATION

The City of St. Stephen has adopted an Amendment to the Ordinance 41: Zoning. The Amendment establishes that all permanently installed pools must comply with all ordinance requirements with regard to setback requirements and that site permits under Ordinance 42 are required for all permanent pool installations. Temporary type pools do not require site permits but must adhere to setback rules as defined in Ordinance 41 within the City of St. Stephen.

This publication is a summary of the Amendment to Ordinance 41. The full text of the amendment to Ordinance 41 is available for inspection by any person during regular office hours at the office of the St. Stephen City Clerk.

This Ordinance was adopted by the City Council of St. Stephen on September 4, 2019 and shall be effective upon publication.


Jeff Bienkush, Mayor


Cris Drais, City Clerk

CITY OF ST. STEPHEN

RESOLUTION NO. 090419

A RESOLUTION AUTHORIZING APPRAISAL OF PROPERTIES FOR RIGHT OF WAY ACQUISITIONS FOR 6TH AVENUE SE IMPROVEMENT PROJECT

WHEREAS, the City of St. Stephen is making improvements to 6th Avenue SE in the City of St. Stephen;

WHEREAS, the City of St. Stephen must acquire right of way and easements over the properties adjacent to 6th Avenue SE as part of its improvement project;

WHEREAS, the City of St. Stephen must obtain appraisals for the properties proposed to be acquired pursuant to Minn. Stat. § 117.036;

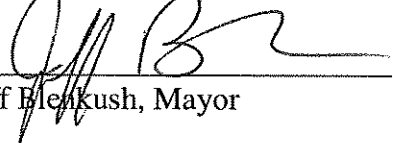
WHEREAS, the City of St. Stephen received a quote for appraisals of the properties to be acquired from a William Waytas of Nagell Appraisal, Inc. for \$700.00 per parcel, for a total cost of \$19,600.00;

WHEREAS, the City of St. Stephen determines that the amount quoted by Nagell Appraisal, Inc. for 6th Avenue SE Improvement project is appropriate and reasonable;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of St. Stephen, that:

1. The City Council selects Nagell Appraisal, Inc. to conduct the appraisal for the properties to be acquired for the 6th Avenue SE improvement project within the City;
2. The City Council authorizes up to \$20,000.00 to be spend on these appraisals; and,
3. The City Council authorizes the Mayor and City Clerk to enter and sign an engagement letter with Nagell Appraisals for the 6th Avenue SE appraisals.

CITY OF ST. STEPHEN

By: 
Jeff Blenkush, Mayor

Attest:

By: 
Cris Drais, City Clerk