

April 27, 2015

**CITY COUNCIL MEETING  
MINUTES OF APRIL 27, 2015**

Pursuant to due call and notice thereof, a regular meeting of the Sartell City Council was held on April 27, 2015 in the Council Chambers of Sartell City Hall. Mayor Sarah Nicoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor Nicoll, Council members: Braig-Lindstrom, Hennes, Lynch, and Peterson  
ABSENT: None  
ALSO PRESENT: Mary Degiovanni, City Administrator  
Anita Rasmussen, Community Development Director  
Jim Hughes, Police Chief  
Brad Borders, Public Works Director  
Mike Nielson, Engineer  
Judy Molitor, Recording Secretary

**PLEDGE OF ALLEGIANCE**

**AGENDA REVIEW AND ADOPTION**

**A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER HENNES APPROVING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**OPEN FORUM/PUBLIC COMMENT**

Susan Van Vickle, 821 Brookwood Lane, spoke against the animal ordinance as proposed for approval and questioned who will be responsible to enforce the ordinance.

**SPECIAL PRESENTATIONS**

**a. Ken Heim**

Fire Chief Ken Heim announced his retirement from the Fire Department and thanked the Council for his opportunity to serve the Fire Department for the past 30 years. He will retire on December 31, 2015. On behalf of the Council and City, Mayor Nicoll extended appreciation for his years of service.

**b. Mulligan's Events Center – 2015 Fireworks Permit**

Kip from Mulligan's explained the request to allow fireworks at Mulligan's. Fire Marshal Butch Rieland was on hand to explain the conditions set by the City and that weather conditions or DNR bans could cancel planned events. Consensus of the Council was to allow fireworks for special events provided neighboring residents are notified by mail and a public announcement is made in the *Newsleader* prior to the event.

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER HENNES ALLOWING FIREWORKS FOR SPECIAL EVENTS AT MULLIGAN'S EVENTS CENTER SUBJECT TO THE CONDITIONS RECOMMENDED BY STAFF, AND INCLUDING WRITTEN NOTICE TO NEIGHBORING RESIDENTS PRIOR TO THE EVENTS AND A PUBLIC NOTICE IN THE *SARTELL NEWSLEADER*. THE MOTION CARRIED UNANIMOUSLY.**

April 27, 2015

**APPROVAL OF CITY COUNCIL MINUTES**

- a. April 13, 2015 – Special Meeting
- b. April 13, 2015 – Regular Meeting

**A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER LYNCH APPROVING THE MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**CONSENT AGENDA**

- a. Approval of voucher payments
- b. Approval of kennel permit
- c. Acceptance of resignation and appointment of Public Works employee
- d. Approval of Seasonal Work Changes
- e. Calling a Public Hearing for a Rezoning
- f. Approval of Special Event Permit
- ~~g. Calling a Public Hearing Annual MS4 Report~~
- ~~h. Award of sealcoat bid for 2015~~
- i. Approval of WSB Contract Amendment
- j. Acceptance of resignations and authorize hiring

Council member Peterson removed item 6h and member Braig-Lindstrom removed item 6g for separate discussion.

**A MOTION WAS MADE BY COUNCILMEMBER BRAIG-LINDSTROM AND SECONDED BY MEMBER HENNES APPROVING CONSENT AGENDA ITEMS A-J, WITH THE EXCEPTIONS OF 6g AND 6h . THE MOTION CARRIED UNANIMOUSLY.**

**Consent Agenda 6g**

**Calling a Public Hearing Annual MS4 Report**

Council member Braig-Lindstrom corrected a typographical error in the Resolution.

**A MOTION WAS MADE BY BRAIG-LINDSTROM AND SECONDED BY MEMBER PETERSON APPROVING ITEM 6G AS CORRECTED. THE MOTION CARRIED UNANIMOUSLY.**

**Consent agenda item 6h**

- a. **Award of sealcoat bid for 2015**

Council member Peterson asked the City Engineer to explain the benefits of seal coating relatively new pavement and how residents will be notified when the work will be started.

**A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER BRAIG-LINDSTROM APPROVING CONSENT AGENDA ITEM 6h. THE MOTION CARRIED UNANIMOUSLY.**

April 27, 2015

## **PUBLIC HEARINGS**

### **a. Amending Animal Control Ordinance**

City Administrator Degiovanni explained the need for the City to update the Animal Ordinance and the packet memo highlighted some of the suggested changes. The Police Department Community Service Officer has been designated to work with enforcement of this ordinance.

Mayor Nicoll opened the public hearing at 7:22 p.m.

Lyle Fleck, Sartell resident, spoke in opposition to the ordinance regarding the number of dogs allowed. He believes two dogs per household is enough and questioned what will be done in neighborhoods where barking dogs become a problem.

Susan Van Vickle, Sartell resident, asked what recourse a resident has if living next door to a problem dog.

Lisa Schreifels, consultant to the City, verified that the changes proposed will allow the City of Sartell the tools needed to enforce dog concerns. Ms. Schreifels will work with the Police Department to train in this type of enforcement. Police Chief Hughes talked about the importance of consistency and having only one officer work with specific dog issues during enforcement.

There were no more comments, and Mayor Nicoll closed the hearing at 7:24 p.m. Staff reported two comments received outside of the public hearing – one in favor of the 2 dog limit, and one in favor of 3 dog limit.

The following comments were made by the Council, although comments do not reflect entire statement made:

- Council member Hennes suggested a 2-dog limit per household. He would consider some limited exceptions for 3 dog permits, but believes public health and safety better achieved with 2 dog limit and enforcement of leash laws. He also talked about the need for residents to pick up after their dogs.
- Council member Peterson agrees with 2 dog limit with no exceptions.
- Council member Lynch is okay with a 3 dog limit because most dog owners are responsible and will pick up after their pets. Only a few residents have applied for special licenses to keep more than 2 dogs. Lynch asked how the present dog owners of 3 dogs would be handled and Degiovanni said they would be grandfathered in if they are currently licensed.
- Council member Braig-Lindstrom expressed concern about increasing the limits. In the development where she lives, if everyone around her had 3 dogs, there could be about 78 dogs, which could create issues. She favors a 2 dog limit but would consider exceptions.
- Mayor Nicoll believes there are circumstances where people may end up with more than 2 dogs, such as combining families, foster care etc. She would agree with a 3 dog limit.

Mayor Nicoll clarified that there may be majority support for further exploration of adding exceptions to the dog limit, but that she would call the question on the following motion which does not include exceptions to the 2 dog limit:

April 27, 2015

**A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER HENNES APPROVING THE ANIMAL ORDINANCE AND SUMMARY ORDINANCE 15-06 WITH A 2 DOG LIMIT. UPON VOTE BEING TAKEN, THE FOLLOWING VOTED:  
AYE: COUNCIL MEMBERS: BRAIG-LINDSTROM, HENNES, AND PETERSON  
NAY: MAYOR NICOLL AND COUNCIL MEMBER LYNCH  
MOTION CARRIED**

**b. Amending Subdivision and Zoning Codes for NPDES Phase 2 Requirements**

Engineer Mike Nielson presented a brief power point presentation covering the changes to the subdivision and zoning codes for NPDES Phase 2 requirements.

Mayor Nicoll opened the public hearing at 7:59 p.m. There were no comments from the public or written comments received, the hearing was closed.

**A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER LYNCH APPROVING ORDINANCE AND SUMMARY ORDINANCE 15-05 REPLACING SECTIONS OF THE ZONING AND SUBDIVISION ORDINANCE FROM NPDES PHASE 2. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Special Council Meetings**

City Administrator Degiovanni explained the topic for consideration of changing the Council meeting start times to include most topics that were previously special meeting items. Special meetings can still be called and the agenda item calling them will now specify whether or not they are planned to be televised so Council vote will be clear. Staff will bring back a draft Ordinance regarding regular meeting start times for Council consideration.

**b. Community Solar Garden**

Community Development Director Rasmussen presented the request to lease city owned land to SolarStone for use as a community solar garden. Rasmussen outlined the terms as suggested by the City's subcommittee.

**A MOTION WAS MADE BY COUNCIL MEMBER BRAIG-LINDSTROM AND SECONDED BY MEMBER LYNCH APPROVING THE AGREEMENT WITH SOLAR STONE FOR LEASING CITY PROPERTY FOR THE PURPOSE OF A SOLAR GARDEN. THE MOTION CARRIED UNANIMOUSLY.**

**c. Pinecone Regional Parking Lot**

City Administrator Degiovanni explained the rationale for a delay in ordering engineering work for a parking lot at Pinecone Regional Park. A recommendation will be presented to the Council at a later date.

April 27, 2015

**NEW BUSINESS**

**a. PD badge design and mission statement**

Chief Hughes presented the revised mission statement as well as the new design for the department's badges. Forfeiture funds will be used to purchase the new badges.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council members gave updates on various meetings and community events.

**ADJOURN**

**A MOTION WAS MADE BY COUNCIL MEMBER BRAIG-LINDSTROM AND SECONDED BY MEMBER PETERSON TO ADJOURN THE MEETING AT 8:35 P.M. THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

---

**Judy Molitor**  
**Recording Secretary**

---

**Sarah Jane Nicoll**  
**Mayor**