

**MINUTES OF THE CITY COUNCIL  
ST. AUGUSTA, MINNESOTA  
August 6, 2013**

**CALL TO ORDER:** The meeting was called to order by Mayor Kroll at 7:00 PM with the Pledge of Allegiance.

**PRESENT:** Mayor Kroll; Council Members Schulzetenberg, Reinert and Zenzen; Engineer Halter; Building Inspector Hagman, Attorney Couri, Deputy Jon Lentz, and Clerk/Administrator McCabe. Council Member Diehl was absent.

**OTHERS PRESENT:** Jackie Rahe Blaze, Jenny Rahe, Dan Lanz, Maryh Lanz, Gary Renstrom, Jeanette Renstrom, Harlan Jopp, Peggy McStott Voigt, Bonnie Labuda, Duane Schuester, Dave LaVoi, Marti LaVoi, Marlene McStott, Marv Lommel, Rick Janski, Marlys Janski, Bob Janski, Daniel Janski and Jackie Harren.

**CONSENT AGENDA:** Item 3F, memorandum of understanding Stearns County Feedlot Issues was removed from the consent agenda. Mr. McCabe asked that we add an additional \$282 to the Envirotech bill, as he received a new invoice was received late this afternoon.

**A motion was made to approve the consent agenda items 3A – 3E, and 3G by Mr. Zenzen seconded by Mr. Reinert. Motion carried unanimously.**

The following items were approved with the consent agenda:

City Council Minutes, July 2, 2013.  
Bill Payable, Receipts and Treasurer's Report dated  
August 6, 2013 and for Checks #15446 - #15573 and a  
wire transfer.  
City Council Agenda, August 6, 2013.  
July Animal Report  
Gambling Permits, St. Mary Help of Christians  
2014-2015 Prosecution Contract

**SHERIFF'S REPORT:** Lt. Lentz was in attendance and presented the June report. He indicated 45 contract hours were spent and 14 citations were issued. Lt. Lentz reviewed the call types and answered questions from the Council.

**A motion was made to approve the report as presented by Mr. Reinert, seconded by Mr. Zenzen. Motion carried unanimously.**

**BUILDING INSPECTOR'S  
REPORT:**

Mr. Hagman presented the July building report indicating twenty two permits were issued, which is 21 less than we had at this time last year. There was discussion about amount versus last year.

**A motion was made to approve the building inspector's report as presented by Mr. Reinert, seconded by Mr. Zenzen. Motion carried unanimously.**

**OPEN FORUM:**

Harlan Jopp was in attendance and thanked the Council for allowing him the opportunity to serve the past 30 years and announced his retirement from serving as an election judge. Mayor Kroll and the other Council member thanked him for his service as an election judge, township clerk and City Administrator. Mr. Couri also thanked him for his service.

**BEAVER LAKE  
HOMEOWNERS  
ASSOCIATION:**

Members of the Beaver Lake Homeowner's Association were in attendance to discuss the old resort. Marlene McStott indicated the lake is one of the cleanest lakes around with a public access and indicated there is a mess at the resort that was flooded out in 1985. They would like to know what the City has done, what they are doing and are there any future plans. Mr. Couri asked about the structures and if they are under water. Assuming there is a safety hazard, the City can declare it hazardous and order it fixed and removed. Mr. McCabe said he had sent a letter to the property owner asking the owners intent. Jackie Rahe Blaze was in attendance and presented a brief history of the resort indicating it was flooded in 1983. She talked about assistance that was sought out indicated options were limited with working with state and county agencies. Ms. Blaze indicated her father doesn't have funding to remove the buildings but has done everything he could. She asked for a suggestion and even suggested he may donate the land to the Lake Association. Mr. Lavoie indicated the resort is now within the right-of-way because between the flood and now the road went from a County Road to a State Highway. Mayor Kroll suggested the owners allow the lot to go into forfeiture which may take an additional five to seven years. There was discussion about deeding it back to the State, County or possibly another governmental jurisdiction. Mr. Couri explained that it takes time before work will be done to clean up the site. Someone asked what the cost would be to clean up the site. Mr. Halter stated it may require a phase 2 environmental study prior to demolition and a quick guess is that would cost approximately \$5,000. Mr. Couri suggested there is a possibility to get a DNR grant to clean up the site, but it typically is a 50/50 cost split. Mr. Couri indicated the City has zoning enforcement within the shore land management area that would regulate the removal of the structures. He stressed the first step would be to make sure the structures are outside of the ordinary high water mark of the lake. Mr. Halter would like to check to see if the phase 2 environmental study needs to be done.

**MEMORANDUM OF  
UNDERSTANDING,  
STEARNS COUNTY  
FEEDLOT ISSUES:**

Mr. Couri explained he has no issue with the Council adoption the memorandum, but would suggest we modify the ordinance to match the memorandum. Mayor Kroll said this could affect the property owner's

timeline. Mr. Couri suggested we adopt, effective once the ordinance is amended. Mr. McCabe indicated the public hearing to amend the ordinance could be handled at the planning commission meeting on August 19.

**A motion was made to approve effective on the amendment of the City's feedlot ordinance by Mr. Reinert, seconded by Ms. Schulzetenberg. Motion carried unanimously.**

**McSTOTT LAND  
DISCUSSION:**

Mr. McCabe explained that Mrs. McStott would ultimately like to leave in her will land to her daughters. He stated he couldn't grant a subdivision because of the provision that the land doesn't have public road access. Mr. Couri, cited State Statute 462.358 that says if an agricultural parcel is split into properties that are 20 acres or larger and at least 500 feet wide, City Ordinance does not apply. Mr. Couri suggested that any ingress or egress easement be given the opportunity to require dedicated public access.

**ENGINEER'S  
REPORT:**

Mr. Halter presented Pay Request #1 for 230<sup>th</sup> Street. He indicated the project is essentially complete. He stated he has the final project numbers and indicated the total was slightly less than the contract bid, even after we added cost for extra wide shoulders.

**A motion was made to approve Pay Application #1 in the amount of #116,874.01 by Mr. Zenzen, seconded by Ms. Schulzetenberg. Motion carried unanimously.**

Mr. Halter indicated the final pay application will come forward in September.

**PARK BOARD  
RECOMMENDATION**

**PLAY STRUCTURE:** Mr. McCabe presented the system structure quotes. He explained their recommendation and suggested we table until we are sales tax exempt in the spring of the year.

**A motion was made to table until next year by Mr. Reinert, seconded by Mr. Zenzen. Motion carried unanimously.**

Mr. Zenzen stated the park staff is looking for a new push mower to do the ditch in Kiffmeyer Park. He wondered if we are mowing too much of the ditch with a push mower.

**A motion was made to spend up to \$700 on a decent push mower for the park by Mr. Zenzen, seconded by Mr. Reinert. Motion carried unanimously.**

Mayor Kroll indicated the irrigation system at Kiffmeyer Park Shelter appears to be slowing down. Mr. Zenzen suggested the screen may need to be replaced.

Ms. Schulzetenberg wondered about the damage deposit portion of our park contract was discussed at the park board. Mr. Couri indicated he would get the language to Mr. McCabe.

**MOWER QUOTE:** A quote was presented to replace the street department ditch mower. There was discussion about how often it is used and Mr. McCabe stated about 200 hours annually.

**A motion was made to approve the purchase of the mower by Ms. Schulzetenberg, seconded by Mr. Zenzen. Motion carried unanimously.**

### **CONSTRUCTION NOISE**

**ORDINANCE:** Mr. McCabe indicated the times were derived from surrounding communities. Mr. Couri suggested we remove the portion of section 3 relating to time commitments.

**A motion was made to adopt Ordinance #2013-05 as amended by Ms. Schulzetenberg, seconded by Mr. Zenzen. Motion carried unanimously.**

### **COUNCIL MEMBER**

**PURVIEW:** Mr. Zenzen indicated a resident has asked about Fairfield Road, indicating there hasn't been any work done in 20 years.

Mayor Kroll indicated he would like to purchase, as the emergency management official, an 800mghz radio. Mr. Reinert wondered if it is required for us to have one.

**A motion was made to approve the purchase by Mr. Reinert, seconded by Mr. Zenzen. Motion carried unanimously.**

Mayor Kroll indicated the pickle ball court is striped at Kiffmeyer Park.

### **CITY ADMINISTRATOR**

**REPORT:** Mr. McCabe indicated we received a \$500 grant for the fire department from Stearns Roundup.

Mr. McCabe presented the request from the Greater St. Cloud Development Corporation.

**A motion was made to deny their request by Mr. Zenzen, seconded by Mr. Reinert. Motion carried unanimously.**

Mr. McCabe reported that Jen Knox has sold her home and her last day will be August 7.

Mr. McCabe reported that he appealed the PERA decision but we are now responsible to put John Notch on the PERA. It was suggested that we terminate and rehire in the spring and Mr. McCabe stated that should put him back to seasonal status.

Mr. McCabe reported there were problems with the pump station and we are going to have to replace a flange for about \$1,200 to \$1,500.

Mr. McCabe reported he is working with the landowner on getting a permit to fill shore land and explained he has asked for better drawings and additional information.

Mayor Kroll asked if we have taken over the north water connection. Mr. Halter said we are using it, but it is a St. Cloud project.

**ADJOURNMENT: A motion was made to adjourn at 8:50 pm by Mr. Reinert seconded by Mr. Zenzen. Meeting Adjourned.**

Approved this \_\_\_\_\_ day of September, 2013.

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BJ Kroll, Mayor

Attest:

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William R. McCabe, Clerk/Administrator