

May 26, 2015

**CITY COUNCIL MEETING**  
**MINUTES OF MAY 26, 2015**

Pursuant to due call and notice thereof, a regular meeting of the Sartell City Council was held on May 26, 2015 in the Council Chambers of Sartell City Hall. Mayor Sarah Jane 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**

Joe Perske, 519 North 10<sup>th</sup> Street, Sartell, strongly encouraged the Council to consider adding a branch library to plans for a Community Center.

**APPROVAL OF CITY COUNCIL MINUTES**

- a. May 11, 2015 – Regular Meeting

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

**CONSENT AGENDA**

- ~~a.~~ Approval of voucher payments
- b. Acceptance of Donations
- c. Adoption of Performance Measures Resolution
- d. Approval of Insurance Renewal
- e. Calling public hearing on Delinquent Accounts
- f. Calling public hearing on Abatement Bonds
- ~~g.~~ Calling public hearing on Ordinance Amending Title 1 of City Code
- h. Approval of Fire Dept Policies & Procedures and Fire Chief posting
- ~~i.~~ Approval of Appraisal Work
- j. Approval of Noise Exemption

Council member Peterson requested the removal of items 6g, and Council member Braig-Lindstrom requested the removal of items 6a and 6i, to be discussed separately.

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**A MOTION WAS MADE BY COUNCILMEMBER BRAIG-LINDSTROM AND SECONDED BY MEMBER LYNCH APPROVING CONSENT AGENDA ITEMS 6B THROUGH 6J, REMOVING ITEMS 6G AND 6I. THE MOTION CARRIED UNANIMOUSLY.**

**6a - Approval of voucher payments**

Council member Braig-Lindstrom clarified the invoice for repairs to the City Hall HVAC system.

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

**6g - Calling public hearing on Ordinance Amending Title 1 of City Code**

Council member Peterson discussed the suggested changes for the Ordinance regarding Council meetings: time of day, meeting days of the month and notifications of special meetings. City Administrator Degiovanni explained that the changes were modeled after League and other city models. Since tonight's action only sets the public hearing, Council members were asked to review the language for changes at the public hearing on June 8th.

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER BRAIG-LINDSTROM SETTING A PUBLIC HEARING ON THE ORDINANCE AMENDING TITLE 1 OF THE CITY CODE. THE MOTION CARRIED UNANIMOUSLY.**

**6i - Approval of Appraisal Work**

Council member Braig-Lindstrom questioned the cost of the appraisal coming from the Park Fund rather than from the General Fund. Administrator Degiovanni explained that since the appraisal is for proposed purchase of parkland, funds to cover those appraisal costs are usually taken from Park Funds.

**A MOTION WAS MADE BY COUNCIL MEMBER BRAIG-LINDSTROM AND SECONDED BY MEMBER HENNES APPROVING CONSENT AGENDA 6i, APPROVAL OF APPRAISAL WORK. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**Resolution Awarding Pinecone Road bid**

City Engineer Nielson presented the Resolution and explained the bids and work completion timelines. Nielson requested the bid be awarded to JR Ferche, Inc.

**A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER PETERSON APPROVING RESOLUTION 40-2015 AWARDING PINECONE ROAD BID TO JR FERCHE IN THE AMOUNT OF \$2,918,724.82.**

**UPON VOTE BEING TAKEN, THE FOLLOWING VOTED:**

**AYE: MAYOR NICOLL, COUNCIL MEMBERS: HENNES, LYNCH, PETERSON**

**NAY: MEMBER BRAIG-LINDSTROM**

**MOTION CARRIED**

**Refuse Hauling Resolution**

City Administrator Degiovanni asked the Council if they wanted to make changes to the City's Refuse Hauling ordinances or policy resolution. Based on the comments from licensed refuse haulers and the

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Council, a list of possible changes was presented for consideration. Council members made the following comments, although comments do not reflect entire statements made:

- Council member Peterson does not believe that refuse haulers should be allowed to transfer their City license to another hauler in event of the sale of one of the current haulers.
- Council member Hennes did not favor moving all collection of refuse to one side of the street. He also believes four licensed haulers is enough for the City.
- Council member Braig-Lindstrom agrees with comments from colleagues Peterson and Hennes and neighborhoods may need to decide for themselves to cooperatively go to one hauler.
- Council member Lynch does not believe there is a problem so why change the ordinance? No evidence exists that having only one refuse hauler would save the wear and tear on streets.
- Mayor Nicoll said she agrees with licensing four haulers and does not want restrictive dates of pick-up or pick-up on only one side of the street.

Consensus of the Council was to leave the refuse hauling ordinance and policies as they are with no changes.

### **NEW BUSINESS**

#### **Park Boundaries**

City Administrator Degiovanni talked about the idea of having the Community Service Officer enforce Park boundaries and noted the City would be placing Park boundary signs in key areas of the parks notifying neighbors of the boundary lines. Degiovanni explained the past practices which has been to allow adjoining property owners to cut wood from Northside Park through a permit process. Degiovanni also explained there would likely be some recommended policy changes suggested by the City Attorney and City Insurance Agent should the City decide to allow this practice to continue. Staff requested Council direction prior to coming up with a system to allow for volunteer wood cutting in City parks.

Both Bob Pogatshnik and Dennis Molitor, neighboring residents of Northside Park, talked about past practices of their cutting wood in the Park. Trees that were cut were either down or leaning, creating a dangerous situation for possible walkers or disc golfers in Northside Park. Cutting the trees also helped with aesthetics of the park.

Council members agreed that it is nice to benefit from volunteers to help keep the City Parks clean, however staff was advised to explore options for liability insurance coverage. Council members also talked about developing a policy for who should be allowed to cut wood in City Parks, how to limit the number of people allowed to cut wood, what type of background or training would residents need to use chain saws on City property, etc. Staff will continue to research options based on Council's priorities and bring back a preliminary policy for Council discussion.

**A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED MEMBER LYNCH TO CHANGE THE ORDER OF BUSINESS ON THE AGENDA, MOVE ITEM 9B DISCUSSION AFTER ITEM 10. THE MOTION CARRIED UNANIMOUSLY.**

#### **CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council members gave updates on various meetings and community events.

Council member Peterson asked City Administrator Degiovanni about next step on community center planning process. Degiovanni explained staff and consultants are continuing to work on a preliminary

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presentation to the Council outlining input work completed so far and a timeline of next steps that could come back to Council as soon as June 8<sup>th</sup>.

Council member Braig Lindstrom requested that if members use the updates/misc business section to gauge fellow members' interest in potential future agenda topics, it be included in the minutes.

**Consideration of purchase agreement terms to purchase real property (discussion to be conducted in closed session)**

Degiovanni presented an outline of the 2.88 acres adjacent to Val Smith Park under consideration for purchase by the Council in closed session.

8:30 p.m. The Council went into closed session and returned to the Council chambers at 8:39 p.m.

Mayor Nicoll announced that no decision has been made regarding the purchase of property.

**ADJOURN**

**A MOTION WAS MADE BY COUNCIL MEMBER BRAIG-LINDSTROM AND SECONDED BY MEMBER PETERSON TO ADJOURN THE MEETING AT 8:40 P.M. THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

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

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**Sarah Jane Nicoll, Mayor**