

REGULAR MEETING
SAUK RAPIDS CITY COUNCIL
SAUK RAPIDS GOVERNMENT CENTER,
250 Summit Ave N.
Monday, June 10, 2024
6:00PM
MINUTES

1. Call to Order and Pledge of Allegiance

Acting Mayor Nick Sauer called the meeting to order at 6:00pm. Members present: Jason Ellering, Ellen Thronson, and Dottie Seamans. Members absent: Kurt Hunstiger.

2. Additions or Changes to the Agenda

NONE

3. Approve the Agenda

Motion: Moved by Councilperson Ellering and seconded by Councilperson Seamans to approve the agenda. Motion carried unanimously.

4. Approve Minutes

A. 5-13-2024 Regular City Council Meeting Minutes

Motion: Moved by Councilperson Thronson and seconded by Councilperson Ellering to approve the 5-13-2024 Regular City Council Meeting Minutes. Motion carried unanimously.

B. 6-3-2024 Special City Council Meeting Minutes

Motion: Moved by Councilperson Thronson and seconded by Councilperson Ellering to approve the 6-3-2024 Special City Council Meeting Minutes. Motion carried unanimously.

5. Receive and File

NONE

6. Mayor’s Communications

NONE

7. Audience Items/Visitors Total Time Limit 2 Minutes for Items NOT on the Agenda

NONE

8. Public Hearings

A. Applicant

City of Sauk Rapids

Purpose

To Consider an On-Sale Intoxicating License, Special Sunday License, and Off-Sale 3.2 Beer License, and Seasonal Outdoor Sales Within the City of Sauk Rapids for The License Year of July 1, 2024—June 30, 2025

1. Open Public Hearing

2. Close Public Hearing

Motion: Moved by Councilperson Ellering and seconded by Councilperson Thronson to close the public hearing. Motion carried unanimously.

3. Consider Action

Motion: Moved by Councilperson Thronson and seconded by Councilperson Ellering to approve the resolution for annual Intoxicating On-Sale, Intoxicating Special Sunday, 3.2 Beer Off-Sale Licenses, and Seasonal Outdoor Liquor Sales for the license period of July 1, 2024 through June 30, 2025. Motion carried unanimously.

9. Consent Agenda

A. Approve 2024 Plumbing and Mechanical Contractor Licenses

B. Approve Resolution Prohibiting Parking on Certain Areas of the North Side of 4th Street North Within the City of Sauk Rapids

C. Authorize SEH to Prepare Plans and Specifications for the 2025 CSAH 3 (Second Street North) Roundabout Pedestrian Crossing Safety Improvements Project

D. Approve Awarding the 2024 Overlay Improvements Project

E. Authorize SEH to Prepare Plans and Specifications for City Utility Work in Connection with the 2025 CSAH 1 and CSAH 29 Roundabout Project by Benton County

F. Approve Sending Police Department Staff to the Association of Minnesota Emergency Managers Fall Training Conference

G. Approve Three-Year Maintenance Agreement with Benton County

H. Approve the Replacement Purchase of Fire Truck Unit 7

Motion: Moved by Councilperson Ellering and seconded by Councilperson Seamans to approve consent agenda item 9A-9H. Motion carried unanimously.

10. Regular Agenda

A. 2023 Audited Financial Statement Presentation

Motion: Moved by Councilperson Ellering and seconded by Councilperson Thronson to accept and approve the 2023 financial statements as presented with the noted change on page 1 of Basic Financial Statements. Motion carried unanimously.

B. 2026 Second Avenue South Improvements Project

Motion: Moved by Councilperson Ellering and seconded by Councilperson Thronson to authorize SEH to prepare the CATEX and Plans and Specifications for the 2026 Second Avenue South Improvements project. Motion carried unanimously.

11. Other Staff Items

A. Sauk Rapids Police Department Update-Perry Beise, Police Chief Perry Beise provided his annual update on the on-goings of the Sauk Rapids Police Department. He stated that the department is currently at full authorized strength with 18 sworn officers and two administrative assistants.

Beise said that the department had 3 retirements within the last year and they are in the process of hiring another police officer in anticipation of another possible retirement later this year.

Beise discussed the addition of the Assistant Police Chief position, which shares leadership and administrative duties.

Beise stated that homelessness and mental health calls are increasing as well as overdose calls.

Beise explained that this past spring, the Police Department assigned another police officer to criminal investigations. He stated that there are rising caseloads and growing complexity of criminal cases. Included with the meeting materials was a memo from Investigator Hansen further explaining the complexity of investigating crimes in the 21st century due to the increase of online crimes, the information contained on cell phones, etc. The extra police officer assigned to help with investigations has caused a staffing issue in the patrol section of the department that they are hoping can be remedied in the future.

12. Other Council Items and Communications

A. Rock the Riverside-

Acting Mayor Sauer noted that last Thursday was the first of the summer concert series, Rock the Riverside. He asked Ross Olson how the first night went.

Ross Olson stated that last Thursday went over amazingly well. He estimated that there were well over 2,000 attendees at last Thursday’s concert. Olson said that a co-sponsor was added since the Rock the Riverside concert series has received a lot of attention from other festivals in the area that want an opportunity to be part of the City’s concert series and also want to promote their music festival. Olson said that Mid-Summer Fest created excitement in which for people to win tickets to Mid-Summer Fest at last week’s concert. The opening act last week was Andy Austin and the main act was Mallrats.

This Thursday the bands are Wayside and Rough House. Olson said that it’s not only great that we have local talent, but people are starting to hear about the Sauk Rapids Rock the Riverside vibe and so people are reaching out not only from our state, but from surrounding states as well.

B. Rapids River Days

Acting Mayor Sauer encouraged residents to take part in the various Rapids River Days events, which take place next week. He provided the listing of all of the various activities being offered, which included a medallion hunt, Rock the Riverside concert, Miss Sauk Rapids Pageant, Rapids River Days Parade, and Rapids River Food Fest.

13. Approve List of Bills and Claims

Motion: Moved by Councilperson Thronson and seconded by Councilperson Seamans to approve the List of Bills and Claims. Motion carried unanimously.

14. Adjournment

Motion: Moved by Councilperson Thronson and seconded by Councilperson Ellering to adjourn the meeting. Motion carried unanimously.

Acting Mayor Sauer adjourned the meeting at 6:52pm.

R-26-1B

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Benton County Planning Commission will conduct public hearings on July 11th, 2024, the Commissioner’s Room, Benton County Government Center, Foley, and beginning at 7:00 p.m. The Planning Commission will hear the following:

1) Public hearing to consider Ord. 494 (see separate notice).

2) Jeffrey and Tami Mortenson requesting approval of a two-lot minor plat entitled Mortenson Addition in the R-3 Residential District. Pursuant to Section 10.7 of the Benton County Development Code. The affected property is described as follows: Lots 7, 8 & 9, Auditors Subdivision of A-B-C Acres, Section 16, Watab Township.

3) Doreen McIntyre requesting a conditional use permit to use an alternative flood proofing method in the R-2 Residential District. Pursuant to Sections 5.2, 5.3 and 5.4 of the Flood Plain Management Ordinance and Section 11.6 of the Development Code. The affected property is described as follows: Lot 3, Perske Addition, Section 25 East Langola Township.

ANYONE with comments regarding the above will be heard at this meeting.

FR-26-1B

NOTICE OF MORTGAGE FORECLOSURE SALE

described as follows:

The North 141.0 feet of the South 256.0 feet of the East 130.5 feet of the Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4) of Section Seven (7), Township Thirty-seven (37) North, Range Thirty (30) West BENTON COUNTY IN WHICH PROPERTY IS LOCATED: BENTON COUNTY

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$127,929.00

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$125,741.72

That prior to the commencement of this mortgage foreclosure proceeding Mortgagee/Assignee of Mortgagee complied with all notice requirements as required by statute; That no action or proceeding has been instituted at law or otherwise

to recover the debt secured by said mortgage, or any part thereof;

PURSUANT to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: July 25, 2024 at 10:00 AM

PLACE OF SALE: Benton County Sheriff’s Office, 581 Highway 23 Northeast Foley, MN

to pay the debt then secured by said Mortgage, and taxes, if any, on said premises, and the costs and disbursements, including attorneys’ fees allowed by law subject to redemption within six (6) months from the date of said sale by the mortgagor(s), their personal representatives or assigns unless reduced to Five (5) weeks under MN Stat. §580.07.

TIME AND DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family

dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property if the mortgage is not reinstated under section 580.30 or the property is not redeemed under section 580.23 is 11:59 p.m. on January 27, 2025, unless that date falls on a weekend or legal holiday, in which case it is the next weekday, and unless the redemption period is reduced to 5 weeks under MN Stat. Secs. 580.07 or 582.032.

MORTGAGOR (S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: None “THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR’S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION

582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.” Dated: May 20, 2024

PennyMac Loan Services, LLC Mortgagee/Assignee of Mortgagee LIEBO, WEINGARDEN, DOBIE & BARBEE, P.L.L.P. Attorneys for Mortgagee/Assignee of Mortgagee 4500 Park Glen Road #300 Minneapolis, MN 55416 (952) 925-6888 131 - 24-003519 FC IN THE EVENT REQUIRED BY FEDERAL LAW: THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. R-21-6B

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN, that default has occurred in conditions of the following described mortgage:

DATE OF MORTGAGE: May 4, 2018

MORTGAGOR: Nathaniel D Scott as Single Man.

MORTGAGEE: Mortgage Electronic Registration Systems, Inc. as nominee for American Heritage National Bank its successors and assigns.

DATE AND PLACE OF RECORDING: Recorded May 25, 2018 Benton County Recorder, Document No. 429551.

ASSIGNMENTS OF MORTGAGE: Assigned to: PennyMac Loan Services,

LLC. Dated January 18, 2022 Recorded January 18, 2022, as Document No. 458186.

TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.

TRANSACTION AGENT’S MORTGAGE IDENTIFICATION NUMBER ON MORTGAGE: 1002976-3000098090-8

LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON MORTGAGE: American Heritage National Bank

RESIDENTIAL MORTGAGE SERVICER: PennyMac Loan Services, LLC

MORTGAGED PROPERTY ADDRESS: 10029 Mayhew Lake Road Northeast, Sauk Rapids, MN 56379

TAX PARCEL I.D. #: 070007300

LEGAL DESCRIPTION OF PROPERTY:

The land referred to herein is situated in the state of Minnesota, Benton County

PUBLIC NOTICES

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that Pursuant to Minnesota Statute §342.13(e), the Benton County Board of Commissioners and the Benton County Planning Commission will conduct public hearings to consider Ordinance #494 an interim ordinance authorizing a study and imposing a moratorium on the operation of cannabis businesses.

NOTICE IS FURTHER GIVEN that the public hearings will be held in the Commissioner's Room, Courthouse, Foley. The Planning Commission hearing will be held on July 11th, 2024 at 7:00 p.m. The Board of Commissioners hearing will be held on July 16th, 2024 at 9:00 a.m.

ANYONE with comments regarding the above will be heard at these meetings.

FR-26-1B

PROBATE NOTICE

STATE OF MINNESOTA
COUNTY OF STEARNS
SEVENTH JUDICIAL
DISTRICT
DISTRICT COURT
PROBATE DIVISION
Court File No:
73-PR-24-4248

**NOTICE AND ORDER
FOR HEARING ON
PETITION FOR DESCENT
OF PROPERTY**

Estate of:

Gerald E. Pantzke,

Decedent.

A Petition for Determination of Descent has been filed with this Court. The Petition represents that the Decedent died more than three years ago, leaving property in Minnesota and requests the probate of Decedent's last Will (if any), and the descent of such property be determined and assigned by this Court to the persons entitled to the property.

Any objections to the Petition must be filed with the Court prior to or raised at the hearing. If proper, and no objections are filed or raised, the Petition may be

granted.

IT IS ORDERED and Notice is further given, that the Petition will be heard on July 19, 2024, at 8:45 a.m., by this Court at 725 Courthouse Square, St. Cloud, Minnesota.

1. Notice shall be given to all interested persons (MINN. STAT. § 524.1-401) and persons who have filed a demand for notice pursuant to Minnesota Statutes section 524.3-204.

2. Notice shall be given by publishing this Notice and Order as provided by law and by Mailing a copy of this Notice and Order at least 14 days prior to the hearing date.

Dated: 06/06/2024

BY THE COURT
/s/ William J. Cashman
Judge of District Court

Attorney for Petitioner
Kristine M. Erickson
Rosenmeier Law Office, LLC

210 Second Street NE
Little Falls, MN 56345
Attorney License No:
0398204

Telephone: (320) 632-5458
Email: k.erickson@little-fallslaw.com

R-26-2B

PROBATE NOTICE

STATE OF MINNESOTA
COUNTY OF STEARNS
SEVENTH JUDICIAL
DISTRICT
DISTRICT COURT
PROBATE DIVISION
Court File No:
73-PR-24-4514

**ORDER AND NOTICE OF
HEARING ON PETITION
FOR FORMAL
ADJUDICATION OF
INTESTACY,
DETERMINATION OF
HEIRSHIP AND
APPOINTMENT OF
PERSONAL
REPRESENTATIVE IN
UNSUPERVISED
ADMINISTRATION AND
NOTICE TO CREDITORS**

TRUST NOTICE
STATE OF MINNESOTA
COUNTY OF STEARNS
DISTRICT COURT
SEVENTH JUDICIAL
DISTRICT
Court File No:
73-CV-24-4288
Case Type: Trust

**Notice of Remote Zoom
Hearing**

In the Matter of the
John L. Guy Revocable
Trust Agreement dated May
11, 1993, and The Ruth
C. Guy Revocable Trust
Agreement dated May 11,

PROBATE NOTICE
STATE OF MINNESOTA
COUNTY OF BENTON
SEVENTH JUDICIAL
DISTRICT
DISTRICT COURT
PROBATE DIVISION
Court File No:
05-PR-24-1007

**NOTICE AND ORDER
FOR HEARING ON
PETITION FOR DE-
SCENT OF PROPERTY**

Estate of:

David George Victor,

Decedent.

A Petition for Determination of Descent has

In Re: Estate of:
Steven John Dullinger,
Deceased.

**TO ALL INTERESTED
PERSONS AND CREDI-
TORS:**

It is Ordered and Notice is hereby given that on the 26th day of July, 2024, at 8:45 a.m., a hearing will be held in the above-named Court at 725 Courthouse Square, St. Cloud, Minnesota, on petition of Amy J. Meyer for the adjudication of intestacy and determination of heirship of the above named decedent, and for the appointment of Amy J. Meyer whose address is 41450 County Road 2, Rice,

1993, as amended

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

Hearing Information
July 22, 2024
Hearing
4:00 PM

The hearing will be held via Zoom and appearance shall be by video unless otherwise directed with Judicial Officer, Stearns County District Court.

The Minnesota Judicial Branch uses strict security controls for all remote tech-

been filed with this Court. The Petition represents that the Decedent died more than three years ago, leaving property in Minnesota and requests the probate of Decedent's last Will (if any), and the descent of such property be determined and assigned by this Court to the persons entitled to the property.

Any objection to the Petition must be filed with the Court prior to or raised at the hearing. If proper, and no objections are filed or raised, the Petition may be granted.

IT IS ORDERED and

PUBLIC NOTICES

Minnesota 56367, as personal representative of the estate of the above-named decedent in unsupervised administration, and that any objections thereto must be filed with the Court. This is an administrative hearing and your appearance is not required.

That, if proper, and no objections are filed, a personal representative will be appointed to administer the estate, to collect all assets, pay all legal debts, claims, taxes and expenses, and sell real and personal property, and do all necessary acts for the estate.

Notice is further given that ALL CREDITORS having claims against said

estate are required to present the same to said personal representative or to the Court Administrator within four months after the date of this notice or said claims will be barred.

Dated: June 14, 2024

/s/ Kris Davick-Halfen
Judge of District Court
By George Lock
Court Administrator

Joseph S. Mayers
Attorney No. 0295747
KELM & RUETER, P.A.
1287 2nd Street North,
Suite 101
Sauk Rapids, MN 56379
(320) 251-1423
kelmreuter@kelmreuter.com

R-26-2B

nology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 320-

656-3620 if you do not have access to the internet, or are unable to connect by video.

• If you need an interpreter, contact the court before the hearing date to ask for one.

To join by internet:

1. Type <https://zoomgov.com/join> in your browser's address bar.

2. Enter the **Meeting ID and Meeting Passcode (if asked):**

Meeting ID: 161 848 9022
Passcode: 321020

R-26-2B

BY THE COURT
/s/ Robert J. Raupp
Judge of District Court
/s/ Megan Bergman
Court Administrator

Attorney for Petitioner
Craig Hanson
Hanson Law Office, PA
1010 West St. Germain
Street, Suite 750
St. Cloud, MN 56301
Attorney License No:
0311297
Telephone: (320) 257-3388
FAX: (320) 281-7255
Email: craig@hanlawoffice.com

R-25-2B

Notice is further given, that the Petition will be heard on July 22, 2024, at 8:00 a.m., by this Court at 615 Hwy 23, Foley, Minnesota.

1. Notice shall be given to all interested persons (MINN. STAT. § 524.1-401) and persons who have filed a demand for notice pursuant to Minnesota Statutes section 524.3-204.

2. Notice shall be given by publishing this Notice and Order as provided by law and by Mailing a copy of this Notice and Order at least 14 days prior to the hearing date.

Dated: 06/12/2024