

January 12, 2009

## SARTELL CITY COUNCIL MEETING

MINUTES OF JANUARY 12, 2009

1<sup>ST</sup> MEETING

Pursuant to due call and notice thereof, the 1<sup>ST</sup> meeting of 2009 was held on January 12, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:02 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Peterson, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director  
Jim Hughes, Police Chief

### PLEDGE OF ALLEGIANCE

### OATH OF OFFICE FOR STEVE HENNES AND JOE PERSKE

City Administrator, Patti Gartland administered the Oath of Office for re-elected Council members Joe Perske and Steve Hennes.

### RECOGNITION FOR TOM BEUTEL

Mayor O'Driscoll highlighted the duties Tom has undertaken as Chairman of the Joint Planning Commission and also filling in as a Council member during vacancies. On behalf of the City and Council, Mayor O'Driscoll presented a plaque to Tom for his dedication and service over the years.

Mr. Beutel expressed thanks to the Council and the City for allowing him to serve and for the experiences he has gained over the years.

### ANNOUNCEMENT RELATING TO RESULTS OF BOND SALE

Mayor O'Driscoll updated the Council on the Bond Sale today for bonds covering construction of the City's new water treatment plant, utility line construction and 2008 reconstruction projects. Due to the separation on bond issues at the December 8<sup>th</sup> meeting and the AA- credit rating, the City will save over \$750,000 in interest charges for the residents. Mayor O'Driscoll extended appreciation to staff for all their hard work during this process.

### AGENDA REVIEW AND ADOPTION

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

**APPROVAL OF CITY COUNCIL MINUTES:**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING THE MINUTES OF DECEMBER 8, BUDGET AND REGULAR CITY COUNCIL MEETING, DECEMBER 13<sup>TH</sup> LEGISLATIVE WORKSHOP AND DECEMBER 15 COUNCIL WORKSHOP. THE MOTION CARRIED UNANIMOUSLY.**

**CONSENT AGENDA**

- a. December Building Inspectors Report – Acceptance
- b. December Fire Marshal/Code Official Report – Acceptance
- c. December Finance Directors Report – Acceptance
- d. ~~Approval of voucher payments dated January 8, 2009~~
- e. Approval of professional development registrations
- f. Approval of 2009 refuse hauler licenses
- g. Set annual meeting of the Economic Development Authority for March 9, 2009 at 6:30 p.m.
- h. Renewal of contract for legal services with the City of St. Cloud
- i. First reading and set public hearing on amendments to 2009 fee ordinance for January 26, 2009
- j. First reading and set public hearing on an amendment to the Code of Ordinances providing for disconnection of city water utility.
- k. Approval of rain garden plant purchases for the 2008 public improvement project from Landscape Alternatives, Inc., Hild and Associates, and Rosewood Nursery
- l. Approval of fund transfers as recommended by Finance Director
- m. Set Board of Review meeting (Benton County portion) for April 7, 2009 at 6:30 p.m.
- n. Approval of resolution setting a public hearing for January 27, 2009, for a proposed DNR grant application submission
- o. Approval of proposal for three year agreement for community message board marketing services with Sunray Printing Solutions
- p. Acceptance of SCORE grant from Stearns County in the amount of \$362.39 for the 2008 Spring Clean-up event
- q. Approval of resolution relating to 2009 compensation for non-union employees
- r. Approval of resolution relating to 2009 Fire Department pay rates
- s. Approval of resolution amending Personnel Policy relating to benefits eligibility

Council member Peterson requested Consent Agenda item "D" be removed for separate discussion.

**A MOTION WAS MADE LYNCH AND SECONDED BY HENNES APPROVING CONSENT AGENDA "A – C" AND "E – S" AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

- d. Approval of voucher payments dated January 8, 2009

Council member Peterson requested clarification on an expenditure of insurance payment for sewer back-up. Patti Gartland explained the payment covered the City's deductible portion from a previous claim.

**A MOTION WAS MADE BY PETERSON AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEM "D". THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. CONTINUATION HEARING FROM 11-24-08 FOR ROBERT'S ROAD AND 50<sup>TH</sup>/4<sup>TH</sup> AVENUE SOUTH**

Anita Rasmussen turned this presentation over to Chad Hausmann, Engineer for WSB for an explanation of the proposed project. The purpose of the public hearing was to satisfy the Federal requirements for a 30 day public comment period during the Environmental Assessment (EA) which will end on January 14<sup>th</sup>. Mr. Hausman explained the project and outlined the future transportation projects for 50<sup>th</sup> Avenue and Roberts Road. Both 50<sup>th</sup> Avenue and Roberts Road have their own EA due to the fact that each roadway may have their own unique challenges and impacts. Roberts Road is proposed to provide an east-west major collector roadway approximately 2.5 miles from CSAH 4 to CSAH 1 while 50<sup>th</sup> Avenue is proposed to provide a north-south major collector roadway approximately 2 miles from County Road 120 to the existing 4<sup>th</sup> Avenue South. Part of the 50<sup>th</sup> Avenue project will include the realignment of the intersection at 50<sup>th</sup> Avenue to align with County Road 134. Chad presented the overall transportation plan and a summary of construction costs including the right-of-way acquisition costs. The next steps in the process were explained.

Mayor O'Driscoll opened the public hearing at 7:23 p.m. The following comments were heard although comments do not reflect entire statement made:

Randy Somdalen, 132 Heritage Drive, Sartell talked about how the changes to Heritage Drive will affect their neighborhood and presented a sketch of a suggested alternate location for an east-west major collector roadway. This alternate east-west suggested route would avoid turning Heritage Drive into a main collector road.

Craig Cash, 695 Heritage Drive, Sartell, lives in the old yellow brick Guggenberger Home and questioned why his home wasn't listed as a "historical site"? Craig said he doesn't want to lose his home to road construction. Chad Hausmann explained briefly the Federal process to determine if a property could be classified as a historical site and gave some examples of the criteria needed, such as: designed by a famous architect, if the home has been altered or remodeled, etc.

Jim Vanvooren, 120 Heritage Drive, Sartell, asked if the continuation of 50<sup>th</sup> Avenue will take away from the need to upgrade Heritage Drive. Vanvooren talked about traffic congestion on County Road 1 during rush hours and the back-up on Heritage Drive this creates. If Heritage Drive is upgraded according to the plans suggested at the December 8<sup>th</sup> meeting, he, and some of his neighbors will lose about half of their front yards. Vanvooren asked the Council to consider ending Heritage Drive in a cul-de-sac south of 50<sup>th</sup> Avenue in an attempt to direct traffic to other areas.

Sean Kuepers, 116 Heritage Drive, Sartell, said he has about 46 feet from the corner of his garage to the road and if Heritage Drive is upgraded according to the suggestions made at the December 8<sup>th</sup> meeting he will lose all of his front yard. Kuepers asked if the City will buy his house when Heritage is upgraded.

Craig Cash, 695 Heritage Drive, Sartell, questioned if the citizens will be reimbursed the interest on the money that the County paid the City for Heritage Drive, especially since their assessments will be so high.

January 12, 2009

At the request of Mayor O'Driscoll, Finance Director, Mary Degiovanni explained that the City's contribution to the Heritage Drive improvement project will far exceed the turn back proceeds; therefore the money from the County plus interest will be used towards construction.

A written comment received from Marty Franzmeier, 124 Heritage Drive, Sartell, will be attached to the minutes and become a part of the record.

Mayor O'Driscoll closed the hearing at 7:55 p.m. and reported that no action is required of the Council until after the comment period, January 14, 2009.

Council member Hennes asked the City Engineer to review the road configuration as suggested earlier by Mr. Somdalen and explain the issues of constructing a road which impact wetlands, and existing apartment buildings. Hennes asked about the proposed intersection at Roberts Road and CSAH 1 and what the future plans are for traffic control. Engineer Mathiasen explained the CSAH 1 and Roberts Road intersection is under review at this time.

**b. OFFICIAL MAP FOR 50<sup>TH</sup> AVENUE CORRIDOR REALIGNMENT**

Anita Rasmussen, Community Development Director presented the official map of 50<sup>th</sup> Avenue beginning at County Road 120 and commences at Heritage Drive, including the realignment of County Road 134 intersection. By mapping the corridor, property owners would not be able to construct any structure within the proposed roadway area, but would be able to pull permits for the remainder of their property.

Mayor O'Driscoll asked Anita to review the concept of the West Metro Corridor Plan and explain how this process to align 50<sup>th</sup> Avenue with County Road 134 fits into the overall transportation plan.

Staff and the Joint Planning Commission recommend approval of the official map of 50<sup>th</sup> Avenue from County Road 120 to Heritage Drive.

Mayor O'Driscoll opened the public hearing at 8:00 p.m. The following comments were heard, although do not reflect entire statement made:

Mark Skaj, 32625 50<sup>th</sup> Avenue requested clarification on the footage needed for right-of-way and said he would prefer the walking path be constructed on the west side of the future road.

The hearing was closed at 8:03 p.m.

**A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY COUNCIL MEMBER PERSKE ADOPTING ORDINANCE 09-02, THE OFFICIAL MAP FOR 50<sup>TH</sup> AVENUE REALIGNMENT. THE MOTION CARRIED UNANIMOUSLY.**

**c. VACATION OF CERTAIN DRAINAGE AND UTILITY EASEMENTS IN CELEBRATION OF SARTELL DEVELOPMENT**

Anita Rasmussen presented the request on behalf of Mr. Reker for the vacation of certain drainage and utility easements within Celebration of Sartell 3 and 4. Mr. Reker is requesting the vacation of certain drainage and utility easements to accommodate re-platting for Celebration of Sartell 7 final plat as well

January 12, 2009

as to vacate certain easements from previous administrative subdivision approvals that made two lots larger. The final plat for Celebration of Sartell 7 is taking 23 existing lots and creating 16 larger lots. Marty Reker explained the need for larger lots for homes that are priced over \$400,000.

Staff recommends approval of the request provided the following conditions be met:

1. That 6 foot drainage and utility easements be dedicated north of the boundary lot line of the proposed lot 1, block 1 and north ;of the boundary lot line of the proposed lot 1, block 2 of Celebration of Sartell 7 and must be recorded with the final plat of Celebration of Sartell 4.
2. Approval of the Final Plat of Celebration of Sartell 7.

Mayor O'Driscoll opened the public hearing at 8:06 p.m. No oral or written testimony was received, the hearing was closed at 8:06 p.m.

**RESOLUTION VACATING CERTAIN DRAINAGE AND UTILITY EASEMENTS IN CELEBRATION OF SARTELL 3 AND 4**

**A MOTION WAS MADE BY PERSKE AND SECONDED BY HENNES APPROVING RESOLUTION 6-09 VACATING A DRAINAGE AND UTILITY EASEMENT FOR CELEBRATION OF SARTELL FOUR. THE MOTION CARRIED UNANIMOUSLY.**

**RESOLUTION APPROVING THE FINAL PLAT TO CELEBRATION OF SARTELL SEVEN**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE ADOPTING RESOLUTION 7-09 APPROVING THE FINAL PLAT AND DEVELOPMENT AGREEMENT FOR CELEBRATION OF SARTELL SEVEN. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. PARK BOARD RECOMMENDATION ON PINECONE REGIONAL PARK MASTER PLAN**

Anita Rasmussen presented the recommendation for the Pinecone Regional Park Master Plan and explained the location of the gazebo, pleasure rink, open space, trails, trees/shrubbery, future building and parking lot for a total estimated cost of \$3.3 million including an irrigation system. Anita clarified this is only a suggestion of what could be built in this space.

Council member Perske has concerns regarding the proposed plan stating that he does not favor this drawing and would like accountability of past development, present operations and future plans. Perske does not believe this plan represents the wants of the general public or the Park Commission, but rather only the wants of the Hockey Association. Perske suggested a review of the survey from the public input process for a community center and library. There was no input from the community to install a second sheet of ice and for Perske, this plan represents a narrow focus interest group only. Perske suggested going back and reviewing the prior plan, continue this discussion at the upcoming retreat and get public input.

January 12, 2009

Council member Hennes asked Anita to outline the flood fringe and flood plain area on the plan. Hennes is concerned of the amount of asphalt and buildings near the flood area. Traffic is also a concern coming from 1<sup>st</sup> Street onto Pinecone Road. For Hennes the future building blueprint does not necessarily mean another sheet of ice and could certainly be used for other needs. Hennes said he is unsure if this is the appropriate location for a community center.

Council member Lynch said he agrees with a multi-purpose building on the plan and reminded the Council this is only conceptual plans as to what can be built in this park. The City does not have the money to build out this park at this time, due to the purchase of the golf course, however Lynch said he favors the design.

Council member Peterson asked where the Community Center is at in the planning process. Anita explained the visioning process and that the Community Center is currently in the Town Center concept plan, however will need to proceed through the Master Planning process. Peterson talked about the indoor turf purchased by Bernicks to allow for indoor sports, gun shows, craft sales and amenities. Peterson suggested moving the pleasure rink next to the warming house to allow for use by both the hockey and pleasure skaters and leave the building as a multi-use building. Peterson also has concerns with parking and location of the gazebo.

**COUNCIL MEMBER LYNCH MADE A MOTION TO APPROVE THE PINECONE REGIONAL PARK MASTER PLAN AS PRESENTED. THE MOTON FAILED FOR LACK OF A SECOND.**

Council member Peterson recommended sending the Regional Park Master Plan back to the Council for discussion at the Council Retreat. Peterson also asked for an overlay identifying the floodway and flood fringe around the park, and requested the City Engineer check into the possibility of using the land on the south side of 1<sup>st</sup> Street for a future holding pond.

Council member Hennes requested a report on the number of figure skating users at the Bernicks area, since the arena is used for both hockey and pleasure skaters.

Concensus of the Council is to bring the Pine Cone Regional Park Master Plan back for discussion at the Council retreat on January 20, 2009. In order to discuss all items on the agenda at the Council retreat staff will set a guideline for allotted discussion times for each topic.

- b. CONSIDERATION OF APPLICATIONS FOR TEMPORARY COUNCIL VACANCY**
- c. SCHEDULE SPECIAL MEETING FOR COUNCIL APPLICANT INTERVIEW(S)**

Mayor O'Driscoll explained need to interview candidates to fill the upcoming temporary vacancy on the Council due to Council member Peterson's call to military service and deployment to Iraq. Six residents have made application to serve on the Council. After discussion, it was the consensus of the Council to interview all applicants on January 22, 2009 starting at 5:30 p.m. and allow 25 -30 minutes for free flowing conversation per applicant. After a candidate is chosen, it is the intent of the Council to approve the replacement at the January 26<sup>th</sup> regular meeting and to allow the selected candidate to start their official term on the Council February 9, 2009.

The Annual Government Center meeting with the Township will be held on February 2, 2009 at 6:30 p.m. at the Township Hall.

January 12, 2009

**NEW BUSINESS**

**a. RESOLUTION MAKING CERTAIN ANNUAL APPOINTMENTS AND DESIGNATIONS**

City Administrator, Patti Gartland explained that certain appointments and designations are required to be made at the first meeting of the year such as acting mayor, official newspaper, etc. A resolution was included for Council approval making these necessary appointments. A separate resolution will be drafted covering the appointments of the Mayor or specific Council members to fill committee assignments based on skill sets, schedules and levels of interest after the temporary vacancy replacement for Council member Peterson has been filled.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING RESOLUTION 01-09 MAKING CERTAIN APPOINTMENTS AND DESIGNATIONS FOR 2009. THE MOTION CARRIED UNANIMOUSLY.**

**b. RESOLUTION APPOINTING ADDITIONAL AUTHORIZED DEPOSITORY**

Mayor O'Driscoll excused himself from the dais.

Because Mayor O'Driscoll is employed by Prime Vest, this resolution is being provided separately in order for O'Driscoll to abstain from participation in the Council's consideration of the resolution appointing PrimeVest as an authorized depository.

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY COUNCIL MEMBER PETERSON APPROVING RESOLUTION 8-09 DESIGNATING PRME VEST AS AN ADDITIONAL DEPOSITORY FOR 2009.**

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

**AYE: COUNCIL MEMBERS: HENNES, LYNCH, PERSKE, PETERSON**

**NAY: NONE**

**MOTION CARRIED**

Mayor O'Driscoll returned to the dais.

**DEPARTMENT REPORTS**

**a. POLICE DEPARTMENT**

Chief Hughes presented his memorandum and extended thanks to the individual that cleaned out the fire hydrant near the house fire last week. Hughes asked any resident living near a fire hydrant to help keep the snow away from the hydrant for easy access in case of a fire.

**A MOTION WAS MADE BY PETERSON AND SECONDED BY LYNCH ACCEPTING THE POLICE MEMORANDUM. THE MOTION CARRIED UNANIMOUSLY.**

January 12, 2009

**b. PUBLIC WORKS**

Brad Borders presented his memorandum and updated the Council on the success of the food shelf donations during the Christmas tree drop-off. Approximately 950 pounds of food was collected for the local food shelf.

**c. City Engineer**

Jeremy Mathiasen presented his memorandum.

**d. Planning & Community Development Director**

Anita Rasmussen presented her memorandum.

**e. City Administrator**

Patti presented her agenda notes.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

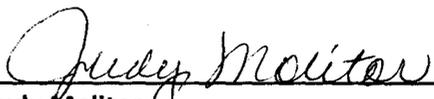
Council member Perske asked for any recommendations from the Council regarding Heritage Drive Improvements which will be discussed at the next Public Works Commission Meeting. Council member Hennes suggested they take into consideration the comments from the public hearing, review all options and consider milling the roadway.

Mayor O'Driscoll reported the next APO meeting will be on January 29<sup>th</sup>.

**ADJOURN**

**A MOTION WAS MADE BY PETERSON AND SECONDED BY PERSKE TO ADJOURN THE MEETING AT 9:20 P.M. THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

  
Judy Molitor

  
MAYOR TIM O'DRISCOLL

1/11/09

My name is Marty Franzmeier and I live at 124 Heritage Drive in Sartell, which is currently Le Sauk township. I have lived at this location for the past 11-1/2 years.

I am writing you today to express my concerns regarding the proposal for Roberts Rd and the changes to Heritage Drive. It is my understanding that the current proposal involves turning Heritage Drive into a 3-lane road (with the center lane being a turn lane). Also included in the proposal is a bike path running along the south side of Heritage Drive, with plans for sewer and water as well. In addition, Roberts Rd would be completed and a round-a-bout would be constructed near 50th Ave.

At the last public hearing, my neighbors expressed many concerns and possible alternatives to this project. I hope that these concerns and suggestions are seriously being considered. I don't envy your position. Your decision, no matter what it is, will not please everyone. My concerns specifically relate to the section of road between 50th Ave N and Cty Rd 1. I am not, and do not claim to be, an engineer and I know little about city planning. I will try to be brief.

1. **Why 3 lanes with a center turn lane?** My job frequently sends me to many different cities and towns, and I drive on all sorts of different roads. What I have observed is that the proposed road is most commonly found in commercial areas, usually a direct route to get lots of traffic from one end of town to another. These areas need to have roads that provide a sort of "jumping off point" for left turning traffic, which in turn keeps traffic moving through town without many delays. Ask anyone living on Heritage Drive and they will tell you that there is not currently a problem making a left turn into their driveway. So to me it appears that the goal is to turn Heritage Drive into a major road simply for getting traffic from Pinecone Rd to Cty Rd 1 and back. This doesn't make sense to me...taking what should be a residential road and turning it into a major one.
2. **I am going to disagree with my neighbors** who believe that Heritage Drive is a "death trap". Heritage Drive is safe when driven at the appropriate speeds. I believe that the posted speed limit should be 30 mph on this stretch of road. The speed limit has been 40 mph since before I moved in, and remains at 40 mph today. Actual traffic speeds frequently exceed the posted limit...by more than 10 mph at times. With the increase in residential population in the area, I am surprised that the city/county has not changed the speed limit yet. This area has gone from a somewhat rural area to a residential area that continues to grow.
3. **Traffic back-ups galore!** Spend a little time at the intersection of Heritage Drive and Cty Rd 1 in the mornings between 7-8 and you will learn a little about traffic in this area. There are two things happening here. Mainly, the Hwy 15 intersection cannot handle the current volume of traffic, causing traffic to frequently back-up past the Heritage Drive intersection. Secondly, due to the Hwy 15/Cty Rd 1 traffic back-up, Heritage Drive inevitably starts to back-up as well. If it wasn't for a few considerate drivers who let other traffic in, the problem would be even worse. Please keep in mind that the majority of Heritage Drive traffic is making right hand turns onto Cty Rd 1, further clogging up the road going to Hwy 15. And now the proposal before you is to expand Heritage Drive to enable it to handle *more* traffic volume? Without addressing the real problem first (the Hwy 15 intersection), you will only worsen the existing conditions.
4. **Why do YOU use Heritage Drive?** Much, but not all, of the traffic on Heritage Drive is local traffic. I use it to get to and from my house. I travel east to Cty Rd 1, west to 50th and Pinecone Rd, and also to get to Veteran's Drive at Five Points. But this road is also frequently used by truckers and residents of other neighborhoods as a shortcut. It is convenient, after all. A friend of mine told me once he uses my road to get from his house in east St Cloud to interstate 94 on his way to Alexandria...rather than going through St. cloud. What we need to do is make it less convenient and provide better alternative routes for this type of traffic. And we CAN do that. Remember, the Heritage Drive area is now primarily residential...not rural.
5. **Is this a dead end?** It has been mentioned that there was discussion in the past about a dead-end on Heritage Drive at Cty Rd 1. I personally have mixed feelings about this. If the traffic flow could be controlled better and re-routed by doing something else, then I don't think it's necessary. But if traffic on Heritage Drive continues to increase and back-ups are worsened, then I agree that would be a good idea.

6. **Widening Heritage Drive will ruin my front yard.** I like my yard, that's one of the main reasons I moved here in the first place. And now this proposal will cut my front yard in half! If I pull my cars up tight against my garage door and park other cars in line behind them, I could fit them three deep for sure, maybe four. This is great for family parties, especially since there is no on-street parking available. With the expanded road, I will only get two cars in line. And some of my neighbors will go from being able to park two cars down to only one! How is that helping anyone? I guess the bright side is that I will have less grass to mow and a smaller driveway to shovel!
7. **I like the bike path idea!** I, like many of my neighbors, avoid walking or biking on Heritage Drive. The traffic speeds and lack of a decent shoulder play a huge part in that decision. To me, a bike path would be a welcome addition...even if it took up some of my yard. Please, just don't make Heritage Dr a 3-lane road!
8. **Sewer and Water? Whatever!** We knew when we bought our house that eventually we would have to pay for sewer and water services. In fact, we are surprised it hasn't happened already. Are we prepared to pay the construction costs? No, is anybody? Could I afford the payment? I would have to make it work if I decided to stay here. Can my neighbors?...I don't know for sure, but some I would bet not. Although I don't need sewer and water right now, I am not totally against it. I would rather have the city put it in while the road and bike path is being done vs. at a later date with greater expense.

In summary, I believe that something has to be done to Heritage Drive. Let's just be sure that what is done is best for the community of Sartell and the residents that live in this area.

Before I close this letter, I am going to put in my two cents worth regarding the intersection at Roberts Rd, 50th/4th Ave and Heritage Drive. I think there are some good alternatives on the table for discussion. Please take a look at the attached current Future Transportation Map from the Sartell city website. Maybe this has already been proposed :

- Connect 4th Ave to 50th Ave as shown by the yellow line on the map.
- Complete Roberts Rd from Pinecone Rd to 4th/50th and extend Roberts Rd through to Cty Rd 1 as shown.
  - A stoplight at Roberts Rd and Cty Rd 1 would help control traffic flow going to Hwy 15.
- Remove the small section of Heritage Drive from the point at which it meets 50th Ave to right where it curves back going west again.
  - You could then have an East Heritage Drive and a West Heritage Drive.
  - Put a stop sign at the intersection of East Heritage Drive and 50th.
    - Westbound traffic would then be required to stop at 50th and either turn left or right.
- Extend West Heritage Drive due east to connect with Roberts Road where it meets 4th/50th Ave.
  - This would be where the round-a-bout could go.
  - West Heritage Drive traffic going eastbound would follow the round-a-bout and take 50th Ave south to the intersection of East Heritage Drive, or they could simply follow Roberts Rd to Cty Rd 1.

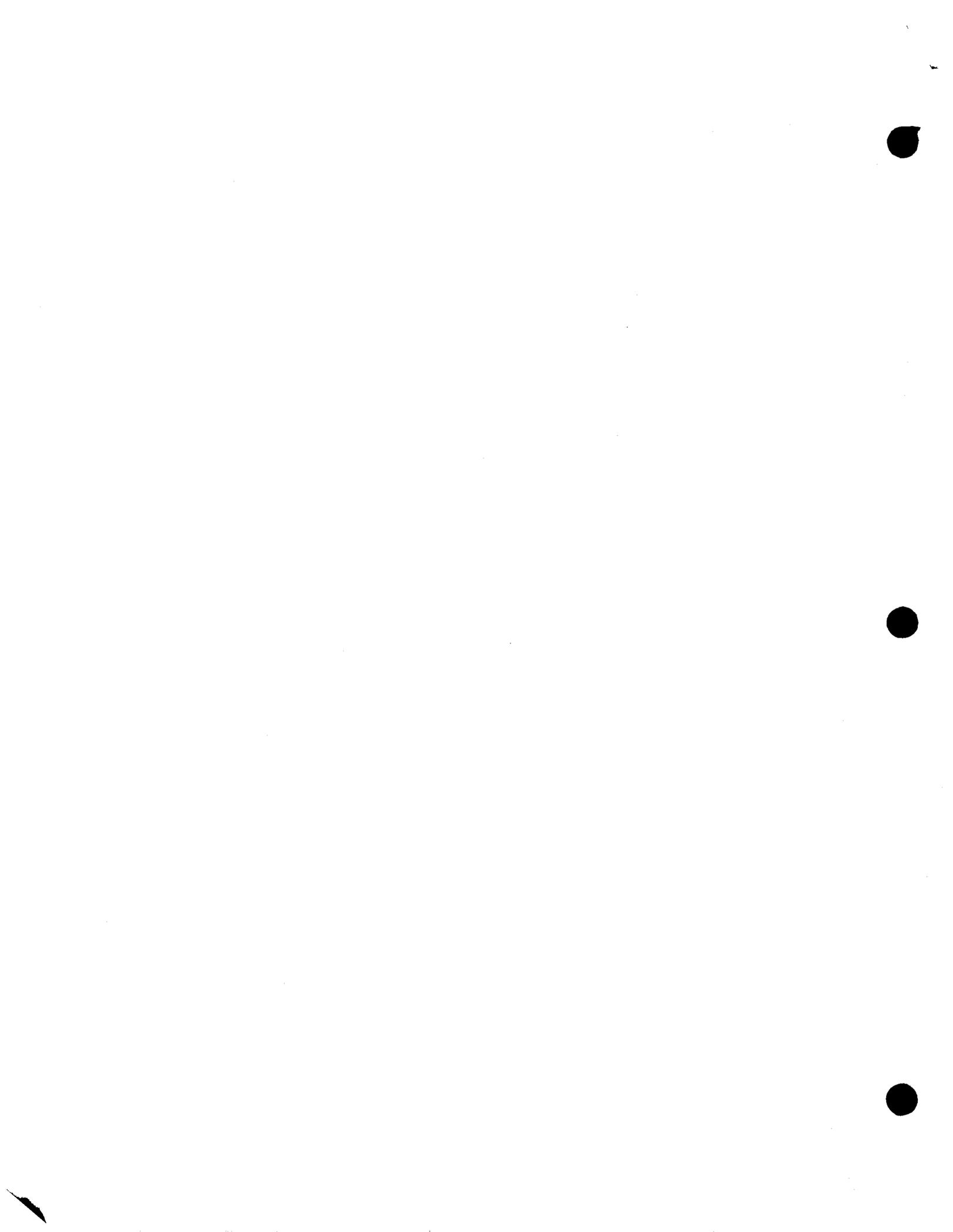
Roberts Rd could become the major east/west connection that the city needs, without impacting so many residents.

Please consider the concerns of the residents in this area. Many are Le Sauk township residents who feel that we have had little input/control over what has been done in our area over the last 10+ years. I would hope that in order for a project like this to be approved, there is a greater good that prevails. Please ask yourselves this question as you ponder your decision: **Who benefits by turning Heritage Drive into a 3-lane major connecting road?**

I, for one, know that it's not me.

Thank you,

Marty Franzmeier  
124 Heritage Drive  
Sartell, MN 56377  
Ph# 320-240-0757



## SARTELL CITY COUNCIL MEETING

MINUTES OF JANUARY 20, 2009

SPECIAL MEETING-RETREAT

Pursuant to due call and notice thereof, a special meeting-retreat session was held on January 20, 2009 in the Council Chambers of Sartell City Hall. The meeting commenced at 5:00 PM.

**COUNCIL PRESENT:** Mayor O'Driscoll; Council members: Perske, Peterson, Hennes and Lynch  
**COUNCIL ABSENT:** None  
**OTHERS PRESENT:** Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Planning & Community Development Director  
Brad Borders, Public Works Director  
Jeremy Mathiasen, consultant City Engineer from Bonestroo

### REGIONAL COLLABORATION ISSUES

A letter from St. Cloud Mayor Kleis requesting formation of a committee to explore regional cooperation on public safety issues in addition to comments he has made via the media suggesting consolidation of area police departments was discussed. The consensus was the consolidation of our police department with St. Cloud's would render no apparent benefits to the City of Sartell and our community based policing service delivery methodology and response time would be eroded with a diversion of our staff resources to meet St. Cloud's needs. However, strong support was expressed for exploring additional ways to collaborate with area public safety departments to render additional cost savings but the need for a new committee was questioned given the existence of the multi-jurisdictional mutual aid board and the monthly meeting of area police chiefs.

Mayor O'Driscoll distributed copies of the most recent response received from the US Postal Service indicating a lack of funding to enable them to commit to construction of a new postal facility in Sartell with no indication of a timeline as to when they see the need for a new facility to be addressed.

It was also noted that response to our repetitive request to St. Cloud to establish a more logical ultimate boundary between St. Cloud and Sartell continues to await a response from Mayor Kleis.

### PINECONE REGIONAL PARK MASTER PLAN

Anita Rasmussen noted that the master plan map recommended for approval by the Park Board had been updated to remove any specific reference to possible uses for an additional building on the site and data on use of the existing arena by skaters had also been provided as requested at the last Council meeting. Council member Perske requested that the plan drafted in 2006 be retained which provided for the installation of the existing trail system and identified a future building as 'multi-use'. Council member Hennes expressed a preference for the new plan as it contains more open space and less impervious surfacing. Council member Lynch noted his continued support for the proposed new master plan. Mayor O'Driscoll noted limited differences between the 2006 plan and the proposed new master plan and also stated a preference for the future building use to remain flexible and non-specific at this time. Council member Peterson advocated at the time design details are considered that the pleasure rink be moved to be located by the existing park shelter and he prefers a right-in, right-out at 1<sup>st</sup> Street and Pine Cone Road. Approval consideration will be placed on the next Council meeting agenda.

### LONG-TERM FINANCIAL PLANNING

Patti Gartland provided an overview of the 10 month evolution of the current Financial Management Plan draft noting the Council's decision to defer to January or February finalizing the plan until after

the 2009 budget decisions were made and incorporated. She further highlighted the primary goals called out in the FMP draft and that continual updating that will occur to the FMP following adoption so that significant changes that occur going forward that may affect the goals and strategies will result in the FMP being revisited by the Council for appropriate changes. Patti Gartland and Mary Degiovanni highlighted the impact on potential priority expenditures under two scenarios – one that assumes continuation of LGA funding at the 2009 level and a second scenario that assumes LGA funding is terminated. Individual expenditure decision contemplated within either scenario or variations to them would be a future determination by the Council when funding sources, bid outcomes, development activity, and other such influences are known.

Anita Rasmussen and Brad Borders reviewed with the Council the recommendations offered by the Park Board for Park capital improvement plan prioritization. Jeremy Mathiasen reviewed with the Council the potential changes to the scope and staging for roadway improvement projects contemplated for the southern part of the City including the Heritage Drive reconstruction, 50<sup>th</sup> Avenue South realignment and reconstruction, and construction of Roberts Road from its current terminus east of Pine Cone Road to Heritage Drive. Consensus was to move forward with a neighborhood information meeting to solicit additional input and feedback from affected property owners on potential changes to the scope and timing which then would be considered by the Council some time in February.

Staff reviewed and offered recommendations on several parcels of property for potential acquisitions or liquidation by the City. After significant discussion, consensus of the Council was to continue potential acquisition efforts for the Sauk River park property that has the benefit of a \$500,000 State bonding commitment, monitor the potential for acquisition of the private property surrounded by City owned property on the east side of 4<sup>th</sup> Avenue South, await response from Great River Bowl as to their potential acquisition interest of property to facilitate an expansion, explore the opportunity to resell the residential property abutting the Shay Family farm property on CR 1 if the amount invested to-date can be recovered, explore the opportunities for selling or removing the residential structure on the property that hosts a lift-station and abuts the Dollar Store on CR 1, and explore resale opportunities for the 1.5 acre tract of land abutting Pinecone Road that is isolated from existing and potential new recreational uses on the recently acquired Athletic Facilities Complex property.

The consensus of the Council was to keep the FMP in draft form until this summer when the results of the 2009 legislative session are known and the overall status the economy and of development activity can be re-evaluated.

#### **REGIONAL AQUATICS TASK FORCE UPDATE**

Council member Hennes and Anita Rasmussen reviewed with the Council a letter dated January 14, 2009, from the consultant for the task force that was convened by the City of St. Cloud to explore the potential for construction of a regional aquatics facility. The letters requests that potential partners identify the potential partnership role they may have in such a facility (equity partner, major tenant, minor tenant, or program partner). Consensus was that the only potential scenario envisioned for a role other than as “program partner” would be as a equity partner if the host site for such a facility was the Sauk River Park property the City is attempting to acquire utilizing State bonding monies provided during the 2008 legislative session.

#### **CONSTRUCTION STANDARDS FOR STREET WIDTH STANDARDS**

City Engineer Jeremy Mathiasen reviewed with the Council the potential for reducing the City’s current 36’ width requirement for non-collector, local residential streets to 32’. After further discussion, consensus was to continue exploring this possibility. Potential scenarios where consideration of a “temporary” roadway construction standard be allowed was discussed with concern expressed for

maintaining consistency between what the City requires of others to what it adheres to for its own projects.

**POTENTIAL LIQUOR ORDINANCE CHANGES**

Mayor O'Driscoll requested Council discussion on a provision in the liquor license ordinance that precluded issuance or renewal of liquor licenses where property tax and/or assessment payments are delinquent. This requirement can place a liquor license holder in a situation where they are not the owner of the property that is subject to the property tax or assessment payment. Consensus was that this matter is better left as a contractual matter between tenant and landlord with additional effort made by the City to alert liquor license holders of these requirements so they can be pro-active in protecting their license eligibility. Patti Gartland also noted that staff will be bring potential liquor license ordinance changes forward to address the Council's request to incorporate a tiered system of enforcement penalties and to address some necessary changes identified from a workshop recently attended by her and the Deputy Clerk.

**EMPLOYEE APPRECIATION & COMMUNITY GROUP RECOGNITION**

Mayor O'Driscoll solicited and received supportive feedback for exploring the potential for some form of employee appreciation event provided by the City. Administrator Gartland solicited and received supportive feedback for exploring the potential for a program for nominating and providing recognition at the beginning of periodic Council meetings for community groups serving the Sartell area. It was suggested that the first such recognition could be of the recently retired Sartell Jaycees organization.

**SCHEDULE DATE FOR NEXT RETREAT AND ADJOURNMENT**

The date for the next Council workshop/retreat meeting was set for Wednesday, February 18, 2009, from 5 – 9 p.m. Mayor O'Driscoll adjourned the meeting at 9:45 PM.

Minutes By:

  
\_\_\_\_\_  
Patti Gartland, City Administrator

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor

SARTELL CITY COUNCIL  
SPECIAL MEETING

MINUTES OF JANUARY 22, 2009

---

Pursuant to due call and notice thereof, a special meeting was held on January 22, 2009 in the conference room of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 5:30 p.m.

**COUNCIL PRESENT:** Mayor Tim O'Driscoll, Joe Perske, Steve Hennes, Pat Lynch, David Peterson

**ALSO PRESENT:** Patti Gartland, City Administrator

COUNCIL CANDIDATE INTERVIEWS

Interviews were conducted with five of the six applicants for appointment to fill a temporary vacancy in the City Council seat held by David Peterson who provided written notice to the Council of a temporary leave of absence effective February 1, 2009 for an estimated period of one year due to a military service obligation.

The following persons were interviewed: Paul Orndorff, Nancy Avery, Jan Sorell, Jack Paulsen, and Bob Pogatshnik.

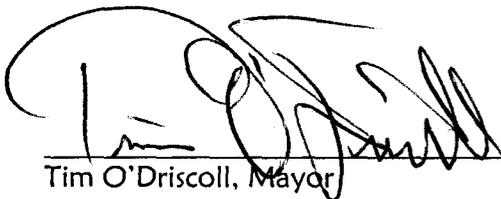
It was noted that the sixth candidate's interview will be conducted on Monday, January 26, 2009, at 6:30 p.m. Official declaration of the vacancy and selection of the candidate for appointment to fill the temporary vacancy is scheduled to occur at a special meeting scheduled for 5:30 p.m. on Monday, February 2, 2009, at the Government Center building/LeSauk Town Hall. The selected candidate will take the oath of office at the beginning of the February 9, 2009, City Council meeting and immediately be seated as a member of the City Council.

The meeting was adjourned at 8:10 p.m.

Minutes by:



\_\_\_\_\_  
Patti Gartland, City Administrator

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor

SARTELL CITY COUNCIL  
SPECIAL MEETING

MINUTES OF JANUARY 26, 2009

Pursuant to due call and notice thereof, a special meeting was held on January 22, 2009 in the conference room of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 6:30 p.m.

**COUNCIL PRESENT:** Mayor Tim O'Driscoll, Joe Perske, Steve Hennes, Pat Lynch, David Peterson

**ALSO PRESENT:** Patti Gartland, City Administrator

COUNCIL CANDIDATE INTERVIEW

An interview as conducted with the sixth applicant, Sarah Jane Nicoll, for appointment to fill a temporary vacancy in the City Council seat held by David Peterson who provided written notice to the Council of a temporary leave of absence effective February 1, 2009 for an estimated period of one year due to a military service obligation.

The other five applicants interviewed on January 22, 2009 include: Paul Orndorff, Nancy Avery, Jan Sorell, Jack Paulsen, and Bob Pogatshnik.

Mayor O'Driscoll advised Ms. Nicoll that official declaration of the vacancy and selection of the candidate for appointment to fill the temporary vacancy is scheduled to occur at a special meeting scheduled for 5:30 p.m. on Monday, February 2, 2009, at the Government Center building/LeSauk Town Hall. The selected candidate will take the oath of office at the beginning of the February 9, 2009, City Council meeting and immediately be seated as a member of the City Council.

The meeting was adjourned at 6:55 p.m.

Minutes by:

  
\_\_\_\_\_  
Patti Gartland, City Administrator

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor

January 26, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF JANUARY 26, 2009

2<sup>nd</sup> MEETING

Pursuant to due call and notice thereof, the 2<sup>nd</sup> meeting of 2009 was held on January 26, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Peterson, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director  
Jim Hughes, Police Chief

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY PETERSON AND SECONDED BY PERSKE ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. January 12, 2009

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING THE MINUTES OF THE JANUARY 12, 2009 REGULAR CITY COUNCIL MINUTES. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. Approval of voucher payments dated January 22, 2009
- b. Public Works Commission meeting notes of January 14, 2009
- c. Professional Development Registrations
- d. Approval of fund transfer recommended by Finance Director
- e. Approval of engineering services proposal for NPDES required pond sedimentation study for 2009
- ~~f. Approval of Pine Cone Regional Park Master Plan~~
- g. Approval of temporary on sale liquor license permit for United Cerebral Palsy of Central MN on April 2, 2009, at Bernick's Arena by Blue Line Sports Bar and Grill
- h. Approval of 2 am on-sale liquor license request from PJ's Pub

Council member Peterson requested consent agenda item "f" be removed and discussed under Old Business.

January 26, 2009

**A MOTION WAS MADE BY HENNES AND SECONDED BY PETERSON APPROVING CONSENT AGENDA ITEMS A-H, DELETING ITEM F FOR SEPARATE DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.**

Consensus of the Council was to add the discussion for Consent agenda item "F" under Old Business.

**PUBLIC HEARINGS**

**a. DNR Natural Scenic Area Grant program application for the proposed Dehler property acquisition**

Anita Rasmussen presented the request for approval of the application for a DNR grant application for the Dehler property. As part of the grant application process, the City of Sartell is required to hold a public hearing to accept any additional ideas from the public to include in the application for grant programs. This DNR application includes the 68 acres described as Dehler/Sauk River Park Property.

The Dehler property is located along the Sauk River in an environmentally sensitive area as indicated in both the Natural Resources Inventory and the FAUAR. The land has been part of an identified regional park since 1970. This property would provide for a variety of recreational activities including nature trails, canoe access on a state route, snow shoeing, cross country skiing, bird and nature observation and would tie into the County bike plan and the Lake Wobegon Trail. This land would also be a part of a multi-jurisdiction regional park with a connection to Whitney Park in St. Cloud for a combined 200+ acres.

The estimated cost to purchase the property is approximately \$3,570,000.00. Since the DNR grant is a matching program, the City of Sartell could use park dedication fees or donations to cover the 40% requirement, assuming an agreement can be reached within the next three years. In 2008, the City of Sartell received \$500,000.00 in capital bonding from the State of Minnesota to assist with the purchase of the Dehler property. The estimated cost of utilities, grounds keeping, waste management, and services is estimated to be \$33,000.00 annually with an annual 3% increase for inflation. The cost for repairs and replacements is estimated at \$2500.00 annually with an estimated 3% increase.

Mayor O'Driscoll opened the public hearing at 7:10 p.m. The following comments were heard although comments do not reflect entire statement made.

Charlotte Stevens, 23 Pandolfo Place, St. Cloud, supports the grant application especially since the property is adjacent to St. Cloud. This land would add natural features and would be best suited for preservation and recreational activities. It is important to save the land for natural resources and make it available for public use.

Lowell Olson, 23 Pandolfo Place, St. Cloud, spoke in favor of the grant application and urged the Council to endorse the application to help preserve the property. This land has long been viewed as prime park land and is part of three area cities master plans for preservation. Mr. Olson outlined proposed connecting trails from other area cities connecting to this property for future enhanced biking and hiking trails.

January 26, 2009

Joe Schoven, 26672 Theresa Terrace Road, Richmond, is interested in regional parks and preservation of nature. Since this is a growing community the price of the land will continue to go up in value. He agrees with applying for the grant.

Hearing no additional comments, Mayor closed the hearing at 7:17 p.m.

Council member Hennes asked Anita to point out the Dehler property on the map provided. This property is adjacent to Whitney Park and includes 15 acres on the east side of the Sauk River. The acres on the east side of the river is mainly trees and low area which could be a possible future eagle habitat preserve area.

Council member Peterson asked if the \$500,000 bonding money could be used toward the City's 40% cost however Anita said it could not be used in that way.

Council member Hennes talked about cooperation from other area cities in sharing maintenance costs. This is also the area of discussions for a possible regional aquatics center.

**Resolution authorizing the application to the DNR Regional Park Grant Program (Dehler/Sauk River Park Property)**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING RESOLUTION 09-09 AUTHORIZING THE APPLICATION TO THE DEPARTMENT OF NATURAL RESOURCES REGIONAL PARK GRANT PROGRAM (DEHLER/SAUK RIVER PARK PROPERTY). THE MOTION CARRIED UNANIMOUSLY.**

**b. Ordinance amendment providing for disconnection of city water utility services**

Public Works Director, Brad Borders presented the ordinance which would allow the maintenance department the authority needed to turn off water at the street mainly to foreclosed homes, preventing damage to homes and possibly to the City's water system.

Mayor O'Driscoll opened and closed the public hearing at 7:25 p.m. There were no comments from the public.

**Ordinance amending Title 8, Chapter 1, Section 10 relating to Water and Sewer Services**

**A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY COUNCIL MEMBER PERSKE ADOPTING ORDINANCE #09-01 AMENDING TITLE 8, WATER & SEWER, CHAPTER 1, WATER & SEWER SERVICES, SECTION 10 ACCOUNTING; BILLING; COLLECTING OF THE CITY'S CODE OF ORDINANCES. THE MOTION CARRIED UNANIMOUSLY.**

**c. Amendment to 2009 Fee Ordinance**

Finance Director, Mary Degiovanni presented the amendment to the 2009 fee ordinance and highlighted the proposed changes particularly as it relates to the reduction in development costs for single family homes. Mary requested the Council table action on the rental dwelling section of the ordinance to allow staff to review charges.

January 26, 2009

Mayor O'Driscoll opened the public hearing at 7:29 p.m. The following comments were heard although comments do not reflect entire statement made:

Jane DeAustin, representing Central Minnesota Homebuilders Association thanked the Council for working with the building industry and taking the first step in reducing construction costs. Jane also expressed special appreciation to Mary Degiovanni for finding solutions to help lower costs for the building industry. Jane is proud to be a part of a community that recognizes the importance of housing development.

Mayor closed the hearing at 7:31 p.m.

**Ordinance adopting 2009 Amended Fee Schedule**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING ORDINANCE 09-04 AMENDING THE CITY'S FEE SCHEDULE ORDINANCE. THE MOTION CARRIED UNANIMOUSLY.**

**d. Ordinance relating to criminal history background for applicants for city employment and city licenses**

Chief Jim Hughes presented the suggested changes and additions to the ordinance as it relates to criminal background checks for city employment and licenses.

Mayor O'Driscoll opened and closed the hearing at 7:37 p.m. There were no comments from the public.

**A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY COUNCIL MEMBER LYNCH ADOPTING ORDINANCE 09-03 RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR APPLICANTS FOR CITY EMPLOYMENT AND CITY LICENSES. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Approval of Pinecone Regional Park Master Plan**

Council member Peterson led the discussion expressing his concerns of the Master Plan for Pinecone Regional Park as it relates to the placement of the hockey rink, playground, lack of a holding pond area as well as the right-in right-out on 1<sup>st</sup> Street/Pinecone Road. Peterson said he cannot support this plan going forward.

City Administrator explained this plan is only a concept of the offered amenities and the location of specific amenities can be shifted in the future when the plan is implemented. The right-in/right-out could be discussed as a traffic control issue however would not be a park plan concern.

Council member Perske cannot support the plan as presented because to him it represents a plan more for the hockey association than one from the Park Commission, especially with the reserved space for a second sheet of ice. Initially there was to be a library, community center, pool and field house on this property and according to the survey taken, 49% of residents believed an additional sheet of ice is not important. Perske does not approve of the location of the warming house in comparison to the pleasure

January 26, 2009

rink or the location of the gazebo. Perske suggested posting the plan on our web site and get feedback from residents .

Council member Lynch emphasized the fact that this is a concept plan only, which had been discussed and agreed to as an acceptable plan at the Council's retreat. The Park Commission also approved the plan as presented understanding the amenities can be moved. Lynch approves the plan as presented.

Mayor O'Driscoll explained this item was discussed at the retreat and the consensus of the Council was that there was enough room in the park for the suggested amenities and that locations of the amenities could be moved in the future without compromising the plan. O'Driscoll also clarified the second building is proposed as a future community building, not an ice arena. As most of the City park plans in the past, amenity locations have changed, most recently at Val Smith Park where upgrades were added last year and after discussions, plans had changed prior to final approval.

Council member Hennes agrees with plan and believes it is time to move forward. This is a concept plan only and will be set aside until funding becomes available.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING CONSENT AGENDA ITEM "F" APPROVAL OF PINECONE REGIONAL PARK MASTER PLAN.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS LYNCH AND HENNES**

**NAY: COUNCIL MEMBERS PERSKE AND PETERSON**

**THE MOTION PASSED**

#### **DEPARTMENT REPORTS**

##### **Police Department**

No report given.

##### **Public Works Department**

No report was given however Brad did talk about the responsibility of the homeowners to remove snow from their mailboxes.

##### **City Engineer**

Jeremy Mathiasen presented project updates. Council member Hennes requested a Council tour of the southwest water treatment plant sometime this spring.

##### **Planning & Community Development**

Anita Rasmussen presented her memorandum.

January 26, 2009

**City Administrator**

No report given

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Hennes wished Council member Peterson well on his tour of duty to Iraq.

**ADJOURN**

**A MOTION WAS MADE BY PETERSON AND SECONDED BY PERSKE TO ADJOURN THE MEETING AT 8:03 P.M. THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

  
\_\_\_\_\_  
**Judy Molitor**

  
\_\_\_\_\_  
**MAYOR TIM O'DRISCOLL**

February 2, 2009

**SPECIAL JOINT MEETING  
SARTELL CITY COUNCIL  
JOINT PLANNING COMMISSION  
LESAUK TOWN BOARD  
FEBRUARY 2, 2009**

---

Pursuant to due call and notice thereof, a special meeting was held on February 2, 2009 at the LeSauk Township Hall.

**City Council Present:** Mayor O'Driscoll, Council members: Hennes, Lynch, Perske

**Joint Planning Commission Members:** Robin Froelich  
Jerry Hettwer  
Ron Naber  
Mark Bromenschenkel  
Ken Robinson

**Town Board Present** Marlyce Plante, Township Clerk  
Kevin Pullis, Township Supervisor  
Troy Gilchrist, Township Attorney

**Also Present:** Patti Gartland, City Administrator  
Jan Peterson, City Attorney  
Anita Rasmussen, Community Development Director  
Mary Degiovanni, Finance Director  
Mathew Gindele, Planning Intern  
Paul Orndorff, City Council Candidate  
Judy Molitor, Secretary

**CALL TO ORDER**

Mayor O'Driscoll called the meeting to order at 7:37 p.m.

**AGENDA REVIEW AND APPROVAL**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HETTWER APPROVING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**INTRODUCTIONS**

Those present introduced themselves.

**LESAUK ORDERLY ANNEXATION AGREEMENT DISCUSSION**

City Administrator, Patti Gartland highlighted the discussion from the meeting held on January 16, 2008 and briefly explained the financial challenges faced by the City in long term capital investment needs. In

February 2, 2009

an attempt to improve the relationship between the City and the Township it was also agreed at that meeting, that both entities prepare a list of topics for discussions and appoint representatives to serve on a committee to discuss issues of concern.

Mathew Gindele, Planning Intern distributed a map identifying the 14 areas of the Township that are part of the existing orderly annexation agreement along with a chart depicting projected costs to serve these areas with City water, sewer, street and stormwater improvements, including payback in years based on the tax base.

Finance Director, Mary Degiovanni discussed the variables that can determine how assessments are figured on odd shaped lots according to the current policy, while still being sustainable to the property owner.

Kevin Pullis talked about the possible cost effectiveness of bringing in larger parcels of property into the City for better pricing with the extension of services, however was reminded that the City is not in a position to assume the financial responsibility at this time. Pullis said that based on what the assessment costs are, would determine whether residents want to annex. If a re-draft of the orderly annexation is done, Pullis suggested involving the County.

Mayor O'Driscoll talked about the map which predefines the 14 areas of the township, however stressed that 60% of the property owners within those specific areas would need to agree that services are wanted prior to annexation. There is also the difficulty of having 60% of the property owners with the need for services at the same time, and assuming the City would be in a financial position to extend services. Mayor also explained the difficulty of determining costs to extend services. If the infrastructure is already at the street to a property, the City can then consider one annexation at a time.

Jan Peterson, City Attorney explained the need to have a plan on how the City if/when could extend services. Transportation infrastructure needs to be reviewed and options for prepayment of assessment costs could be considered. The City is waiting for the Township to join in the process of determining needs, appoint a representative and bring a list of discussion items to a meeting.

Troy Gilchrist, Township Attorney stressed the need to review the Joint Powers Agreement, Orderly Annexation Agreement, Zoning Ordinance as well as the need for a document indicating authority limits of the Joint Planning Commission Board.

Kevin Pullis talked about the fact that the township could not decide on one person to represent the Township at a meeting with the City, therefore, if acceptable to the City, Pullis, Naber and Bromenschenkel would all attend the meetings. The township will bring a list of priority items to the meeting.

Patti Gartland suggested that a member of the Initiative Foundation may want to be contacted to attend the joint meetings as a facilitator.

As a consensus for the joint meeting both the City and Township will provide each governing body a copy of the intended items for discussion.

February 2, 2009

**A MOTION WAS MADE BY PULLIS AND SECONDED BY BROMENSCHENKEL APPROVING MARCH 3, 2009 AT 6:30 P.M. AS A MEETING DATE BETWEEN THE CITY AND LESAUK TOWNSHIP. THE MEETING WILL BE HELD AT CITY HALL. THE MOTION CARRIED UNANIMOUSLY.**

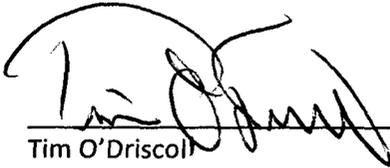
**A MOTION WAS MADE BY HENNES AND SECONDED BY BROMENSCHENKEL TO ADJOURN THE MEETING AT 9:05 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By:



---

Judy Molitor  
Administrative Secretary



---

Tim O'Driscoll  
Mayor

## SARTELL CITY COUNCIL MEETING

MINUTES OF FEBRUARY 2, 2009

SPECIAL MEETING

Pursuant to due call and notice thereof, a special meeting was held on February 2, 2009 in Sartell-LeSauk Government Center meeting room. The meeting commenced at 5:30 PM.

**COUNCIL PRESENT:** Mayor O'Driscoll; Council members: Perske, Hennes and Lynch  
**COUNCIL ABSENT:** None  
**OTHERS PRESENT:** Patti Gartland, City Administrator

### DECLARATION OF VACANCY ON CITY COUNCIL

In accordance with written notice of a temporary leave of absence received from Council Member David Peterson on December 15, 2008, for an estimated one year period of time beginning February 1, 2009, due to his military activation and deployment to Iraq, a resolution was presented by the City Administrator to facilitate officially declaring a vacancy on the Council. Motion was made by Lynch, seconded by Hennes to approve the Resolution declaring a vacancy on the City Council for the City of Sartell. Motion unanimously carried.

### APPOINTMENT TO FILL TEMPORARY VACANCY

Mayor O'Driscoll provided a summary of the process established by the Council to proceed with selection of a person to fill the temporary vacancy on the City Council as declared by adoption of the resolution earlier this evening. All six applicants for the temporary appointment were interviewed by the City Council. Administrator Gartland indicated that legal counsel is advocating use of a blind ballot process to facilitate the selection process with all potential for a majority vote outcome for selection exhausted before resorting to the Mayoral appointment authority provided in MN Statute in the event of a tie vote. Council consensus was to utilize the recommended blind ballot process.

The results tabulated by the City Administrator of the first blind ballot rendered two votes for Jan Sorell and two votes for Paul Orndorff. Significant discussion on the skills and assets offered by Ms. Sorell and Mr. Orndorff occurred followed by the casting of votes on a second blind ballot. The results tabulated by the City Administrator of the second blind ballot rendered two votes for Jan Sorell and two votes for Paul Orndorff. Council Member Perske noted the recommendation offered by Council Member Peterson to appoint Mr. Sorell to fill the interim vacancy in his position. Additional deliberation occurred until such time as a consensus was reached that they had reached a deadlock and further deliberation would not render a different result. Mayor O'Driscoll then declared the appointment of Paul Orndorff to fill the temporary vacancy on the City Council pending David Peterson's return to service on the City Council in approximately one year.

### ADJOURNMENT

Motion was made by Lynch and seconded by O'Driscoll to adjourn the meeting at 6:13 pm. Motion carried unanimously.

Minutes By:

  
Patti Gartland, City Administrator

  
Tim O'Driscoll, Mayor

February 9, 2009

## SARTELL CITY COUNCIL MEETING

MINUTES OF FEBRUARY 9, 2009

3<sup>RD</sup> MEETING

City Administrator, Patti Gartland administered the Oath of Office to Paul Orndorff who will replace David Peterson on the Council while he is deployed to Iraq.

Pursuant to due call and notice thereof, the 3rd meeting of 2009 was held on February 9, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director  
Dale Struffert, Deputy Police Chief

### AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

### APPROVAL OF CITY COUNCIL MINTUES

- a. February 2, 2009 - City Council special meeting
- b. February 2, 2009 - City Council Joint Planning Commission and Township
- c. January 26, 2009 - City Council Meeting
- d. January 26, 2009 - City Council Special Meeting
- e. January 22, 2009 - City Council Special Meeting
- f. January 20, 2009 - City Council Workshop/retreat

**A MOTION WAS MADE BY AND SECONDED BY PERSKE APPROVING THE MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

### CONSENT AGENDA

- a. January Building Inspectors Report – Acceptance
- b. January Fire Marshal/Code Official Report – Acceptance
- c. January Finance Directors Report – Acceptance
- d. Approval of voucher payments dated February 4, 2009
- e. Professional Development Registrations
- f. Approval of budgeted transfer of \$5,000 from general fund to Youth Programs
- g. Approval of resolution authorizing the sub mission of a Greater MN Business Development Public Infrastructure Grant request

February 9, 2009

- h. Approval of application submission for Highway Safety Grant program for intersection improvements on Pinecone Road South
- i. Approval of economic stimulus application submission for projects not included in the APO's STIP plan for Sartell
- j. Approval of resolution accepting petition and ordering preparation of a feasibility report for 7<sup>th</sup> Avenue south public improvements
- k. Set Sartell/Stearns County part Board of Review for April 15, 2009 at 6:00p.m.
- l. Approval of joint resolution of Central MN Cities Advocating Support for Certain Legislative Issues and Proposals of Common Interest or Concern to the Central MN Region.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A-L. THE MOTION CARRIED UNANIMOUSLY.**

### **OLD BUSINESS**

Anita Rasmussen presented the resolution issuing the negative declaration of need for an EIS for 50<sup>th</sup> Avenue and Roberts Road. The EA/EAW has identified areas where the potential for significant environmental effects exist, but appropriate measures have or will be incorporated into the project plan and/or permits to avoid or mitigate impacts. The City of Sartell will continue to strive for environmentally superior measures that meet the project purpose and needs during the detailed design of both projects. Based on the Findings of Fact neither 50<sup>th</sup> Avenue or the Roberts Road project have the potential for significant environmental impacts.

- a. **Resolution issuing a negative declaration of need for an EIS for the 50<sup>th</sup> Avenue corridor**

**A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH APPROVING RESOLUTION 15-09 ISSUING A NEGATIVE DECLARATION OF NEED FOR 50<sup>TH</sup> AVENUE. THE MOTION CARRIED UNANIMOUSLY.**

- b. **Resolution issuing a negative declaration of need for an EIS for the Roberts Road corridor**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING RESOLUTION 16-09 ISSUING A NEAGATIVE DECLARATION OF NEED FOR ROBERTS ROAD. THE MOTION CARRIED UNANIMOUSLY.**

### **NEW BUSINESS**

Patti Gartland presented resolutions to officially create and define the role and responsibilities for both the Public Works Commission and the SALT committee.

Council member Hennes talked about his involvement with the SALT Committee and some of the improvements made in the City due to the commitment from members.

### **Resolution establishing Public Works Commission**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 14-09 APPROVING THE ESTABLISHMENT OF THE PUBLIC WORKS COMMISSION. THE MOTION CARRIED UNANIMOUSLY.**

February 9, 2009

**Resolution establishing Seniors and Law Enforcement Together (SALT) Committee**

**A MOTION WAS MADE BY PERSKE AND SECONDED BY HENNES APPROVING RESOLUTION 17-09 APPROVING THE ESTABLISHMENT OF THE SALT COMMITTEE. THE MOTION CARRIED UNANIMOUSLY.**

**DEPARTMENT REPORTS**

**Police Department**

Deputy Chief Struffert presented his memorandum.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES ACCEPTING THE POLICE DEPARTMENT REPORT. THE MOTION CARRIED UNANIMOUSLY.**

**Public Works Department**

Brad presented his memorandum and updated the Council on the water main break today on Riverside Avenue caused by ground shifting. A suggestion was made to continue to ask for help from residents to help keep snow away from fire hydrants.

**City Engineer**

Jeremy presented his memorandum.

**Planning & Community Development**

Anita presented her memorandum.

**City Administrator**

Patti presented her agenda notes.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Member Perske requested further discussion on the park budget at an upcoming retreat.

Member Orndorff said he is happy to be back serving on the Council and hopes for the safe return of Council member Peterson in approximately a year.

Mayor O'Driscoll talked briefly about the February 3<sup>rd</sup> evening at the Capital where he and staff members met with legislatures. He also talked about partnering with Community Education and the anticipated success of the Mayor's 5K run to be held on Friday, June 12<sup>th</sup> starting at 6:30 at City Hall.

February 9, 2009

A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE TO ADJOURN THE MEETING AT 7:34 P.M.  
THE MOTION CARRIED UNANIMOUSLY.

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

## SARTELL CITY COUNCIL MEETING

MINUTES OF FEBRUARY 18, 2009

SPECIAL MEETING-RETREAT

Pursuant to due call and notice thereof, a special meeting-retreat session was held on February 18, 2009 in the Council Conference Room of Sartell City Hall. The meeting commenced at 5:00 PM.

**COUNCIL PRESENT:** Mayor O'Driscoll; Council members: Perske, Hennes, Lynch and Orndorff

**COUNCIL ABSENT:** None

**OTHERS PRESENT:** Patti Gartland, City Administrator

### AGENDA REVIEW & APPROVAL

Patti Gartland provided copies of the water conservation brochure that will be used at the City's booth in the Chamber's Community Showcase event this Saturday noting information on roundabout & transportation improvements plans and crime prevention will also be provided.

She also shared with the Council notice she received earlier in the day that Pat Gibney will be reassuming his prior role as mill manager at Verso with Marc Connor being reassigned to one of their mills in Maine.

She also advised the Council that Monday evening's agenda will include recommendations from staff to proceed with ordering the preparation of plans and specs for two significant regional roadway infrastructure projects: Roberts Road from Pine Cone Road to Heritage Drive and for Heritage Drive from Pine Cone Road to 50<sup>th</sup> Avenue and the CR 120 and CSAH 1 improvements related to the Sartell Partners development project. Significant discussion focused on priorities for use of local option sales tax. A resolution adopted on February 17<sup>th</sup> by the City's Economic Development Commission was distributed advocating funding as a high priority for regional transportation projects (Roberts Road, 50<sup>th</sup> Avenue, Heritage Drive, and Pine Cone Road extension in St. Cloud) as the optimal investment for the City to make for job creation, tax base & sales tax expansion, and public safety reasons. Consensus of the Council also favored the EDC's recommendation for the City to participate in the CMBA Home Show event to promote development in Sartell. Council Member Perske shared his continued philosophical objection to using sales tax monies for roads in advance of other voter approved areas like park improvements. Other members of the Council expressed support for use of sales tax monies for regional road improvements as approved by city voters and as a pro-active investment to better position the City in its economic recovery efforts.

### APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS FOR 2009

Consensus of the Council was to retain existing Council appointments to various boards and committee with Council Member Orndorff assuming appointments previously held by David Peterson (Tri-Rec Board, Public Works Commission, alternate to the St. Cloud Area Joint Planning District Board, and Sartell Recreation Center Association Board). Staff will assume the liaison role and responsibility between the Council and Park Commission. The citizen representative role previously provided by Paul Orndorff to the Public Works Commission was concluded unnecessary at this time. First alternate to the Sartell Chamber will be Council Member Hennes due to a standing conflict that has arisen for Council Member Lynch. The City-School Collaborative Planning Commission and City Facilities Construction Committee will continue to be listed but no appointments will be made at this time. Council update from the MTC will be requested for a Council meeting in the next month or two. Given the extent of new members to both the City Council and School Board, a request to meet jointly will be placed with the School Superintendent.

### CONTINGENCY PLANNING FOR STATE AID CUTS IN 2009 AND 2010

Patti Gartland presented to the Council three possible scenarios for expenditure reductions should State Aids be reduced by 25%, 50% or 100% in 2009. But for a \$2,000 shift in potential budget savings for a response protocol change in the Fire Department, consensus of the Council was to move ahead with all of the reductions outlined in the 25% cut scenario totaling \$122,488 in estimated budget reductions. Prior understandings by the Council that LGA receipts would not be factored into operating cost but would be utilized exclusively in the Street Fund need to be reviewed and clarified. Debt service commitments transferred to the Street Fund for levy limit impact reasons were noted but it was also believed by the Council that the full amount of LGA receipts would be provided to the Street Fund with the potential for no reductions to the General Fund to be required. Patti will research this further and report back to the Council.

Patti Gartland also advocated continuation of the directive currently in place to department managers prohibiting moving ahead with budgeted capital outlay expenditures except where it is critical to maintaining an existing service or operation (e.g. \$15,000 estimated repair to the irrigation well at Northside Park, \$25,000 estimated repair to Watab pool) until the outcome of the 2009 legislative session budget impacts is known. Council Member Perske advocated consideration for certain kinds of improvements at Northside Park and low cost field development at the Athletic Facilities complex be pursued now.

### REGIONAL AQUATICS TASK FORCE UPDATE

Council member Hennes reviewed with the Council the aggregate survey results recently shared with the Aquatics Community Center task force noting that the breakout of survey results by community had not yet been received.

### LESAUK TOWNSHIP RELATED MATTERS

Patti Gartland indicated that she contacted the Initiative Foundation to inquire about their willingness to serve as facilitator as they had previously agreed (2004) to and as requested by consensus of the City Council and Town Board at the joint meeting held earlier this month. They expressed a willingness to assist but noted that they now provide facilitation and mediation assistance through a grant assisted relationship with SCSU's Center for Alternative Dispute Resolution (ADR). Patti noted she met with the director of ADR yesterday. Don Hickman from the Initiative Foundation and Theresa Fischer from ADR will be in attendance at the meeting on March 3<sup>rd</sup> to share with the group the form of assistance they could offer.

The areas where there is believed to be a realistic opportunity to reach agreement are with the Fire Service Contract and with the Joint Planning Board process and authority dispute. The feasibility assessment completed by the City for retrofitting developed parts of the township with municipal utility service has clearly demonstrated that it is cost prohibitive for the City (estimated net cost to the City \$11 million).

Patti Gartland advised the Council that she and Police Chief Hughes had met with legal counsel Jan Petersen and been provided with a new Fire Service Contract prototype that had been jointly developed by the LMC and Association of Townships. Consensus was to advocate use of this model in replacing the previous Fire Service Contract that expired in 2007. Consensus was that a service contract was the more appropriate format for continuing our relationship with the township versus that of a Joint Powers Agreement approach.

Mayor O'Driscoll indicated his willingness to continuing serving as the Council's designated representative to meet and negotiate a potential resolution to the Fire Service Contract and Joint Planning matters, he suggested Council Member Hennes also serve in such a capacity along with

Administrator Gartland. Ms. Gartland will update for prior review by the Council the list of issues to present to representatives of the Township for discussion at the March 3<sup>rd</sup> meeting.

**ADJOURNMENT**

Mayor O'Driscoll adjourned the meeting at 9:15 PM.

Minutes By:

  
Patti Gartland, City Administrator

  
Tim O'Driscoll, Mayor

February 23, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF FEBRUARY 23, 2009

4<sup>th</sup> MEETING

Pursuant to due call and notice thereof, the 4th meeting of 2009 was held on February 23, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director  
Jim Hughes, Police Chief

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINTUES

- a. February 9, 2009 – City Council meeting
- b. February 18, 2009 - City Council retreat/workshop

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

CONSENT AGENDA

- a. Approval of voucher payments dated February 19, 2009
- b. Professional Development Registrations
- c. Approval of resolution setting public hearing for March 9, 2009 for preliminary plat of Erdman Company
- d. Approval of resolution setting public hearing for March 9, 2009 for vacation of certain easements in Celebration of Sartell plat.
- e. Approval to move Earnest Fincher from probationary status to regular employment status.
- f. Approval of antenna site lease agreement for Northside water tower with Wireless Communications Venture
- g. Approval of amended resolution making certain appointments and designations for 2009

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Heritage Drive and Roberts Road public improvement project**

City Engineer, Jeremy Mathiasen updated the Council on the second neighborhood meeting held to discuss the Heritage Drive and Roberts Road improvement project and highlighted the following proposed design changes:

- Reconstructing east Heritage Drive to a rural section, keeping the ditches in place.
- No bituminous trail construction along east Heritage Drive.
- No new street lighting along east Heritage Drive.
- No new utilities along east Heritage Drive.

The assessments for residential properties on the east end of Heritage Drive would be reduced to approximately \$2800 for a 100-foot lot while the assessments for west Heritage Drive would be similar to the original numbers. There was some discussion at the meeting about lowering speed limits, adding stop signs and future plans to cul-de-sac the roadway. The consensus of the group was positive that the Council had considered input from the public meetings.

Some of the property owners on the west portion of the projects attended the meeting and understood the need for the project even though their assessments are based on the City's assessment policy and will likely stay close to the originally proposed amount. Their concern was to slow and minimize traffic in this residential neighborhood. Jeremy clarified this is a phased in project and the future phase will include West Heritage and 50<sup>th</sup> Avenue guided for 2010.

Council member Hennes asked for a timeframe of the project being "shovel ready". Jeremy indicated the project is on track, if stimulus funds do become available.

Council member Perske expressed concern of financing the project and asked Jeremy to explain the funding source, including the use of sales tax dollars.

Jeremy Mathiasen described some of the methods of funding for this project would be assessments, future assessments of undeveloped property as well as future annexed property, MSA bonding, sales tax dollars and possibly stimulus funding. Jeremy explained how difficult it is to determine the exact amount of sales tax money needed until the right of way is acquired and the project is bid. The next step would be to move forward with the design and feasibility study process.

Council member Perske talked about his concern of spending all the projected sales tax money through 2020 on this project and not having funds to construct other promised amenities, such as a possible community center/library. He believes the project is necessary, however is uncomfortable moving forward with the project until a more definitive funding source is discussed.

Patti explained that at this time staff is looking for approval to move forward with plans and specs so the project is shovel ready in the event stimulus funding becomes available. Originally the estimated project was \$3.6 million however with the cost savings of the design for the East portion and reduction in work the saving is estimated at \$2 million. At this time the City does not have the outcome of the assessments, since those estimated amounts are based on city policy only. Costs for right of way

February 23, 2009

acquisition are estimated as well. Staff is recommending to move into the design stage and bid process for more clarification of costs. Patti did say that at this time sales tax receipts are right on the estimated amounts projected.

Mayor O'Driscoll emphasized the need for a feasibility study and plans/specs for determining the next steps. O'Driscoll talked about the workshop when the Council identified approximate revenues from sales tax receipts and designated specific areas of use for sales tax funds such as community resource center/library, land/open space preservation, roads and regional park improvements. The designated funding for regional park improvements was spent when the decision was made to purchase the golf course, however based on current sales tax projections funding still remains for roads based on those original guidelines for use of sales tax funds. According to the Ehler's financial market report, making road investments could help increase traffic patterns through retail developments and increase sales tax revenue.

Patti updated the Council on the latest correspondence from Great River Regional Library and their earliest anticipated timeline for a branch library for Sartell is approximately 2016, therefore allocation for the sales tax funding for a community center/library is a few years away.

Council member Lynch talked about his concern of financing the project and burdening the taxpayers with assessments, however he believes using sales tax money is a legitimate use of funds. He encouraged infrastructure improvements and approves of moving forward with preparing plans and specs for the project.

Mayor O'Driscoll requested the following written correspondence supporting the project be added to the record from the following: Lonnie Kornovich, Kornovich Development Company, Inc., Chris Coborn of Coborns, Mike Zimny owner of Michelle Kenric Hair Studio, Dave Reimer of Urban Associates, Bill Winter, CEO St. Cloud Federal Credit Union and Brandon Testa, owner of House of Pizza. In addition, the Economic Development strongly supports the project.

**Resolution ordering preparation of plans and specifications for Heritage Drive and portions of Roberts Road public improvements**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 21-09 ORDERING IMPROVEMETNS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS FOR HERITAGE DRIVE/ROBERTS ROAD IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**DEPARTMENT REPORTS**

**Police Department**

No report was submitted, however Chief Hughes was on hand to answer questions. Council member Hennes asked Hughes for his ideas on the use of photo cops on Highway 15 and County Road 1. Hughes talked about the difficulty of identifying drivers of vehicles when using photo cops, not only the owner of the vehicle, since the owner of the vehicle can be fined according to law. Hughes also discussed the difficulty of finding a safe place for a patrol car at this busy intersection.

February 23, 2009

**Public Works Department**

Director, Brad Borders was available to answer questions, no report was presented.

**City Engineering**

Jeremy Mathiasen presented his memorandum.

**Planning & Community Development**

Anita Rasmussen was available to answer questions, no report was given.

**City Administrator**

Patti Gartland asked the Council for direction regarding the previously approved joint resolution identifying legislative issues of common interest and concern as was discussed at the last Area Cities meeting. She noted that Sartell and Waite Park approved the resolution without alterations but the other cities each made changes to the joint resolution resulting in 5 different versions in existence. After discussion and direction, Patti will convey to the area administrators the suggestion that in lieu of trying to create a new resolution for adoption by all six cities without changes, the common elements of the 5 version adopted be placed on the list that can be shared with legislators.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

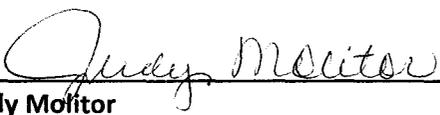
Council member Perske gave an update on the well attended Chamber sponsored Community Showcase.

Council member Orndorff asked if there could be an improvement made to the lighting at the intersection at 1<sup>st</sup> Street and Pinecone Road.

**ADJOURN**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES TO ADJOURN THE MEETING AT 7:55 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
Judy Molitor

  
MAYOR TIM O'DRISCOLL

**Kornovich Development Company, Inc.**

4478 121st Avenue  
Clear Lake, MN 55319

Phone: 320 743-3116  
Cell: 320-267-0456  
Fax: 320-743-4805

Sartell City Council

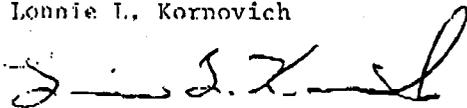
To all concerned

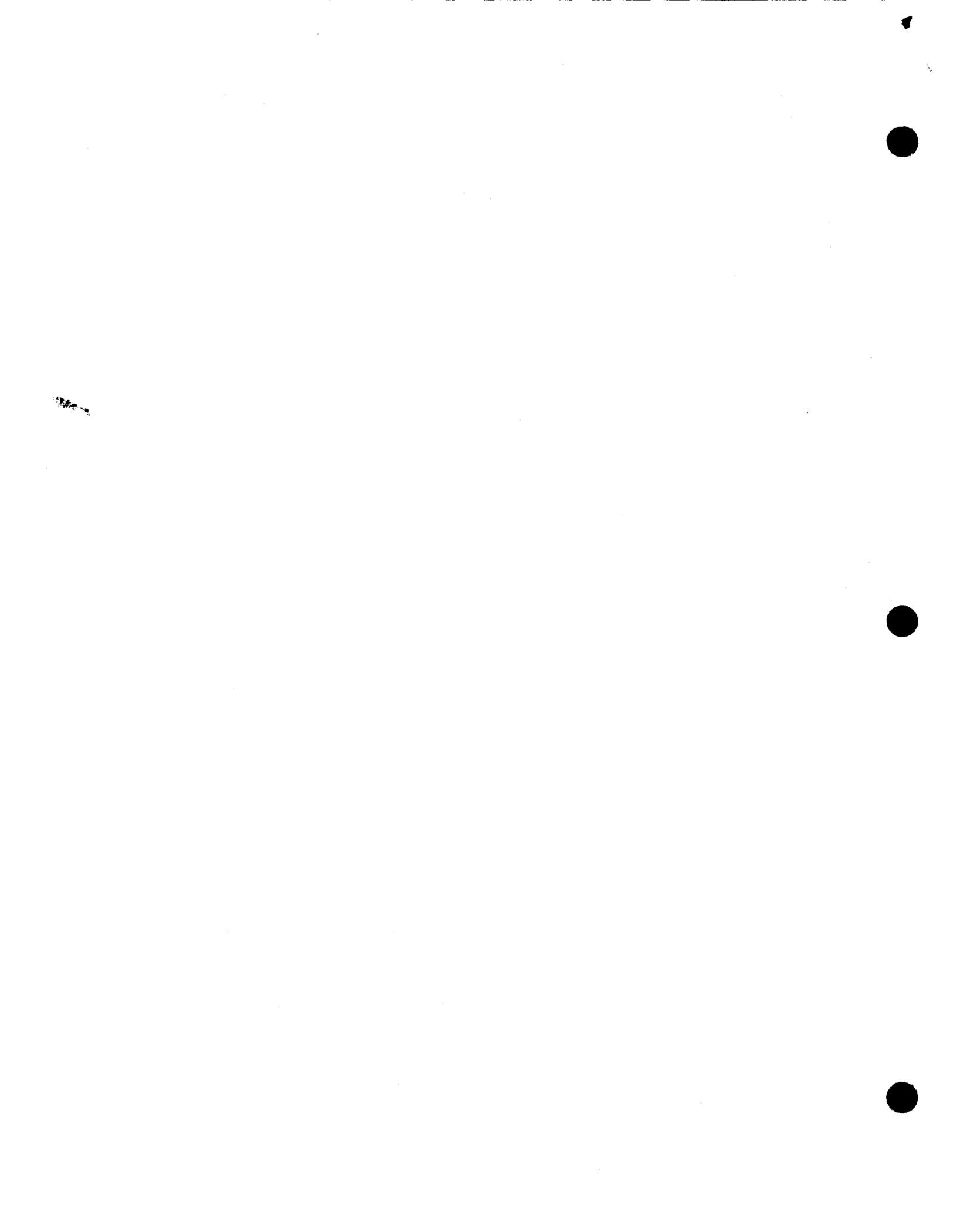
As the developer of the Heritage Place Plat I'm strongly requesting the construction of Roberts Road east of Pine Cone Road to a **minimum** of the north exit from the Heritage Place senior project ( which is under construction at this time ). This point would be just short of Heritage Drive / roundabout, in the event the R/W for the roundabout can not be acquired to allow construction in 2009. This would allow building on all lots remaining in this plat. My original plat of this area was in 2004 with the final phase slatted for 2007. However, due to moratoriums, moratorium extentions and requests to delay platting we are now in 2009. I have incurred unplanned carrying costs and have indurred lost opportunities to build out this property due to these delays.

**Please approve this project for construction in 2009 as requested above.**

Thank You

Lonnie L. Kornovich





**Patti Gartland**

---

**From:** Chris.Coborn@cobornsinc.com  
**Sent:** Friday, February 20, 2009 5:33 PM  
**To:** Patti Gartland  
**Subject:** Re: Roberts road

Thank, you too....

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
**From:** patti  
**Sent:** 02/20/2009 11:22 PM GMT  
**To:** Chris Coborn  
**Subject:** Re: Roberts road

I will convey your comments and advocacy to the Council. Thanks and have a nice weekend, Chris.

-----Original Message-----  
**From:** Chris.Coborn@cobornsinc.com  
**To:** patti@sartellmn.com  
**Subject:** Roberts road  
**Sent:** Feb 20, 2009 3:10 PM

Hello, Patti...

Unfortunately I'm not able to make the next council meeting this coming Monday. Would you PLEASE pass along my encouragement to the City council too approve the staff recommendation to extend Roberts road from its current position. Coborn's feels its vital to the long-term viability of all commerce along Pine Cone to have better access to its neighbors. With future development along Hwy 15, it will be critical the entire retail area that is closest to those neighbors be given equal access, in order to complete more fairly. Thank you for your consideration and the on going work you do for the City of Sartell.

Best regards, Chris

Chris Coborn  
President/CEO  
Coborn's Incorporated  
email: [chris.coborn@cobornsinc.com](mailto:chris.coborn@cobornsinc.com)

-----  
This email has been scanned by IBM/MessageLabs and contains no viruses.

Sent from my Verizon Wireless BlackBerry

-----  
This email has been scanned by IBM/MessageLabs and contains no viruses.

**Patti Gartland**

---

**From:** Zimny, Mike [Mike.Zimny@merrillcorp.com]  
**Sent:** Monday, February 23, 2009 10:06 AM  
**To:** Patti Gartland  
**Cc:** michellekenric@aol.com  
**Subject:** Roberts Road construction  
**Attachments:** image001.gif

Hi Patti - My wife Wendy & I are new business owners of the Michelle Kenric Hair Studio & Spa which is located in Pine Cone Marketplace. We are working diligently to grow this business and make it a long-term viable business located in Sartell. During our first couple months of ownership, we have recognized that our long-term success in Sartell is going to require drawing many of our customers from the surrounding communities of St. Cloud, St. Joseph, Sauk Rapids & Waite Park. All road construction and improvements that will increase the ease of access from any of these communities will help us grow our customer base and thus help our business grow and remain viable in it's current Sartell location.

We are asking for support from the City of Sartell in the form of constructing these planned access corridors thus opening up opportunities for ease of access for new customers. I understand that a vote will be taken regarding the construction of the Roberts Road, taking it to Heritage Drive. This is the type of access that can help our business and make sure we can remain a long-term Sartell based business and thus we are seeking support from the City of Sartell to proceed with this construction during 2009.

Please feel free to share our request for support of this construction with the City Council.

Mike & Wendy Zimny  
Michelle Kenric Hair Studio & Spa  
1733 Pine Cone Road S, Suite 1300  
Sartell, MN 56377

**Patti Gartland**

---

**From:** DAVID REIMER [dreimer@UrbanAssoc.net]  
**Sent:** Sunday, February 22, 2009 4:27 PM  
**To:** Patti Gartland  
**Subject:** RE: Roberts Road construction

Dear Patti,

Thank you for your email regarding the upcoming Council Meeting wherein they will be discussing the construction of Roberts Road. Please pass along the following information to Mayor and Council for me:

In 2003 when Urban Associates committed to invest approximately ten million dollars in the Pine Cone Market Place Shopping Center, we proceeded forward based upon certain promises given to us by the City of Sartell. We were told that Pine Cone Road would soon become the primary north/south arterial moving Sartell traffic south into the City of Saint Cloud and that the corner of Pine Cone Road and Roberts Road would become the future downtown hub of Sartell. These promises have never been met. Pine Cone Road continues to be a four lane divided roadway going nowhere and without a primary cross arterial we certainly are not a downtown. Without these necessary linkages the businesses in a retail center of the magnitude of Pine Cone Marketplace cannot be successful. It is incumbent upon the City Fathers of Sartell to follow through with their promises and get Pine Cone Road extended south through Saint Cloud to the Sauk River and to have Roberts Road extended from Highway 1 to Highway 4 post haste.

Please thank the Mayor and the Council Members for their consideration on our behalf.

Sincerely,

Dave Reimer  
President  
Urban Associates, Inc

**Patti Gartland**

---

**From:** bwinter [bwinter@stcloudfcu.org]  
**Sent:** Monday, February 23, 2009 3:08 PM  
**To:** Patti Gartland  
**Subject:** City Council Action on Roberts Road

Patti,

I heard from Dave Reimer today that the council is addressing this matter this evening. We have our board meeting this evening and will be unable to attend the council meeting to express our support.

We have members coming to our Sartell office from north St. Cloud, Sauk Rapids, Rice, St. Joseph and of course Sartell. Any improvement to allow them easier access to Pine Cone Market Place would be a big improvement.

St. Cloud Federal Credit Union has made a significant investment in Sartell and fully support the completion of the Robert Road project and ultimately the Pine Cone Road extension across the Sauk River.

Bill Winter  
CEO  
St. Cloud Federal Credit Union

**Patti Gartland**

---

**From:** Brandon Testa [brandon@pacificwok.com]  
**Sent:** Monday, February 23, 2009 1:45 PM  
**To:** Patti Gartland  
**Subject:** Council Meeting 2/23/09

Pattie,

I will not be able to attend the council meeting tonight but I wanted to voice my thoughts on the construction of Roberts's road to Heritage Drive in Sartell.

This is a much needed addition and should be included in 2009. The businesses that have taken the risk and survived over the last 5 years in and around Pine Cone Marketplace greatly need this help to keep our retail development thriving.

Sartell is an excellent city to operate a business in however if we do not keep this project moving forward our customers will continue to find more convenient routes to bypass our retail site. This will only hurt what is already a very challenging time for any and all of Sartell's retail.

If you would please share my email with the council tonight with the hopes they agree and understand the importance of this project for Sartell's retail area.

Thank you,

Brandon Testa

**JOINT SARTELL/LESauK COMMITTEE**  
**MEETING NOTES OF MARCH 3, 2009**

Pursuant to due call and notice thereof, the first meeting of a newly formed joint committee of the City of Sartell and Town of LeSauk was held on March 3, 2009, in the conference room of the Sartell City Hall. Sartell Mayor Tim O'Driscoll called the meeting to order at 6:30 P.M.

**CITY COMMITTEE MEMBERS PRESENT:** Mayor Tim O'Driscoll, Council Member Steve Hennes, and City Administrator Patti Gartland

**TOWN COMMITTEE MEMBERS PRESENT:** Kevin Pullis, Mark Bromenschenkel and Ron Naber

**ALSO PRESENT:** Marlyce Plante, Town Clerk  
Troy Gilchrist, Town Attorney  
Anita Rasmussen, City Planning Director  
Don Hickman, Initiative Foundation  
Theresa Fischer, SCSU Institute for Alternative Dispute Resolution

**AGENDA REVIEW AND ADOPTION**

Following introductions of all present at the meeting, the agenda was approved by consensus as presented.

**REQUEST FOR FACILITATION ASSISTANCE FROM INITIATIVE FOUNDATION**

Don Hickman, Initiative Foundation, outlined for those present the prior assistance provided by the Initiative Foundation in the form of facilitation services at a large neighborhood meeting hosted by the County, City and Township on wastewater utility services and in providing Healthy Community Partnership grant assistance to the City for its comprehensive planning efforts.

Theresa Fischer described the nature of services that could be made available, if determined needed, through the SCSU Institute for Alternative Dispute Resolution with grant assistance from SCSU and the Initiative Foundation provided to defray a significant portion of the cost. Her role this evening is to observe and to offer her thoughts and suggestions on how the City and Town may wish to proceed in addressing issues of concern.

Mr. Hickman indicated that facilitation services could be provided through the Initiative Foundation at no cost to the parties if desired.

**CONSIDERATION OF CITY AND TOWNSHIP ISSUES OF CONCERN**

**Exchange of lists of issues/concerns:**

Troy Gilchrist briefly described the list of issues identified by LeSauk Township in its three page list dated February 24, 2009 covering topic headings 1 – Zoning Authority; 2

– Zoning Ordinance and Subdivision Regulations; 3 – Comprehensive Plan; 4 – Joint Powers Agreement Establishing the Joint Planning Board (1993 JPA); and 5 – Orderly Annexation Agreement (1995 OAA).

Mayor O’Driscoll briefly described the list of issues/concerns identified by the City of Sartell in its one page list dated February 26, 2009 covering topic headings 1 – Fire Service Contract; 2 – Land use planning authority and process; and 3 – Extension of utility services to developed parts of township cost prohibitive to City.

Fire Service Contract:

Consensus was reached that addressing and resolving the expired fire service contract must be the highest priority. It was agreed that the “sample fire contract” created by the League of MN Cities and Association of MN Township and the existing contract between the City and Town would be used by the Town Attorney and City Attorney, with the assistance of the City’s Police Chief and Finance Director, to draft a possible new contract for consideration by the Committee. Research and drafting assistance provided by the City’s Police Chief and Finance Director will explore possible fee structures and asset valuation to assist in evaluating a contract that is structured as a fee for service versus partnership or joint powers agreement approach – either in the short term or long term. It was also agreed the interim action by the City Council and Town Board to extend the expired contract should occur as soon as possible. Gilchrist offered to draft a joint resolution for approval action by the City and Town.

Joint Planning Commission structure and process:

It was agreed that both the City and Township would provide a written summary in advance of the next meeting of how each understands the structure and process for the Joint Planning Commission currently works. Time would be devoted at the next meeting to review each others understandings of how the current process is supposed to or proposed to function. Mr. Hickman advised that Healthy Communities Partnership matching grant assistance may be available if it is felt outside expertise may benefit the committee’s efforts in achieving resolution.

Other Orderly Annexation Agreement related matters:

After discussing the city’s cost estimates for retrofitting developed residential neighborhoods in the township totaling \$22 million with an estimated \$11 million of possible assessments leaving an \$11 million shortfall of funding, it was agreed that time should be devoted at the next meeting for further explanation of the cost estimates, the estimated assessments and how they are calculated and other costs that may be incurred when property is annexed and extended utility service. City representatives reiterated that the city does not have any monies included in its current Capital Improvement Plan or draft Financial Management Plan for retrofitting township development with utilities. Other possible funding sources were briefly discussed, including local option sales tax which currently is not an authorized use under State law.

**NEXT MEETING**

It was agreed that use of Mr. Hickman’s offered services as a facilitator is desired. Ms. Fischer offered her observation that she did not feel the group had need for Alternative

Dispute Resolution Services at this time and was off to a very good start for addressing the issues of concern. The next meeting is scheduled for Tuesday, May 5<sup>th</sup>, from 6 – 8 pm at the Town Hall meeting room (City Hall if town hall is determined unavailable). Agenda topics are as follows: 1 – Fire Service Contract draft (highest priority for consideration and resolution at this meeting); 2 – Exchange of information on the perceived current and/or proposed Joint Planning Commission process by the City and the Town; 3 – Explanation of cost estimates for utility retrofitting and other cost impacts with annexation and utility extension; 4 – Determine an impasse process; 5 – Schedule future meeting dates, times and locations. The City Administrator and Town Clerk will provide for distribution of the agenda for said meeting and any relevant documents prior to the meeting set for May 5<sup>th</sup>.

**ADJOURN**

The meeting was adjourned at 8:22 pm.

Meeting Notes By: Patti Gartland  
Patti Gartland, City Administrator

March 9, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF MARCH 9, 2009

5<sup>th</sup> MEETING

Pursuant to due call and notice thereof, the 5th meeting of 2009 was held on March 9, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director  
Jim Hughes, Police Chief

**PLEDGE OF ALLEGIANCE**

**SPECIAL PRESENTATIONS**

**a. 2009 Apple Duathlon & Kids Apple Update**

Daryl Stevens gave an update on the upcoming Apple Duathlon and after more than 25 years of serving as the race directors, Daryl and Pam Stevens are stepping down. Daryl thanked the Council and staff for all their support over the years. Daryl introduced the new directors Brandon Testa and Mark Halstrom who talked about the upcoming Duathlon which will be a similar race as in the past with little changes to the course or volunteers. They are committed to keeping this a community event as in the past and anticipate approximately 500 participants. The Adult Apple Duathlon will be held on May 23<sup>rd</sup> at 8:30 a.m.

Mayor O'Driscoll thanked Daryl and Pam Stevens for their 25+ years of service to the community and directing a quality race event over the years.

Anita Rasmussen, a member of the Kids Apple Duathlon committee updated the Council on the planned events for the race which encourages activity for youth ages 7-14 years. The Committee is committed to making this a fun atmosphere with music, prizes and pizza being donated by the House of Pizza. The Kids Apple Duathlon will be held on May 22<sup>nd</sup> starting at 6 p.m.

Mayor O'Driscoll thanked Anita for her involvement and work with the Kids Apple.

**AGENDA REVIEW & ADOPTION**

Council member Lynch requested a discussion of Sales Tax Allocation be added under Old Business, Item "c"

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING THE AGENDA AS AMENDED ADDING A DISCUSSION OF SALES TAX ALLOCATION UNDER OLD BUSINESS ITEM C. THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF CITY COUNCIL MINTUES**

- a. February 23, 2009 – City Council meeting

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**CONSENT AGENDA**

- a. February Building Inspectors Report – Acceptance
- b. February Fire Marshal/Code Official Report
- c. February Finance Directors Report – Acceptance
- d. Approval of voucher payments dated March 5, 2009
- e. Professional Development Registrations
- f. Acceptance of \$200 donation from Sartell Jaycees for the Senior Cookout with Cops event
- g. Acceptance of \$228.25 donation of concessions profit from Sartell Chamber Community Showcase event for the Sartell Police Department DARE program
- h. Acceptance of \$200 donation from Frederick and Jessie Kovall to the Sartell Police Department PAL program
- i. Approval of a resolution calling for a public hearing for April 13, 2009, on proposed Capital Improvement Plan to consider refinancing the city hall/police station bonds.
- j. Approval of resolution setting a public hearing for March 23, 2009, on a vacation request for Heritage Place
- k. Approval of resolution setting a public hearing for March 23, 2009, on a preliminary plat request for Meadowlake Plat 5
- l. Approval of on sale wine and 3.2 liquor license applications for Pine Ridge Golf Course subject to applicable conditions
- m. Approval of fund transfer to Gang Strike Force Fund from General Fund
- n. Approval of joint resolution to continue fire contract services agreement dated April 22, 1997 with LeSauk Township for an interim period pending execution of a new contract

**A MOTION WAS MADE BY LYNCH SECONDED BY HENNES APPROVING THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

- a. **Vacation of certain easements in Celebration of Sartell plat**

Anita Rasmussen presented the request on behalf of Reker Construction for a vacation of certain drainage and utility easements within Celebration of Sartell 3 and 4. The applicant is requesting the vacation in order to make certain lots larger in both plats. Staff is recommending approval of the request provided the following conditions are met:

1. The City will not take any responsibility, monetary or otherwise, for the relocation of any existing or future utility facilities within the Celebration of Sartell developments.
2. The City will not view the location of the existing or future utility facilities as a hardship in any and all variance applications.

March 9, 2009

Mayor O'Driscoll opened and closed the hearing at 7:21 p.m. No oral testimony was heard nor written testimony received.

**Resolution approving vacation of certain easement in Celebration of Sartell**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE ADOPTING RESOLUTION 25-09 VACATING A DRAINAGE AND UTILITY EASEMENT FOR CELEBRATION OF SARTELL THREE & FOUR. THE MOTION CARRIED UNANIMOUSLY.**

**b. Preliminary plat for Erdman Company (Health Partners development )**

Anita Rasmussen presented the preliminary plat of Erdman Company on behalf of Owner, Jerome & Esther Then and David Miller of Erdman Company.

Total acreage of the lot is approximately 6.27 acres with access off 23<sup>rd</sup> Street South and Connecticut Avenue. Future development will need to go through site plan review and follow B-3 Medical Professional District standards. Based on the City ordinance, a payment in-lieu of parkland dedication in the amount of \$19,752.72 will be required prior to recording of the final plat. The right-of-way for a future north/south roadway on the westerly boundary is included in the plat.

The Joint Planning Commission and staff recommend approval of the preliminary and final plat provided the following conditions are met:

1. The developer is required to obtain a NPDES Phase II (Construction Site) permit from the MPCA. A copy of the Stormwater Pollution Prevention Plan submitted to the state must also be submitted to the City.
2. A payment in-lieu of parkland dedication in the amount of \$19,752.72 shall be paid prior to the recording of the final plat.

Mayor O'Driscoll opened the hearing at 7:26 p.m. No oral or written comments were received. The hearing was closed at 7:26 p.m.

**Resolution approving preliminary plat for Erdman Company**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 26-09 APPROVING THE PRELIMINARY PLAT OF ERDMAN COMPANY. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution approving final plat and development agreement for Erdman Company/Health Partners development**

Anita confirmed the final plat is consistent with the preliminary plat.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES ADOPTING RESOLUTION 27-09 APPROVING THE FINAL PLAT AND DEVELOPMENT AGREEMENT OF ERDMAN COMPANY. THE MOTION CARRIED UNANIMOUSLY.**

March 9, 2009

### **Health Partners development site plan**

Community Development Director, Anita Rasmussen presented the site plan for the proposed Health Partners Medical Office Building to be located at 23<sup>rd</sup> Street South and Connecticut Avenue. The building meets the requirements for the height proposed at three stories, 43 feet high, constructed of EIFS brick veneer, ground face block and metal clad roof screen. The landscaping, parking and lighting requirements have been met. The Fire and Public Works issues have been resolved. The plan has two entrances, one on Connecticut Avenue and the other on 23<sup>rd</sup> Street South.

Staff along with the Joint Planning Commission recommend approval provided the following conditions are met:

1. All engineering, fire, building and public work issues are resolved.
2. The infiltration tests results for the infiltration ponds will need to be submitted to the city prior to the issuance of a Certificate of Occupancy.
3. A land disturbance permit will need to be submitted prior to the issuance of a building permit.

Council member Hennes suggested more handicapped parking stalls be added near the main entrance area as well as near the door on the side of the building. His suggestion was to stripe parking stalls now with the possibility of adding more handicapped stalls later, if needed. He also asked if it would be possible to install a bus unloading/loading zone with turn around. Hennes brought up a suggestion to add more trees, even though the site plans meets the City's requirements, he suggested planting more shade trees wherever possible for aesthetics.

Council members Perske and Orndorff cautioned against too many handicapped stalls that could possibly make it inconvenient for other patrons who may need to park close to the door. There may be a need to review the handicapped parking requirements at a later date.

David Miller, representing Erdman Companies talked about the addition of the proposed four stalls over the requirement and the fact that all handicapped stalls are van accessible due to the anticipated rehab being offered in the facility.

Mayor O'Driscoll offered the suggestion that handicapped parking can be altered at a later date if there is a greater demand.

Council member Hennes asked if turn lanes will be added at the entrances. Anita explained that at this time the road is proposed as 2 lanes, however there is adequate right-of-way to add a center turn lane at a later date if traffic demands it.

Council member Orndorff asked if bollards could be added along the walkways to the clinic. Miller said he will review the plans and if necessary, bollards could certainly be added along paths.

Anita Rasmussen will be working with Erdman Company as they move toward the final building permit stage and will pass on the suggestions.

March 9, 2009

**Health Partners development site plan**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING THE SITE PLAN AND DEVELOPMENT AGREEMENT FOR HEALTH PARTNERS MEDICAL OFFICE BUILDING. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**Resolution approving plans and specifications for CSAH 1 and CR 120 public improvements east of TH 15**

City Engineer, Jeremy Mathiasen requested approval of plans and specs for the CSAH 1 and CR 120 public improvements east of TH 15. Mathiasen gave a brief overview of the work to be completed. If approved, bids will be taken on April 8, 2009.

Hennes asked for clarification of trail location and phasing of the project for traffic ease during construction.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 28-09 APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS PROJECT #901-07148-0 CR 120/CSAH 1 AND RIVER VISTA/RIVER OAKS WATERMAIN. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution accepting appraisal and authorizing acquisition of easements needed for public infrastructure improvements for CSAH 1 and CR 120**

Jeremy Mathiasen requested approval for acquisition of right-of-way for CR 120/CSAH 1 and River Vista Lane improvement project.

**A MOTION WAS MADE BY HENNES AND SECONDED BY PERSKE ADOPTING RESOLUTION 29-09 AUTHORIZING ACQUISITION OF RIGHT-OF-WAY CR 120/CSAH 1 AND RIVER VISTA LANE IMPROVEMENT PROJECT. THE MOTION CARRIED UNANIMOUSLY.**

**c. Discussion of sales tax allocation**

Council member Lynch requested a discussion be held on sales tax allocation after an article appeared in the Newsleader by Council member Perske as to the funding sources for upcoming transportation projects in the City. Lynch suggested this would be a good opportunity to revisit the allocations and give Council member Orndorff an opportunity to express his thoughts on the issue since he is newly appointed to fill David Peterson's position. Lynch is concerned of burdening taxpayers to help pay for roads and believes the allocated amount of sales tax dollars for transportation is appropriate and an important investment and should be used for upgrading roads.

Council member Perske talked about his concern of funding the projects on Heritage Drive, 50<sup>th</sup> Avenue and Roberts Road with the use of sales tax dollars and not having sufficient funds left for other amenities. If the City does not get the anticipated money from sales tax in the future, all money may be

March 9, 2009

spent on roads and not amenities. Perske also talked about the population of the City going from 4,000 to 14,000 and the City not building any athletic fields or having a flush toilet at Northside Park. Perske favors a branch library, a small facility, but one that could help draw people from the surrounding communities as well as the use of the golf course in it's present condition with a portable toilet.

Mayor O'Driscoll explained how the Council, after an intense workshop, allocated sales tax receipts be designated into four categories. Mayor asked if the Council was interested in revisiting the allocation for sales tax funding? Based on the expected \$11 million sales tax receipts, the allocation was \$3 million for land acquisition, \$2.2 million for parks with \$700,000 for trails, \$1.6 million for a community resource facility and \$3.5 million for roads. O'Driscoll talked about the economic benefit to having roads and the need for public infrastructure to be done for increased commercial business thereby increasing sales tax revenues.

Council member Orndorff believes the golf course was a good purchase for the City, especially for future use. Orndorff also agrees the amenities for the golf course will have to wait, due to tough economic times and the land acquisition funding being spent on the purchase of the golf course. With the medical facilities coming into the city the need is now to build infrastructure which will help build the tax base for the community. Orndorff believes the tax base will catch up with growth especially with the medical facilities and other major commercial development coming into the City. Paul reviewed the results of the survey taken a couple of years ago as to how and what projects residents want the sales tax money spent on.

Council member Hennes believes the \$11 million anticipated sales tax revenue is realistic and agrees on spending the \$3.5 million on infrastructure. Hennes suggested staff aggressively pursue stimulus money.

After discussion, the majority of the Council agreed with the sales tax allocations as designated.

## **DEPARTMENT REPORTS**

### **Police Department**

#### **Monthly Report**

Chief Hughes presented his report and noted the final donation from the Jaycees will be used towards the Cookout with Cops to be held on Thursday, June 25<sup>th</sup> from 11 a.m. – 2 p.m. at Watab Park.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ACCEPTING THE POLICE DEPARTMENT REPORT AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

### **Public Works Department**

#### **Monthly Report**

Director, Brad Borders presented his monthly report. Council member Perske has had requests to have the compost site open on Friday, therefore he suggested staff survey residents for their opinion on the exchange of Wednesday compost hours for Friday hours. Residents will be asked their opinion when they purchase compost stickers. Council member Hennes commented on the good job by the people who groom the ski trail at the golf course and the great pictures on their web site: [skinnyski.com](http://skinnyski.com).

March 9, 2009

**City Engineering**  
**Semi-Monthly Memorandum**

Jeremy Mathiassen presented his memorandum and updated the Council on the rain garden workshop coming in April.

**Planning & Community Development**  
**Semi-Monthly Memorandum**

Anita Rasmussen presented her memorandum and updated the Council on the proposed upcoming addition of St. Cloud Orthopedics to the City.

**City Administrator**

Patti Gartland presented her agenda notes.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Perske talked about the kudos article in the Minneapolis paper and Sartell being rated in the Top 10 Cities, being fiscally responsible for services with an average cost of \$288/person.

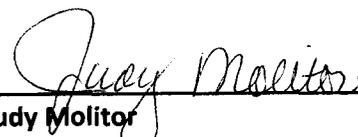
Mayor O'Driscoll updated the Council on his meeting with Senator Fischbach and testifying at the legislature regarding the removal of levy limits in Minnesota in order to capture additional taxes, especially with new commercial growth. Mayor O'Driscoll will present his "State of the City" address at the Chamber meeting on Tuesday March 10<sup>th</sup> at 12:30 p.m., everyone is invited to attend.

**ADJOURN**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 9:09 P.M. THE MOTION CARRIED UNANIMOUSLY.**

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

Minutes By

  
\_\_\_\_\_  
Judy Molitor

## SARTELL CITY COUNCIL MEETING

MINUTES OF MARCH 17, 2009

SPECIAL MEETING

Pursuant to due call and notice thereof, a special meeting was held on March 17, 2009 in the Council Chambers at Sartell City Hall. The meeting commenced at 7:00 AM.

**COUNCIL PRESENT:** Mayor O'Driscoll; Council members: Perske, Hennes and Orndorff  
**COUNCIL ABSENT:** Council member Lynch  
**OTHERS PRESENT:** Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director

### AGENDA

A motion was made by Orndorff and seconded by Hennes to adopt the agenda amended to add Utility Undergrounding as the first topic and Street Lighting Standard as a third topic. The motion carried unanimously.

### COUNTY ROAD 120 UTILITY UNDERGROUNDING

The Finance Director summarized the utility undergrounding costs and negotiations to date and Steve Feneis, representing the developer Sartell Partners shared their concerns about the expense of undergrounding. Rick Stevens, Karen Young, and Mark Osendorf were also present representing Xcel Energy and Rick discussed the overhead design options including the possible use of some laminated poles but any overhead design would also include their standard wood poles. The height maximum is 50 to 55 feet and they would need 6 to 8 month lead time in ordering laminated poles. There was much discussion on the options and the actual cost savings of overhead design was unknown since it could involve temporary overhead and those increased costs are all passed on to the City or developer and only undergrounding cost differences can be collected through the surcharge. Council member Perske needed to leave the meeting during this discussion at 7:50 AM. There was also discussion about a combination of underground for everything except the single phase feed to the residential property on the south side of CR 120 and the consensus was for Council member Orndorff and the City Engineer to work with Xcel to try to figure out if that design could work and what the cost difference is for the two portions of the project. The Council will consider this matter at its next regular meeting.

### PUBLIC FINANCING

The developer's attorney, Mike Noonan, updated the Council on the developer's request for public financing of their portion of the CR 1/CR 120 improvements based upon the changes affecting Bank lending limits. Council member Perske returned during this discussion at 8:30 AM. The total assessable to the Sartell Partners portion of the project is over \$6 million, and the developer would provide a secured letter of credit for 110% of the total costs. The City's borrowing could be done in a smaller dollar amount as pay requests are made and Walmart would be reimbursing a percentage of each draw request in approximately 30 days so the total borrowed amount by the City should never exceed \$3 million and all of that would be reimbursed by the developer in a short timeline, most likely no later than 12/31/09. Staff is still working on financing options and final negotiations with the developers will be incorporated into the Development Agreement as far as interest rate or flat fee for the financing and final payment terms. The Council was asked to give staff approval of changing the Development Agreement terms from private financing to public financing of this portion of the

improvements. The consensus of the Council was to authorize public financing with staff to proceed with negotiating final terms for the Development Agreement.

**STREET LIGHTING STANDARD**

Paul Orndorff overviewed a proposal to revise the City's street lighting standard to increase current 250 foot spacing to up to 400 feet (final street light placement would be flexible since each intersection gets lit, etc). The consensus of the Council was that they can save money for developers and the City without jeopardizing public safety and while maintaining aesthetics by making this lighting standard change and the suggestion was approved by consensus.

**ADJOURNMENT**

Motion was made by Hennes and seconded by Orndorff to adjourn the meeting at 9:07 AM. Motion carried unanimously.

**Minutes By:**

  
\_\_\_\_\_  
Mary Degiovanni, Finance Director

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor

March 23, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF MARCH 23, 2009

6<sup>th</sup> MEETING

Pursuant to due call and notice thereof, the 6th meeting of 2009 was held on March 23, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff,  
ABSENT: Council member Perske  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

**PLEDGE OF ALLEGIANCE**

**AGENDA REVIEW & ADOPTION**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF CITY COUNCIL MINTUES**

- a. March 9, 2006 – Regular City Council meeting
- b. March 17, 2009 – Special City Council meeting

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

**CONSENT AGENDA**

- a. Approval of voucher payments dated March 13, 2009
- b. Acceptance of City-Township Committee meeting notes for March 3, 2009
- c. Approval of pledge and proclamation in support of the Warrior to Citizen initiative and pursuit of Yellow Ribbon Community designation in central Minnesota
- d. Set joint meeting with Sartell-St. Stephen School Board for 7:00 p.m. on Thursday, April 16, 2009 in the School District Board Room.
- e. Approval of resolution approving a premises permit renewal application for MN Fishing Museum/Speedstop Sartell
- f. Approval of low quote for replacement of well and irrigation piping at Champion Field in Northside Park with Regional Park Fund monies
- g. Approval of quote for budgeted repair to Watab Park wading pool to comply with new drain regulation requirements.
- h. Approval to remove parking restrictions on Sartell Street West between the 100 block and CSAH

March 23, 2009

**A MOTION WAS MADE BY LYNCH SECONDED BY HENNES APPROVING THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. Easement vacation request for Heritage Place & Heritage Place Two**

Anita Rasmussen presented the request from Kornovich Development for a vacation of certain roadway, drainage and utility easements within Heritage Place and Heritage Place Two. This request will accommodate a re-platting for Heritage Place Three, taking two smaller lots and combine them into one larger lot. The roadway vacations relate to the excess right-of-way no longer needed for Roberts Road and will turn back right-of-way as a result of the reconfiguration of the intersection at Heritage Drive. Staff recommends approval of the requested vacations.

7:09 P.M. Mayor O'Driscoll opened the public comment portion of the meeting. No oral or written testimony was received. The public hearing was closed.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING RESOLUTION 32-09 VACATING A PORTION OF A PUBLIC STREET, DRAINAGE AND UTILITY EASEMENTS OF HERITAGE PLACE AND HERITAGE PLACE TWO. THE MOTION CARRIED UNANIMOUSLY.**

**Heritage Place 3 Final Plat & Development Agreement**

Anita presented the Final Plat and Development Agreement for Heritage Place 3. The 30.45 acre site is located South of Heritage Drive and west of 50<sup>th</sup> Avenue. The plat consists of two commercial lots, block 1 is 8.47 acres and block 2 is 6.48 acres. Lot 1 is guided for mixed/apartment/residential use and Lot 2 is guided for apartment/residential use. Anita reviewed the setbacks, height limitations and minimum lot sizes as well as the transportation plan and trail/sidewalk requirements. Approval is recommended based on the following conditions being met:

1. Park dedication will be in the form of a payment in lieu of land dedication and paid at the time and with the rate adopted at the time of the issuance of a building permit.
2. As the individual residential and commercial lots develop, each development will be required to go through site plan approval where the ingress/egresses will be determined and approved.
3. Approval of the 12 foot easement vacations of the Drainage and Utility Easements in the center of lot 1, block 3 and on the northeasterly boundary of lot 2, block 3 due to a reconfiguration of the lot lines of the preliminary plat of Heritage Place and the final plat of Heritage Place Two prior to final plat approval.
4. Engineering issues are addressed.
5. That if additional easements are required (per site plan review) that those easements are recorded with the final plat.

Trunk fees on this project is approximately \$371,00. According to the 2009 Development Agreement requirements, trunk fees would be due at the time of final plat approval. However, since this project was initiated in 2008 staff is recommending the trunk fees be a part of the assessments, which was consistent with City policy in the 2008.

March 23, 2009

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING RESOLUTION 33-09 APPROVING THE FINAL PLAT AND DEVELOPMENT AGREEMENT FOR HERITAGE PLACE PLAT 3. THE MOTION CARRIED UNANIMOUSLY.**

**7<sup>TH</sup> Avenue South feasibility report**

City Engineer, Jeremy Mathiasen presented the 7<sup>th</sup> Avenue South feasibility report and outlined the location of the project between Heritage Drive and Brianna Drive. Jeremy presented the scope of the project including utility layout for sanitary sewer, water main, storm sewer, storm ponds and roadway improvements. Five street lights will also be included as part of the project. Estimated construction cost of the project is \$425,600, estimated project cost including soft cost is \$568,600, assessment proceeds is \$523,000 with the City's investment share at \$45,000

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH ADOPTING RESOLUTION 34-09 RECEIVING THE PRELIMINARY REPORT AND CALLING FOR A PUBLIC HEARING ON 7<sup>TH</sup> AVENUE SOUTH IMPROVEMENT. THE MOTION CARRIED UNANIMOUSLY.**

**b. Preliminary plat of Meadowlake Plat 5**

Planning and Community Development Director, Anita Rasmussen presented the preliminary plat of Meadowlake Plat 5 on behalf of Craig & Jesse Cash for a 2 lot plat located off Heritage Drive. The property is zoned I-1 (light industrial). The two lots combined are approximately 9 acres. Future development will need to go through site plan review and approval. All buildings will need to meet the requirements of the I-1 district. Park dedication will be in the form of payment in lieu and is due prior to the recording of the final plat. Future right of way dedication will be needed for the extension of 4<sup>th</sup> Ave. / 50th Ave. It is the intent of the owner to construct a garage/storage shed which will need to go through site plan review and approval in addition to meeting the requirements of I-1 district.

Staff and the Joint Planning Commission (6-0 vote) recommend approval provided the following conditions are met:

1. That all comments raised by the City Engineer are addressed.
2. Outlot A will need to be re-platted
3. Future development will need to go through site plan review and approval
4. That park dedication for lot 1, block 1 will be in the form of a payment in lieu of land dedication and will be due prior to the recording of the final plat.

Mayor O'Driscoll opened the public hearing at 7:26 p.m. The following comments were heard from the public, although comments do not reflect entire statement made:

Mike Flannery, Grede Foundaries, 5200 Foundry Circle, St. Cloud, MN 56301, verified that if this approved tonight, approval will allow development on one lot only, which Anita confirmed.

Mayor O'Driscoll closed the hearing at 7:28 p.m. no written testimony was received.

March 23, 2009

Council member Orndorff expressed concern of an egress/ingress being allowed on a curve on such a high traffic road as Heritage and verified that any future development on outlot A would be accessed off 4<sup>th</sup> Avenue South. Engineer Mathiasen talked about the upcoming improvement of Heritage Drive and the widening of the road which would help accommodate larger equipment entering and exiting on Heritage Drive at this point.

**Resolution approving the preliminary plat of Meadowlake Plat 5**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING RESOLUTION 35-09 APPROVING THE PRELIMINARY PLAT OF MEADOWLAKE PLAT 5, THE MOTION CARRIED UNANIMOUSLY.**

**Meadowlake Plat 5 Final Plat & Development Agreement**

Anita confirmed the final plat is consistent with the preliminary plat. Staff and the Joint Planning Commission recommend approval of the final plat and development agreement.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING RESOLUTION 36-09 APPROVING THE FINAL PLAT AND DEVELOPMENT AGREEMENT OF MEADOWLAKE PLAT 5. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Consideration of request from Epic Properties relating to underground utilities requirements.**

Engineer, Mathiasen presented the request from the developers of Epic Properties to overhead some utility lines rather than undergrounding in an attempt to save cost for electric service to the 97 acres along Highway 15.

Jeremy overviewed the meeting staff had with Sartell Partners and Council member Orndorff regarding overhead or undergrounding utilities on the north and south end of the 97 acre parcel. Some of the existing power poles would need to be moved, if overheading the power poles, which could involve the removal of existing trees. Staff will contact the affected property owners to update them on plan to trim trees or remove trees to relocate power poles. Councilmember Orndorff explained that keeping some of the utilities overhead would be feasible in order to save money. Orndorff also talked about some of the problems with undergrounding the system. The developers are looking for single phase for residential and all 3-phase would be undergrounded for the commercial development.

Steve Feneis, representing Sartell Partners talked about the price agreed upon was \$300,000 based on the original cost and a 60/40 split with the City. Feneis asked the Council to consider a cap for the developers of \$300,000.

Rick Stevens, representing Xcel Energy reported on the comparisons of cost to underground single phase and the difference to overhead. Rick gave an estimate of \$185,000 for single phase to underground with a cost savings of approximately \$140,000 to go with overhead instead of underground. Karen Young with Xcel clarified the figures are still at the scoping level.

March 23, 2009

Patti Gartland presented the option for the city of a 50/50 split with the developer rather than a capped amount. Originally the developer was going to pay 100% of the undergrounding and after a discussion, came to the agreement of 60/40 split. The City does not have a track record or set amount for developers percentage at this time. The City will be using the surcharge as a source of funding for the expense.

Consensus of the Council agrees not to cap the Sartell Partners and move forward with a 50/50 split for undergrounding on the north side and overhead on the south side of the property.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING A 50/50 COST SPLIT BETWEEN THE CITY OF SARTELL AND SARTELL PARTNERS TO UNDERGROUND ELECTRIC SERVICE ON THE NORTH END OF THE PROPERTY AND OVERHEAD UTILITIES ON THE SOUTH SIDE OF THE DEVELOPMENT. THE MOTION CARRIED UNANIMOUSLY.**

**b. Consideration of liquidation of excess property**

As a follow-up to a prior meeting, Administrator Gartland explained the decision by the Council to consider the sale of the three city properties.

First, the home at 232 Riverside Avenue South. Staff is recommending this property be offered at public auction. Meagher Auctioneers have agreed to auction the home possibly early in May, for removal of the home from the property to another location for an estimated price of between \$12-\$15,000. After the home is removed the lot will provide river access and additional space for the lift station replacement.

The second property is a home and lot at 632RiversideNorth. Since the City has had inquiries for purchase of this property, staff is recommending to offer the property through sealed bids at a minimum cash bid of \$192,500, which will allow the city to recover their investment.

The other property is an excess portion of land at golf course property. Options for sale of this land will be brought to the council at a later date.

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF TO MOVE FORWARD WITH LIQUIDATIONS OF EXCESS CITY PROPERTY AS RECOMMENDED BY STAFF. THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS**

- a. Consideration of temporary on sale 3.2 percent malt liquor license application from Sartell Recreation Center Association/Sartell Youth Hockey Association for a Pro Wrestling event on May 29-30, 2009, at Bernicks Arena.

Patti Gartland presented the application for a temporary on sale 3.2 malt liquor license for Sartell youth hockey association. Jon Erickson, Facilities Manager at Bernicks Arena explained the request to serve liquor at an upcoming pro wrestling event sponsored by Echo Pro Wrestling on May 29<sup>th</sup> and 30<sup>th</sup>. Jon explained the fund raiser will benefit youth hockey.

March 23, 2009

Council member Hennes asked how many people are anticipated and how do they intend to handle parking? Jon explained they expect approximately 600 – 1,000 per evening, parking will be at city hall, on the street and around the arena.

Mayor O'Driscoll highlighted other events in the City whereby 3.2 malt liquor license were issued. Mayor complimented Jon and the folks from hockey association for operating responsible events and expect this event would be no exception.

Council member Orndorff explained that his name listed on the application as an officer of Sartell Rec Center was prior to him being appointed to the Council and since being appointed as a Council member he has resigned his position from the Board of Directors. Orndorff is still a member of the Board, however not an officer. Orndorff agreed to abstain from voting if the Mayor and Council members feel there would be a problem with his voting due to prior affiliation with the Rec Center. Because he has resigned his position, Mayor and Council felt his vote on this issue was appropriate.

Gartland explained the Youth Hockey Association is a non-profit entity therefore qualifies for the 3.2 license, however as a condition of approval, Gartland suggested Echo Pro Wrestling provide liquor liability insurance.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING A TEMPORARY LIQUOR LICENSE APPLICATION FOR SARTELL RECREATION CENTER FOR AN EVENT ON MAY 29 & 30<sup>TH</sup> AT BERNICKS ARENA PROVIDED THE APPROPRIATE LIQUOR LIABILITY INSURANCE IS PROVIDED. THE MOTION CARRIED UNANIMOUSLY.**

#### **DEPARTMENT REPORTS**

- a. Annual Reports for 2008**
- **Public Works and Engineering**

Engineer, Mathiasen presented the engineering annual report and highlighted the city projects during 2008 as well as private projects.

Mayor and Council member Hennes complimented the City Engineer for the great customer service on the Brookwood Lane and 2 ½ street North projects.

Brad briefly highlighted areas of his public works annual report. Council member Hennes complimented Brad and staff for researching needed repairs for Watab pool. Mayor O'Driscoll also complimented Brad and his staff for the excellent job of snow plowing, particularly this past year as well as all the work from the water department.

- **Finance**

Mary Degiovanni presented her annual financial report and reminded the Council that the completed official audited financial report will follow sometime in late May or early June. Mary briefly summarized the financial activities of 2008 and gave an overview of items to come for 2009 such as debt review, refinancing ideas, review of the financial management plan and the budget draft for 2010.

March 23, 2009

Mayor O'Driscoll complimented Mary on her willingness to work with the Council and keeping interest rates at the lowest possible for the benefit of residents, taking advantage of credit enhancements through the State and reviewing ways to refinance debt. Council member Orndorff also extended thanks to Mary for working with him and bringing him up to speed as a newly appointed Council member.

- **Community Development (Planning & Inspections)**

Anita Rasmussen presented her annual Community Development report and highlighted activities by Economic Development Commission. Anita briefly reviewed her report covering large developments presently underway, master planning for the parks, grant applications and marketing efforts.

Council member Hennes agreed it has been a busy year and stated the Planning Department did an excellent job. Mayor O'Driscoll also complimented Anita with her work with the development of larger projects. Council member Orndorff echoed thanks especially to the members of staff and the Economic Develop Commission with the success of the recent Home Show.

Building Inspector, Kyle Christenson presented his annual Building Report and thanked his support staff who work with him daily to make his job easier. Kyle detailed some of the work that goes into the inspections reporting from commercial, residential and multi-family inspections. Kyle also gave comparisons of neighboring cities building activity and highlighted upcoming projects.

Mayor expressed thanks to Kyle for his willingness and ability to establish a building permit tracking system as well as the upcoming work with larger projects coming into the city. Mayor O'Driscoll talked about the importance of public safety issues and enforcing building codes.

**b. Police Department**

No report was given.

**c. Public Works Department**

Brad presented his report and updated the Council on the current work of the department .

**d. City Engineering**

Jeremy presented the engineering report and talked specifically about the 2008 Capital Improvement projects including the April 16<sup>th</sup> rain water garden workshop to be held at City Hall.

**e. Planning & Community Development**

Anita presented her report.

**f. City Administrator**

Patti presented her agenda notes and asked for a count of Council members attending the area cities meeting. Mayor and all Council present plan to attend the area cities meeting on March 31<sup>st</sup> at 5:30 at Rockville.

March 23, 2009

**CITY COUNCIL UPDATE - MISCELLANEOUS BUSINESS**

Council member Hennes updated the Council on news from the Metro Transit Commission and their recent decision to replace the dial-a-ride busses. The bid for the new busses was awarded to Hoglund Bus Company from Monticello. Metro Transit Commission has recently been featured in the Mass Transit Newsletter.

Mayor O'Driscoll thanked members of staff and the EDC who worked the booth at the CMBA Home Show and making it a successful event for the City of Sartell.

**ADJOURN**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 8:55 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

**MINUTES OF THE SARTELL CITY COUNCIL  
SARTELL (BENTON COUNTY) BOARD OF EQUALIZATION MEETING**

**MINUTES OF APRIL 7, 2009**

**ANNUAL MEETING**

Pursuant to due call and notice thereof, the annual meeting of the City of Sartell Board of Equalization for Benton County was held on April 7, 2009 in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 6:30 p.m.

**COUNCIL PRESENT:** Mayor O'Driscoll, Members Perske, Lynch, Hennes and Orndorff.  
**COUNCIL ABSENT:** None  
**ALSO PRESENT:** Mary Degiovanni, Finance Director  
Brian Koester, Benton County Assessor  
Tim Jacobs, Benton County Assessor's Office  
Steve Behrenbrinker, City Assessor

**BOARD OF REVIEW**

Steve Behrenbrinker circulated a written summary of development activity and property valuation indicating total market value of the Benton County portion of the city is about 1% lower than prior year's value, including new construction valuation. The general decrease in residential values was about 4%.

Brian Koester indicated our valuation changes mirror much of the County and that our area is not seeing the double digit valuation decreases being seen in other parts of the nation.

The Assessors said they had received a written appeal from Steve Hansen, Parcel No. 18.00098.00 on 218 – 7<sup>th</sup> St. NE sending comps of current listings. However, Brian explained the time period for comparables for purpose of the 2009 valuations are October 2007 through September 2008. Based upon that, the property's current valuation is at 84%.

The Assessors had also received a few other calls with questions, but the Assessors and City staff received no other appeals in response to the property tax valuation notices received by residents. No taxpayers appeared in person at the Board of Review.

The Assessors recommended no changes to their valuations and property owners can appeal to the County Board if they remain unsatisfied with final recommended valuations after the Assessors review.

A motion was made by Orndorff and seconded by Lynch to accept the Assessor's recommended valuations as presented. Upon vote being taken the following voted:

Aye: O'Driscoll, Orndorff, Perske, Hennes, and Lynch

Nay: None

Motion Carried

**MEETING ADJOURNMENT**

A motion was made by Hennes and seconded by Perske to adjourn the meeting at 7:00 PM.

Upon vote being taken, the following voted:

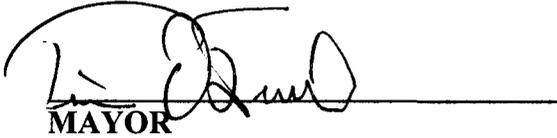
Aye: O'Driscoll, Perske, Lynch, Orndorff and Hennes

Nay: None

Motion carried



**Mary Degiovanini**  
**Finance Director**

  
**MAYOR**

April 13, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF APRIL 13, 2009

7TH MEETING

Pursuant to due call and notice thereof, the 7th meeting of 2009 was held on April 13, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINTUES

- a. March 23, 2009 – City Council Meeting

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

CONSENT AGENDA

- a. March Building Inspector Report – Acceptance
- b. March Fire Marshal/Code Official Report – Acceptance
- c. March Finance Directors Report – Acceptance
- d. Approval of voucher payments dated April 9, 2009
- e. Professional development Registrations
- f. Approval of low quote from Braun Pump & Controls for budgeted purchase of pump replacement for rehabilitation of lift station 2
- ~~g. Schedule special City Council meeting followed by an Economic Development Authority meeting for 5 pm Monday, May 4, 2009~~
- h. Approval to purchase bench and garbage receptacle for placement on Pine Cone Road with monies donated by Sartell Rotary Club in the amount of \$1,448.41
- i. Approval of renewal contracts with Leggette, Brashears & Graham for ground water monitoring and reporting at the former landfill and sewage lagoon #3
- j. Approval of fund transfers for 4/13/09 recommendation by Finance Director

April 13, 2009

- k. Approval of extension to joint powers agreement to provide Gang Task Force officer staffing and support
- l. Acceptance of a \$250 donation from Stearns Electric Association for the Cookout with Cops event on June 25, 2009.

Council member Perske asked for Consent Agenda Item "g" be removed for separate discussion.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS "A – K" REMOVING ITEM "G" FOR SEPARATE DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.**

**Consent Agenda**

- g. Schedule special City Council meeting followed by an Economic Development Authority meeting for 5 pm Monday, May 4, 2009.

Council member Perske requested clarification of discussion items for the special City Council meeting as well as sales tax revenue projections through 2018.

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEM "G". THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. 2009 – 1013 Capital Improvement Plan amendment**

Stacy Kvilvang, representing Ehlers & Associates presented the request to facilitate refinancing the existing City Hall debt into a \$3.2 million general obligation capital improvement plan bond. Ms. Kvilvang explained the background criteria the City has met in order to qualify for refinancing and the approximate \$100,000 savings this will generate.

Mayor O'Driscoll opened the public hearing at 7:14 P.M. There were no comments from the public or written comments received, the hearing was closed at 7:14 P.M.

**Resolution giving preliminary approval for the issuance of general obligation capital improvement plan bonds in an amount not to exceed \$2,300,000 and adopting a capital improvement plan**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING RESOLUTION 37-09 APPROVING THE ISSUANCE OF GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS IN AN AMOUNT NOT TO EXCEED \$2,300,000 AND ADOPTING THE CITY OF SARTELL, MINNESOTA CAPITAL IMPROVEMENT PLAN THERFOR. THE MOTION CARRIED UNANIMOUSLY.**

**b. 7<sup>TH</sup> Avenue South public improvement project**

City Engineer, Jeremy Mathiasen outlined the location of the project from Brianna Drive north to the current termination point of 7<sup>th</sup> Avenue South, approximately 400 feet south of Heritage Drive. Jeremy explained the scope of the project consisting of 36' urban roadway, installation of curb and gutter, water main, sanitary sewer, storm sewer, 6 foot sidewalk along the east side of the project, construction

April 13, 2009

of ponds as well as the addition of street lighting. Jeremy presented the estimated construction and project costs at \$533,618, estimated assessments at \$422,600 with City costs estimated at \$46,000.

Mayor O'Driscoll opened and closed the hearing at 7:18 P.M. There were no oral or written comments received.

Jeremy talked about possibly combining this project with Roberts Road and bidding the project early in June.

**Resolution ordering improvements and directing preparation of plans and specifications for 7<sup>th</sup> Avenue South improvements**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING RESOLUTION 38-09 ORDERING IMPROVMENTS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS 7<sup>TH</sup> AVENUE SOUTH IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Heritage Drive (east segment) and Roberts Road improvements**

City Engineer, Mathiasen explained the project involving the east segment of Heritage Drive and Roberts Road, highlighting the project scope to widen the road with paved shoulders including a center turn lane at the intersection of CSAH 1 and Heritage Drive. Cost estimate of the project is \$780,000 .

**Resolution approving plans and specifications and authorizing bid letting for East Heritage Drive improvements.**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 39-09 APPROVING PLANS AND ADVERTISEMENT FOR BIDS PROJECT 901-08104-0 EAST HERITAGE DRIVE IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution approving plans and specifications and authorizing bid letting for Roberts Road improvements**

City Engineer, Mathiasen, outlined the location of the project and highlighted the scope including a 52' wide road with two continuous traffic lanes, center turn lane with the addition of turn lanes for all anticipated intersections, 10 foot bituminous trail on the north side connecting to Pine Cone Road. Also included are curb & gutter, sanitary sewer, water main and street lighting. Improvements are estimated at \$2,300,000. More information will follow at the May 4<sup>th</sup> special Council meeting.

Council member Orndorff suggested the Engineer consider adding right turn lanes on all future major roadways. Council member Hennes questioned if trees will be added for aesthetics and to act as a living snow fence, especially in this rural area. Mathiasen clarified that trees are not a part of this plan, however could be added at a later date. Mathiasen also talked about the on-going process to obtain right-of-way for the roundabout in this area for 2009 and gave scenarios of road design if the roundabout would be delayed to 2010.

April 13, 2009

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 40-09 APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS PROJECT #901-08104-0 ROBERTS ROAD IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution ordering revised feasibility report for 50<sup>th</sup> Avenue/4 Avenue realignment**

Engineer Mathiasen requested authorization to order a revised feasibility report for 50<sup>th</sup> avenue/4 Avenue.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING RESOLUTION 41-09 ORDERING REVISED FEASIBILITY REPORT FOR 50<sup>TH</sup> AVENUE/4<sup>TH</sup> AVENUE REALIGNMENT. THE MOTION CARRIED UNANIMOUSLY.**

**b. CSAH 1 & CR 120 improvements – Epic Center development**

Finance Director, Mary Degiovanni presented the updated Development Agreements relating to the two portions of the Epic Center Development. One agreement is for the public improvements relating to County Road 1 and County Road 120 and the other is for the private improvements within the Epic Center. The final documents have been reviewed and approved by the City Attorney.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE EPIC CENTER PUBLIC INFRASTRUCTURE DEVELOPMENT AGREEMENT AS WELL AS THE FINAL PLAT DEVELOPMENT AGREEMENT. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution approving bids and awarding contract**

City Engineer, Jeremy Mathiasen presented the seven bids received this morning for the Epic Center Development at CSAH 1 & CR 120 and the recommendation to award the bid to the lowest bidder, Knife River Corporation in the amount of \$4,714,798.22.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE ADOPTING RESOLUTION 42-09 RECEIVING BIDS AND AWARDING CONTRACT TO KNIFE RIVER CORPORATION FOR CR 120 AND CSAH 1 IMPROVEMENTS, SAP 73-601-49 PROJECT IN THE AMOUNT OF \$4,714,798.22 (CONTINGENT UPON THE CLOSING OF THE DEVELOPMENT PROPERTY SCHEDULED FOR APRIL 27, 2009). THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS**

**a. Site plan for St. Cloud Orthopedic Associates**

On behalf of Winkelman Building Corporation & St.Cloud Orthopedics, Anita Rasmussen presented the site plan for a building to be located at Dehler Drive & Connecticut Avenue. The two story building meets setback and lot size requirements and will be constructed of brick, precast concrete and EIFS with a metal roof. The plan also meets the requirements for driveways, off-street parking and maneuvering areas in addition to exceeding the requirements for parking spaces. Some underground employee parking is included on the plan. Lighting requirements have been submitted and meet City

April 13, 2009

requirements. The proposed refuse enclosure will meet the ordinance if constructed according to the plan. A sign permit will need to be submitted prior to installation of the monumental signs as proposed.

Staff and the Joint Planning Commission are recommending approval of the site plan provided the following conditions are met:

1. All fire, engineering, building and public works department issues are resolved.
2. All costs associated with relocation of the electrical pole located at the access of Connecticut Ave. will need to be paid by the developer.
3. The rain garden plantings and maintenance plan will need to be submitted to the city prior to the issuance of the Certificate of Occupancy.
4. The infiltration test results for the infiltration area will need to be submitted to the city prior to the issuance of a Certificate of Occupancy.
5. Future additions will need to go through site plan approval.
6. A land disturbance permit will need to be submitted prior to the issuance of a building permit.
7. An ingress/egress easement will need to be recorded with the final plat for the shared access off of Dehler Drive. A copy of the recorded easement will need to be submitted to the City prior to the building permit application.

Council member Hennes discussed the two separate parking lot designs. Anita explained the parking lots were specifically designed one for employees and the other for patients. Hennes also verified there is sufficient handicapped parking and turn around areas for the dial-a-ride busses.

Council member Perske asked about the underground parking. The developers for St. Cloud Orthopedics updated the Council on the lower level which will be used for storage of medical records and some employee parking.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE SITE PLAN FOR ST. CLOUD OTHOPEDIC ASSOCIATES. THE MOTION CARRIED UNANIMOUSLY.**

**b. Recommendation from Joint Planning Commission and Economic Development Commission relating to request to review sign ordinance regulations**

Anita Rasmussen explained the request by a resident to review the sign ordinance. It is the recommendation of the Joint Planning Commission and staff, in order to be fair and consistent, to review the sign ordinance using the following criteria:

1. Staff (including our attorney) completes a cursory review over all aspects of the sign ordinance.
2. Staff conducts surveys with residential, commercial, public and industrial users, public input sessions, visual preference surveys to gain input on issues, concerns of the sign ordinance.
3. Staff would present findings and recommendations to the Economic Development Commission in May, with presentations to the JPC and Council in June. (1<sup>st</sup> 60 days review would be May 7<sup>th</sup>, 120 days review would be July 5<sup>th</sup>).

Consensus of the Council agreed to have staff move forward with review of the sign ordinance regulations.

April 13, 2009

**DEPARTMENT REPORTS**

**a. Emergency Services 2008 Annual Reports**

- **Police Department**

Chief Hughes highlighted areas of the Police Department's annual report and gave special recognition to the reserve officers for all their volunteer hours.

Mayor O'Driscoll and Council members commented on the excellent job by the Police Department for their service to the community and keeping the City a safe place to live. Mayor O'Driscoll particularly thanked Chief Hughes for organizing the Cook out with Cops event and to all those officers who volunteer their time during the event. A special thanks was also extended to the Police and Fire Department who helped with the recent flooding in the city.

- **Fire Department**

Chief Ken Heim presented and highlighted the annual Fire Department Report. Heim commented on how proud he is of the department and the great job they do to complete training hours and respond to fires, while keeping within the budget.

Mayor O'Driscoll congratulated the fire department for the outstanding job they do in public safety as well as working within the budget guidelines. Mayor also thanked the department for all the volunteer hours during fire prevention week.

- **Fire Department Policy & Procedures – proposed amendments**

Fire Chief Ken Heim talked about the need for changes to the Policy and Procedure manual as included with the Council packet.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING THE CHANGES AS RECOMMENDED TO THE FIRE DEPARTMENT POLICY & PROCEDURE MANUAL ON PAGES 1, 4, 13, AND 24. THE MOTION CARRIED UNANIMOUSLY.**

Suggestion was made to defer action on the recommended changes to page 14 until after the fire service contract negotiations.

**b. Police Department**

**Monthly Report**

Chief Hughes presented his monthly report.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ACCEPTING THE POLICE DEPARTMENT REPORT. THE MOTION CARRIED UNANIMOUSLY.**

April 13, 2009

c. **Public Works Department**  
Monthly Report

Brad presented his monthly maintenance report. Saturday is earth day and Brad would appreciate any volunteer help .

d. **City Engineering**  
Semi-Monthly Report

Jeremy presented his report and reminded the Council about rain garden open house on Thursday evening.

e. **Planning and Community Development**  
Semi-Monthly Memorandum

Anita presented her memo

f. **City Administrator**

Patti Gartland reminded the Council of the open house appreciation to be held on Thursday night prior to the Rain Garden meeting for the Garden Club volunteers. Immediately following the Garden Club open house, Council will be meeting with the school board. One of the discussion items with the school board will be the possibility of adding a polling precinct in 2010 at Oak Ridge Elementary.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Perske discussed traffic congestion at the school in the morning when parents are dropping off students and asked for suggestions to remedy the congestion. Police Chief Hughes reported that he has been meeting with the school to find a solution to the problem. Council member Orndorff suggested designating a right in – right out lanes to move traffic through the parking lot.

Council member Hennes updated the Council on the upcoming open house at MNDOT offices on April 21<sup>st</sup> from 4-5 p.m. to discuss transit plan and from 5-7 p.m. to discuss a rail plan.

Mayor O'Driscoll read a thank you note he received from a resident sharing their gratitude to our city workers who helped out during the recent flooding. Kudos were also extended to the Fire Department for sand bagging.

**ADJOURN**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF TO ADJOURN THE MEETING AT 8:45 P.M. THE MOTION CARRIED UNANIMOUSLY.**

April 13, 2009



---

MAYOR TIM O'DRISCOLL

Minutes By



---

Judy Molitor

**SARTELL (STEARNS COUNTY) BOARD OF APPEAL AND EQUALIZATION  
MEETING**

**MINUTES OF APRIL 15, 2009**

**ANNUAL MEETING**

Pursuant to due call and notice thereof, the annual City of Sartell Board of Appeal and Equalization for Stearns County was held on April 15, 2009 in the Sartell City Hall Council Chambers. Mayor Tim O'Driscoll called the meeting to order at 6:00 p.m.

**MEMBERS PRESENT:** Mayor O'Driscoll, Paul Orndorff, Steve Hennes, and Pat Lynch.

**MEMBERS ABSENT:** Joe Perske

**ALSO PRESENT:** Mary Degiovanni, Finance Director  
Steve Behrenbrinker, Sartell City Assessor  
Bob Lindvall, Stearns County Assessor

**AGENDA REVIEW AND ADOPTION**

A motion was made by Lynch and seconded by Orndorff to adopt the agenda as presented. Upon vote being taken the following voted:

Aye: O'Driscoll, Orndorff, Lynch and Hennes

Nay: None

Motion carried.

**BOARD OF REVIEW**

Assessor Behrenbrinker summarized 2008 construction activity, 2009 valuations, and the typical residential value decrease of 3 to 5%, although he noted there are individual factors in valuations. Assessor Lindvall also explained the time period for comparables for purpose of the 2009 valuations are October 2007 through September 2008. He also explained the process for Board of Review whereby those appealing their assessment can try to resolve it at this level or appeal to the County Board of Review if they are not satisfied with the final decision of this Board.

A list of Board of Review appointments was identified. Assessor Behrenbrinker called on each appointment individually and the property owner was given the opportunity to request a re-evaluation. The following is a list of property owners to address the Board and make a formal appeal for re-evaluation:

Bruce & Joan Gasser                      811 – 8<sup>th</sup> Ave. N.                      92.56506.0154

Tim Patton                                      321 Victory Ave.                      92.56717.0691

Jim Opatz                                        164 Cheval Drive                      92.57171.0394

Ken Fladung of 1101 – 19<sup>th</sup> Ave. South had concerns about his property taxes but did not request an appeal of his valuation.

Mike Kirby                                      405 – 2<sup>nd</sup> St. N.                        92.54071.0000

Hsing Chan                                      1402 – 9<sup>th</sup> Ave. N.                      92.56865.0290

Janel Olesch                                    3400 Clemson Ave. N.                92.57085.0057

Roy Wesenberg of 316 Riverside Ave. S. expressed concern about his taxes but his property value had gone down in 2009 and he did not request an appeal of his valuation.

Bob Coborn represented by Bob Behrendt regarding vacant Watab Springs lots; Parcel Nos.

92.57171.0500, 92.57171.0499, 92.57171.0497, 92.57171.0496, and 92.57171.0493  
 David Jongwald 617 – 5<sup>th</sup> Ave. S. 92.57074.0363  
 J&D Properties by Dave Peterson of 165 19<sup>th</sup> St. South, and JTM Holdings by John Anderson of  
 161 19<sup>th</sup> St. South, discussed their valuations and found values had already been reduced due to  
 no sprinkler system installation and they did not request further appeal of their valuation. The  
 Assessors advised them that they may request an abatement if prior year was over-valued due to  
 error in sprinkler system record.

Jacob Wolf	2296 Wyoming Court	92.56579.0595
Dean Seppelt	1245 Washington Court	92.56579.0577
Nicole Seppelt by Dean Seppelt	2312 Wyoming Court	92.56579.0591

The Board and Assessors heard input from and addressed questions by each property owner.

The Board also recognized the following written appeals:

Patrick Baran	301 -10 <sup>th</sup> St. N.	92.56577.0040
Dominic Ryan	1905 Grizzly Lane	92.57115.0605
Bernard Borschke	1201 Mockingbird Loop	92.56900.0509
Ferche Development	21.64 acres	92.56569.0436
Schultz & Schupp	165 19 <sup>th</sup> St. South, #3	92.57078.0006
	165 19 <sup>th</sup> St. South, #4	92.57078.0007
	161 19 <sup>th</sup> St. South, #6	92.57078.0009
	165 19 <sup>th</sup> St. South, #2	92.57078.0011
Marty Reker	26 parcels	Celebration vacant lots
Tim Torborg	6.55 vacant Residential	92.56571.0129
	25.21 acres Ag land	92.56532.0001
	Sundance vacant	92.57113.0527

A motion was made by Hennes and seconded by Orndorff to recess the Stearns County Board of Equalization Hearing to April 27, 2009 at 6:00 PM to hear the Assessor's recommendations on these properties with no new appeals to be heard at the continuation. Upon vote being taken the following voted:

Aye: O'Driscoll, Orndorff, Lynch and Hennes

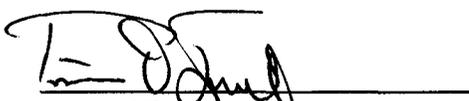
Nay: None

Motion carried.

**RECESS**

Mayor O'Driscoll recessed the Board of Review meeting at 9:05 PM.

  
 Mary Degiovanni  
 Finance Director

  
 MAYOR

April 27, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF APRIL 27, 2009

8TH MEETING

Pursuant to due call and notice thereof, the 8th meeting of 2009 was held on April 27, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: Council member Orndorff  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders Public Works Director  
Jim Hughes, Police Chief

**PLEDGE OF ALLEGIANCE**

**SPECIAL PRESENTATION**

Fire Chief, Ken Heim and Assistant Chief's Claude Dingman and Jim Sattler presented plaques to Tim Zierden for his 13 years of service as well as Kevin Benoit for his 16 years of service to the Sartell-LeSauk Fire Department. Chief Heim particularly thanked both Tim and Kevin for their willingness to help wherever needed and to go above and beyond the call of duty.

On behalf of the Council and the City, Mayor O'Driscoll also thanked both Tim and Kevin for their dedicated service to the City.

**AGENDA REVIEW & ADOPTION**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF CITY COUNCIL MINTUES**

- a. April 13, 2009 – City Council Meeting
- b. April 7, 2009 – Board of Review meeting (Benton County portion)

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

**CONSENT AGENDA**

- a. Approval of voucher payments dated April 23, 2009
- b. Professional development
- c. Acceptance of breath alcohol testing device donation to the Police Department
- d. Approval of budgeted contracts for native prairie maintenance services at City Hall

April 27, 2009

- e. Approval of resolution setting public hearing for June 8, 2009, on NPDES Phase II Permit and Storm Water Pollution Prevention Plan (SWPPP)
- f. Approval of change order #2 for Southwest Water Treatment Plant project
- g. Approval of resolution declaring cost to be assessed and calling for a public hearing for May 26, 2009, on assessments for CR 120/CSAH 1 and River Vista/River Oaks public improvements
- h. Approval of budgeted continuation of contract for assessing services with Stephen Behrenbrinker
- i. Approval to include 632 Riverside Avenue house structure in previously approved auction to occur in May 2009.
- j. Approval of extension of firefighter temporary light-duty assignment exceeding 60 days.
- k. Acceptance of \$250 donation from Fraternal Order of Eagles Ladies Auxiliary 622 and \$200 from Country Manor Campus for Cookout with Cops event.
- l. Acceptance of \$1,000 donation from Bernick's Pepsi for Police Department DARE program

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEMS A-L AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

### **OLD BUSINESS**

**a. Approval of updated feasibility report for 50<sup>th</sup> Avenue South realignment improvements**

City Engineer, Jeremy Mathiasen presented the feasibility study for the reconstruction and re-alignment of 50<sup>th</sup> Avenue from County Road 120 to Heritage Drive. Improvements include a 46' wide urban roadway, a 10 foot sidewalk/trail on the west side of 50<sup>th</sup> Avenue, water main, sanitary sewer, storm water management system, landscaping including vegetation in the boulevards, ponds and disturbed areas and street lighting. Two roundabouts with center island landscaping are also proposed to be a part of the project. Estimated construction and project costs are \$ 4,569,000, assessments are estimated at \$28,290 with potential future assessments (when property comes into the city) are estimated at \$1,300,000.

Council member Perske asked if the installation of the street lighting could be delayed until the area is developed. He also talked about his concern of roadway improvements and using ½ cent sales tax for those improvements. He suggested waiting to see if there is Federal money coming which could help cover the costs of infrastructure.

Council member Lynch talked about the upcoming meeting on May 4<sup>th</sup> being a time to review guidelines and discuss options on how to move forward with projects and funding sources.

Council member Hennes talked about the possibility of stimulus money for this project and the need to have the project ready. Hennes also questioned the traffic counts on Pinecone Road and Jeremy said he did not have the counts, however will check on them and get back to the Council.

Mayor O'Driscoll explained the need for projects to be "shovel ready" for possible stimulus money. Setting the public hearing and the bidding process is a prudent move as a community to be ready when money becomes available, otherwise the City could be at a disadvantage for receiving Federal money.

April 27, 2009

**Resolution setting public hearing for May 11, 2009 for 50<sup>th</sup> Avenue/4<sup>th</sup> Avenue South realignment improvements**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING RESOLUTION 45-09 CALLING FOR A PUBLIC HEARING ON PROJECT 000901-07126-0 50<sup>TH</sup> AVENUE IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**b. Approval of resolution approving plans and specifications and authorizing bid letting for developer petitioned 7<sup>th</sup> Avenue South public improvements.**

Plans for 7<sup>th</sup> Avenue South public improvements were included in the Council packet. City Engineer, Jeremy Mathiasen briefly explained the project. The intent is to include Roberts Road with the 7<sup>th</sup> Avenue project and bid at the same time. The only change to the plans are the addition of right turn lanes. The estimated project costs remain unchanged.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING RESOLUTION 46-09 APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS PROJECT 901-08124-0 7<sup>TH</sup> AVENUE SOUTH IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS**

**a. Presentation on the Mississippi River Renaissance project**

Kimberly Thielen Cremers, Central MN Mississippi River Renaissance Coordinator was on hand to present an overview of the Mississippi River project. Ms. Cremers asked Mayor O'Driscoll and Council members for their ideas on what the river means them, how to preserve the river and how they envision the river 20 years from now. The purpose of the project is to identify goals which bring value to the community through a visionary process, find out what the participating communities value and where to go from here as well as identifying funding sources through grant applications. Ms. Cremers invited the Council to an open house on Thursday, May 21, 2009 at 8:30 a.m. to learn more about the current status of the river, review natural resources and uses and share in a visionary process to assure a healthy river. This project provides the support to focus on the power of local units of governments to act collaboratively for the purpose of preserving and enhancing the functions and values of the Mississippi River corridor in Central Minnesota.

**DEPARTMENT REPORTS**

**a. Police Department**

Chief Hughes talked about the upcoming events:

- Spaghetti Dinner fundraiser on May 21<sup>st</sup> at the Sartell Middle School to help support D.A.R.E. and P.A.L. as well as other activities for youth. 4-7 p.m.
- Cook out with cops on June 25<sup>th</sup> at Watab Park.
- Safe & sober grant renewed shortly
- Sealed bids will be taken at City Hall until May 11<sup>th</sup> for the fire truck (old #24) located in the parking lot at the Police Department. A description of the vehicle is on window of the vehicle.
- Traffic counters have been placed on 5<sup>th</sup> Street North to gather data for traffic concerns. Chief Hughes will share results with Public Works Commission regarding traffic issues at the school.

April 27, 2009

**b. Public Works Director**

Director, Brad Borders talked about the upcoming auction of the two city properties scheduled for May 27<sup>th</sup> at 6:30 p.m. as well as the city garage sale on May 21<sup>st</sup>.

**c. City Engineering  
Semi-Monthly Memorandum**

Engineer, Jeremy Mathiasen presented his memorandum and project update report.

**d. Planning & Community Development  
Semi-Monthly Memorandum**

Anita Rasmussen presented her memorandum and updated the Council on the review process and deadlines for the sign ordinance. Survey's are on our web-site and have been e-mailed to businesses.

**e. City Administrator**

Patti Gartland presented her agenda notes.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Hennes updated the Council on the Metro Bus summer schedule to include Oak Ridge again this summer, Monday through Thursday starting June 4 through July 24th. Bus schedules will be out soon.

**ADJOURN**

**A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 8:08 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

# SARTELL (STEARNS COUNTY) BOARD OF EQUALIZATION MEETING

MINUTES OF APRIL 27, 2009

ANNUAL MEETING - continuation

Pursuant to due call and notice thereof, a continuation of the annual City of Sartell Board of Appeal and Equalization for Stearns County was held on April 27, 2009 in the Sartell City Hall Council Chambers. Acting Mayor Joe Perske called the meeting to order at 6:08 p.m. Mayor O'Driscoll arrived and chaired the meeting at 6:30 p.m.

**MEMBERS PRESENT:** Mayor O'Driscoll, Joe Perske, Steve Hennes, and Pat Lynch

**MEMBERS ABSENT:** Paul Orndorff

**ALSO PRESENT:** Mary Degiovanni, Finance Director  
Steve Behrenbrinker, Sartell City Assessor  
Nancy Heinzen, Stearns County Assessor

## AGENDA

A motion was made by Lynch and seconded by Hennes to approve the agenda as presented. The motion carried unanimously.

## BOARD OF REVIEW CONTINUATION

Steve Behrenbrinker presented recommended adjustments to the 2009 proposed valuations for the following property owners that presented an appeal for re-evaluation at the April 15, 2009 meeting.

<u>Property Owner</u>	<u>Parcel Number</u>	<u>2009 Proposed Valuation (4/15/09)</u>	<u>2009 Recommended Adjusted Valuation</u>
Bruce & Joan Gasser	92.56506.0154	\$249,500	\$249,500
Tim Patton	92.56717.0691	\$179,200	\$179,200
Jim Opatz	92.57171.0394	\$207,500	\$207,500
Ken Fladung	92.57071.0500	\$263,000	\$263,000
Hsing Chan	92.56865.0290	\$231,400	\$231,400
Janel Olesch	92.57085.0057	\$203,300	\$203,300
David Jongwald	92.57074.0363	\$131,600	\$131,600
Roy Wesenberg	92.56547.0000	\$186,100	\$186,100
Bob Coborn	92.57171.0500,	\$40,000/lot	\$40,000/lot
	92.57171.0499, 92.57171.0497, 92.57171.0496 and 92.57171.0493		
Kirby Properties	92.54071.0000	\$399,300	\$362,600
J&D Properties	92.57078.0010	\$528,100	\$517,100
JTM Holdings	92.57078.0008	\$487,300	\$476,700
Jacob Wolf	92.56579.0595	\$50,000	\$50,000
Nicole Seppelt	92.56579.0591	\$50,000	\$50,000
Dean Seppelt	92.56579.0577	\$50,000	\$50,000
Dominic Ryan	92.57115.0605	\$272,700	\$270,800
Patrick Baran	92.56577.0040	\$163,200	\$160,600
Bernard Borschke	92.56900.0509	\$172,100	\$172,100
Ferche Development	92.56569.0436	\$2,743,000	\$2,423,000
Schultz & Schupp	92.57078.006	\$415,400	\$351,500
	92.57078.007	\$510,300	\$368,700

	92.57078.009	\$935,200	\$667,900
	92.57078.011	\$354,100	\$355,100
Marty Reker	26 Celebration lots	\$70,000/lot	\$70,000/lot
Tim Torborg	92.57113.0527	\$152,300	\$144,000
	92.56571.0129	\$232,800	\$168,000
	92.56532.0001	\$630,300	\$630,300

The Board discussed with the assessors how lot values might decline in coming years even if comparable sales are not available. The assessors may need to look to listing prices and lot inventory to come up with recommended valuation decreases if vacant lot sales continue to remain stagnant.

**A MOTION WAS MADE BY LYNCH, SECONDED BY HENNES TO APPROVE THE 2009 RECOMMENDED ADJUSTED VALUATIONS AS PRESENTED BY THE CITY ASSESSOR. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:  
 AYE: O'DRISCOLL, PERSKE, LYNCH, AND HENNES  
 NAY: NONE  
 MOTION CARRIED**

**ADJOURNMENT**

**A MOTION WAS MADE BY PERSKE, SECONDED BY LYNCH TO ADJOURN THE MEETING AT 6:35 P.M. MOTION CARRIED UNANIMOUSLY.**

  
 \_\_\_\_\_  
**Mary Degiovanni**  
**Finance Director**

  
 \_\_\_\_\_  
**Mayor**

## SARTELL CITY COUNCIL MEETING

**MINUTES OF MAY 4, 2009**

**SPECIAL MEETING**

Pursuant to due call and notice thereof, a special meeting was held on May 4, 2009 in the Council Chambers at Sartell City Hall. The meeting commenced at 5:15 PM.

**COUNCIL PRESENT:** Mayor O'Driscoll; Council members: Perske, Lynch, Hennes and Orndorff

**COUNCIL ABSENT:** None

**OTHERS PRESENT:** Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Mark Ruff, Ehlers & Associates  
Stacie Kvilvang, Ehlers & Associates

### **AGENDA**

A motion was made by Orndorff and seconded by Lynch to adopt the agenda amended to reverse the order of items 2 and 3 to make the best use of Ehlers & Associates time at the meeting. The motion carried unanimously.

### **RESOLUTION SUPPORTING JOINT EFFORT**

The City Administrator overviewed the proposed Resolution supporting joint effort and authorizing grant application submission. A motion was made by Hennes and seconded by Orndorff to Adopt Resolution No. 49-09 Supporting a Joint Effort Between the Cities of Sauk Rapids, Sartell, and St. Cloud in Establishing a St. Cloud Urban Area Mississippi River Corridor. The motion carried unanimously.

### **2009 FINANCING AND REFINANCING**

The Finance Director and Ehlers representatives outlined the two refinancing issues. The City Hall refinancing will be completed to save money and shorten the term due to reduced interest rates. The refinancing of two outstanding debt service issues will be done to reduce 2010 and 2011 payments and extend the term to preserve cash flow concerns related to assessment delinquencies.

A motion was made by Lynch and seconded by Orndorff to Adopt Resolution No. 47-09 Providing for the Issuance and Sale of \$2,110,000 General Obligation Capital Improvement Plan Bonds, Series 2009B, and Levying a Tax for the Payment Thereof. The motion carried unanimously.

A motion was made by Hennes and seconded by Perske to Adopt Resolution No. 48-09 Providing for the Issuance and Sale of \$10,940,000 General Obligation Refunding Bonds, Series 2009C and Pledging Net Revenues and Special Assessments for the Security Thereof. The motion carried unanimously.

The Finance Director outlined the proposed financing of the 2009/2010 street projects, including County Road 1/120, 7<sup>th</sup> Ave. South, Roberts Road, Heritage Drive, and 50<sup>th</sup> Ave. The Council discussed a number of questions and concerns with staff and Ehlers, including:

- The 20 year obligation of MSA funds is unusual, but this is a large project scope that helps serve our growing community. It costs future councils the flexibility MSA provides, but current Council can decide if the scope of projects merits the 20 year use.
- Possibility of legislative changes to City's sales tax collections and obligating some now can ensure our ability to collect to some extent.
- Property tax, sales tax, and potential future assessments are all projected to increase as a result of making these infrastructure improvements.
- Sources of funding are comprehensive utilizing City utility funds, assessments, sales tax and full allocation of MSA, and there is still a gap that would need to rely on tax levy of about \$170,000 per year, but that is pending final right of way costs, bids, and potential for Council to decide upon design changes. Staff's recommendation is to split into two phases to shift potential levy gap to second phase so final right of way costs and construction bids can be determined to help Council to decide how and when to proceed with phase 2.
- Mark Ruff confirmed that the City has a high debt load, but we also have strong sources of funding and the rating agencies will be watching how we maintain that balance of limiting debt while ensuring infrastructure completion to enable growth. Mark suggested the Council look at current projects, but also 5 years out and can we complete this project and then take a break from major debt issuance for a period. Staff outlined next major projects of East Side Street reconstructs and Fire Hall reconstruction are not planned until 2012 or 2013. Mark also highlighted the fact that we have a very low tax rate and that the \$170,000 annual funding gap currently projected is fairly manageable based upon our current tax rate.
- Councilmember Perske expressed concern with spending the entire road and trail allocation of sales tax in the event we don't achieve a full \$11 million in revenues and considered other projection scenarios of \$7.6 million and \$8.1 million. There was much discussion with Mayor O'Driscoll and Council members Orndorff, Lynch, and Hennes all expressing their comfort level with maintaining the \$11 million revenue projection although no one can predict the future. The Mayor discussed the concept the Council had previously utilized of "readily achievable" projects which led to the golf course purchase and now roadway allocation expenditure. No regional library branch is a possibility until 2016 at the earliest, so the Council should deal with that possibility when it is readily achievable.
- Councilmember Perske requested the sales tax spreadsheet from the Financial Management Plan draft be revised to show a full \$11 million in revenues and to show funding of the other two Council allocations with funds remaining (\$1.6 million community resources and \$1.435 million land acquisition) being spent in 2017 or 2018. The Council approved this by consensus.
- The Council discussed unfunded Dehler Drive and 23<sup>rd</sup> Street extensions representing a high priority. Staff suggested that can be reviewed at the time final designs are approved for phase 2 and more costs are locked in. It is possible that potential future assessments could come in as development occurs which would help fund Dehler or 23<sup>rd</sup> without tax levies.
- Pine Cone Road South in St. Cloud is still projected to proceed this year, but there are issues being worked out along the VA property. (Ehlers representatives left the meeting at this time.)
- The Council discussed comfort level with the tax rates in the Financial Management Plan and staff said the rates will depend on numerous unknown factors, including State funding as well as new growth valuations and existing tax base values. The City has had tax rates in excess of 36% and 34% since 2002, so while we want a relatively stable tax rate over the long term, staff feels it is important to look at the longer term picture and adopt levies that may not be a flat rate, but protect the overall financial strength and longer term tax rate structure for the City.

Mayor Tim called the question to give staff direction on whether proceeding with the combined projects, but broken into Sartell Partners short term financing for approval on May 11<sup>th</sup>, and financing of phase 1 of the balance of the projects to be finalized at the May 26<sup>th</sup> Council meeting and phase 2 to be accomplished after more right of way and construction costs are determined later this year or in 2010. Council consensus was 4 in favor and 1 opposed with Councilmember Perske concerned with using road and trail allocation and uncertainty about sufficient future sales tax collections to fund remaining allocations.

### **2009 BUDGET**

The City Administrator outlined the 2009 budget reduction 25%, 50% and 100% LGA cut scenario and asked the Council to instruct staff as to whether they want to proceed beyond the previously approved 25% scenario. The consensus of the Council was to look at the 100% scenario with more details to be delivered to the Council for future official consideration, including the fuel line item budget used, whether reducing rink attendants was a cut possibility, and how the two officers per car option would function.

Patti also mentioned that we have two retirements in the Fire Department and believe a third may be imminent and so there may be a point where the hiring freeze in all departments needs to be waived to ensure adequately staffed fire response. Staff will review and recommend a strategy for fire personnel replacements in 2009.

### **ADJOURNMENT**

Motion was made by Lynch and seconded by Orndorff to adjourn the meeting at 7:30 PM. Motion carried unanimously.

**Minutes By:**

  
\_\_\_\_\_  
**Mary Degioyanni, Finance Director**

  
\_\_\_\_\_  
**Tim O'Driscoll, Mayor**

May 11, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF MAY 11, 2009

9TH MEETING

Pursuant to due call and notice thereof, the 9th meeting of 2009 was held on May 11, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Dale Struffert, Deputy Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

**PLEDGE OF ALLEGIANCE**

**AGENDA REVIEW & ADOPTION**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF CITY COUNCIL MINTUES**

- a. April 27, 2009 – City Council Meeting
- b. April 15, 2009 – Sartell (Stearns County) Board of Appeal & Equalization
- c. April 27, 2009 – Sartell (Stearns County) Board of Appeal & Equalization
- d. May 4, 2009 – city Council special meeting

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

**CONSENT AGENDA**

- a. April Building Inspectors Report – Acceptance
- b. April Fire Marshal/Code Official Report – Acceptance
- c. April Finance Directors Report – Acceptance
- d. Public Works Commission meeting notes for April 22, 2009 – Acceptance
- e. Approval of voucher payments dated May 6, 2009
- f. Professional Development Registrations: City Administrator to attend LMC Annual conference in St. Paul on June 24-26, 2009
- g. Approval of resolution providing for the issuance and sale of \$5,000,000 General Obligation Temporary Bonds, 2009D (Sartell Partners bonds)
- h. Approval of resolution combining various public improvement projects (portion of CR 1/120/River Vista, 7<sup>th</sup> Avenue South, Roberts Road, Heritage Drive and 50<sup>th</sup> Avenue South)
- i. ~~Approval of 2010 budget process schedule~~

May 11, 2009

- j. Schedule special meeting for audit presentation for 6:00 pm on Monday, June 8, 2009
- k. Acceptance of various donation for Police Department programs
- l. Approval of resolution approving wetland conservation act permit for County Road 120 & CSAH 1 and authorizing purchase of wetland credits.
- m. First reading and set public hearing for May 26, 2009, for illicit discharge and connection ordinance as mandated by NPDES regulations
- n. First reading and set public hearing for June 8, 2009, for amending ordinance for the maintenance of turf grass and vegetation
- o. Approval of existing insurance coverage renewals and continuation of the liability coverage waiver and \$1 million of excess liability coverage.
- p. Acceptance of \$500 donation from Cub Scout Pack 211 for Watab Pool repairs
- q. ~~Approval to continue allowing the sale of beer and liquor at Northside Park for the Sartell Muskies 2009 game season.~~

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A-P, REMOVING ITEM "I" TO BE DISCUSSED UNDER NEW BUSINESS AND "Q" FOR IMMEDIATE DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.**

**CONSENT AGENDA:**

- q. Approval to continue allowing the sale of beer and liquor at Northside Park for the Sartell Muskies 2009 game season.

Pete Johnson, Business Manager of the Muskie's answered Council member Perske's questions regarding approval to serve alcohol at Northside Park during the Muskie games.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEM "Q". THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

- a. **50<sup>th</sup> Avenue South public improvement project**

City Engineer, Jeremy Mathiasen presented a brief background of the 50<sup>th</sup> Avenue South improvements and explained the scope of work proposed. Total cost of the project is estimated at \$4.5 million, assessments to property owners is \$28,000 with possible future assessments at \$1.7 million when surrounding property is annexed into the City.

**Resolution ordering preparation of plans and specifications**

7:21 p.m. Mayor O'Driscoll opened the public hearing and explained how the hearing would be conducted. The following comments were heard although comments do not reflect the entire statement made:

Don Primley, 816 Ridgewood Court, Sartell, expressed concern with the cost of the project and the possibility of taxes increasing for residents. He also questioned a timeframe of the project, increasing the funding gap over what is projected and asked how the City intends to pay for the project. Don talked about the cost of roundabouts versus signal lights. A suggestion was made by Mr. Primley to

May 11, 2009

postpone the installation of street lighting until later when more development in the area is eminent, or possibly postpone the entire project until the City has the money to pay for the project.

Mark Skaj, 32625 50<sup>th</sup> Avenue, St. Cloud talked about right-of-way issues and possible future deferred assessments for him and other affected LeSauk residents. Skaj questioned the location of the roundabouts and asked if they hinder traffic or delivery trucks maneuvering into the medical office facilities. Mark asked how the trails/bike path will be assessed and requested to be included in the land acquisition meetings the City is planning.

Laverne Dehler, 40 County Road 120, St. Cloud questioned the difference in project cost from what was in the paper versus what was outlined by the City Engineer at the meeting tonight. Dehler asked for a visual outline of the future planned connection from Roberts Road to County Road 1.

Donna Weyrauch 32725 50<sup>th</sup> Avenue, St. Cloud asked how much of her front yard will be used for roads and trails and when her neighborhood will be notified of the project.

7:53 p.m. Mayor O'Driscoll closed the hearing. No written comments were received.

A discussion by the Mayor and Council members followed regarding options of financing the project including the use of sales tax money and possible stimulus funding. Along with other items, the Council will also need to decide if the initial undergrounding work for street lights should be completed with the project and postpone the installation of the light poles until development in the area is eminent. Council discussed cost associated with roundabouts versus signal lights and if the City should postpone the installation of the roundabouts and the pedestrian trail until a later date. The majority of the Council agreed the project is necessary and important to move to the next stage, order the feasibility study, plans and specifications and continue further discussion on the items brought forward by the public as well as Council members. As part of this project, the City will also be working with the City of St. Cloud and the County for road configuration and turn lanes at the intersection of CR 134, CR 120 and 50<sup>th</sup> Avenue.

**Resolution ordering preparation of plans and specifications – 50<sup>TH</sup> Avenue South Public Improvements**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH ORDERING PREPARATION OF PLANS AND SPECIFICATIONS FOR 50<sup>TH</sup> AVENUE SOUTH IMPROVEMENTS.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES, LYNCH, ORNDORFF**

**NAY: PERSKE**

**MOTION CARRIED**

**NEW BUSINESS**

**a. Final plat and development agreement for Mrozek addition**

Community Development Director, Anita Rasmussen presented the final plat for Roderick and Jessica Mrozek. The plat consists of one lot (1.5 acres). The purpose of the request is to build a single-family residential home.

May 11, 2009

The Joint Planning Commission and staff recommend approval based on the following conditions being met:

1. That all comments raised by the City Engineer are addressed.
2. That park dedication in the amount of \$1,018.00 will be due prior to the recording of the final plat.
3. Any re-platting of Lot 1, Block 1 will result in sewer, water and trunk fees to be paid.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING RESOLUTION 54-09 APPROVING THE FINAL PLAT AND DEVELOPMENT AGREEMENT OF MROZEK ADDITION PROVIDED THE RECOMMENDATIONS BY STAFF AND THE JOINT PLANNING COMMISSIONARE MET. THE MOTION CARRIED UNANIMOUSLY.**

**b. On-sale and on-sale Sunday intoxicating liquor license for Westside Discount Liquor Learning Center.**

City Administrator Gartland, presented the request on behalf of Bob and Linda Feuling. Owner Bob Feuling explained that the Learning Center will be used to educate attendees to the best types of food to serve with a variety of liquor, wine, or beer. The Learning Center will have a full-sized kitchen facility and will seat approximately 50-60 people. The facility can also be used to host parties.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE ON-SALE AND ON-SALE SUNDAY INTOXICATING LIQUOR LICENSE FOR WESTSIDE DISCOUNT LIQUOR LEARNING CENTER. THE MOTION CARRIED UNANIMOUSLY.**

**c. Summit for Success housing market analysis presentation**

Realtor Steve Hanson, President of the Board of Realtors; Jim Green, past president of Central Minnesota Builders Association; Mark Braegelman, Manager of Liberty Savings Bank; and Suzanne Markalow, Residential Appraiser gave a presentation updating the Council on the housing and lending side of the real estate market today. They summarized housing supply/demand facts, described the benefits of home ownership, reviewed statistics on active listings and sales, as well as pending sales and highlighted some of the struggles (foreclosures) in the real estate market. The group also talked about economic and job growth, construction outlook, tax incentives and financing programs available.

Mayor O'Driscoll asked what the City can do to help promote Sartell for continued growth? Suggestions from the group were to offer a variety of recreational activities, support the school system and develop a transportation system with more corridors. Jim Green, representing Lumber One, made the suggestion that the City offer contractors the option to pay for building permits at the time the Certificate of Occupancy is issued.

**d. MTC presentation on route analysis study and annual update**

Tom Cruikshank, representing Metro Bus presented a background of the transit services offered including the extended service to Sartell. Cruikshank gave a brief presentation on ridership and financial statistics. A handout was given to the Council for further review.

May 11, 2009

e. **Approval of 2010 budget process schedule**

Consensus of the Council was to hold their next budget workshop on July 15<sup>th</sup> from 5-9 p.m.

f. **Consideration of bids received for sale of Fire Engine 24**

Two sealed bids were received for the 1975 pumper truck. The highest bid was received from M & M Trucking, Cresco, Iowa in the amount of \$4,202.

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING THE SALE OF PUMPER TRUCK #24 TO M & M TRUCKING, CRESCO, IOWA IN THE AMOUNT OF \$4,202. THE MOTION CARRIED UNANIMOUSLY.**

**DEPARTMENT REPORTS**

a. **POLICE DEPARTMENT**  
**Monthly Report**

Dale Struffert, Deputy Police Chief presented his report.

**A MOTON WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ACCEPTING THE MONTHLY REPORT AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

b. **PUBLIC WORKS DEPARTMENT**  
**Monthly Report**

Director, Brad Borders presented his monthly report and updated the Council on the scheduled repairs to Riverside Avenue for Wednesday, May 13<sup>th</sup>.

c. **CITY ENGINEERING**  
**Semi-Monthly Memorandum**

Jeremy Mathiasen presented his memorandum.

d. **PLANNING & COMMUNITY DEVELOPMENT**  
**Semi-Monthly Memorandum**

Director, Anita Rasmussen presented her memorandum

e. **CITY ADMINISTRATOR**  
**Update on 2009 budget adjustments**

Patti Gartland presented the draft plan for offsetting reductions in State Aid Revenue which outlined scenarios for cuts of 25%, 50% and 100%. After the budget meeting last week, direction from the Council was to have staff gear up for possible 100% State Aid Revenue cuts. Updated information was provided along with the description of where cuts have already been implemented. Patti clarified that no action was needed by the Council at this meeting.

May 11, 2009

**ADJOURN**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES TO ADJOURN THE MEETING AT 10:30.  
THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

  
**Judy Molitor**

  
**MAYOR TIM O'DRISCOLL**

May 26, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF MAY 26, 2009

10TH MEETING

Pursuant to due call and notice thereof, the 10th meeting of 2009 was held on May 26, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Judy Molitor, Administrative Secretary  
Anita Rasmussen, Community Development Director  
Jim Hughes, Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING THE AMENDED AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

SPECIAL PRESENTATION

Jason Mathiasen, representing the SummerFest committee updated the Council on the planned events for SummerFest starting June 11<sup>th</sup> through June 13<sup>th</sup>. Teen Xtravaganza will start at 6:30 at the Great River Bowl on June 11<sup>th</sup>, A 1-K run and Mayor's 5-K run/walk will be held at 5:30 followed by a concert in the park on June 12<sup>th</sup>, and the Grand Day Parade will be on June 13<sup>th</sup> starting at 10 a.m. followed by a family carnival at the Middle School, band awards and street dance at 8 p.m. with fireworks at 10 pm. Mathiasen also talked about shows scheduled for the Bernick's Arena on Sat, June 13<sup>th</sup>. Jason thanked the entire committee who has been working and continue to work on this event as well as those who supported fundraising events .

APPROVAL OF CITY COUNCIL MINUTES

**A MOTION WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PERSKE APPROVING THE MINUTES AS PRESENTED OF THE MAY 11, 2009 REGULAR CITY COUNCIL MEETING. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. Approval of voucher payments dated May 20, 2009
- b. Approval of Personnel Policy amendment relating to method of payroll payments
- c. Approval of noise exemption permit for SummerFest 2009 music event at Great River Bowl on June 13, 2009
- d. Approval for solicitation of sealcoat bids for 2009

May 26, 2009

- e. Approval of resolution declaring cost to be assessed and calling for a public hearing for June 22, 2009 on assessments for 7<sup>th</sup> Avenue South improvements
- f. Set starting time for City council audit workshop for 5 pm on June 8, 2009 to include presentation of preliminary assessment of energy and infrastructure improvement opportunities.
- g. Approval of 2010 budget process and meeting schedule
- h. Approval of resolution advocating to Stearns County the expedient completion of CR 120 corridor study
- i. Approval of replacement purchase of motor for the Fire Department rescue boat in an amount not to exceed \$2,900 if replacement parts cannot be attained for the existing motor

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING CONSENT AGENDA ITEM A-I. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. CR 120/CSAH 1 & River Vista/River Oaks public improvement assessments**

City Engineer, Jeremy Mathiasen presented an overview of the proposed improvements as well as an outline of the project area. Jeremy presented the projected assessments to neighboring residents and land owners including the portion of city costs. Water services will be extended to 8 properties along River Vista/River Oaks, assessments to these property owners were explained.

7:16 p.m. Mayor opened the public hearing and explained how the hearing would be conducted. There were no oral comments. A hand delivered objection letter to the assessment was received from GHB family, LLC (Glenn Benidt) The hearing was closed at 7:17 p.m. It is staffs recommendation to move forward with adopting the assessments as presented.

**Resolution adopting assessments for CR 120 & CSAH 1 improvements and River Oaks/River Vista improvements**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING RESOLUTION 57-09 ADOPTING ASSESSMENTS FOR PROJECT #901-07148-0 FOR CR 120 & CSAH 1 IMPROVMENTS & RIVER OAKS/RIVER VISTA IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**b. Illicit Discharge and Connection Ordinance**

Anita Rasmussen explained the federally mandated program to implement and maintain storm water management activities through a permitting mechanism as well as the measures taken by the City to assure these measures are being met. This ordinance establishes methods for controlling the introduction of pollutants into the municipal storm sewer system in order to comply with the (NPDES) permit process.

Mayor O'Driscoll opened the hearing at 7:27 p.m. Since there were no oral comments from the public or written comments received, Mayor closed the hearing at 7:27 p.m.

May 26, 2009

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING ORDINANCE 09-05 AMENDING CHAPTER 21, TITLE 11 OF THE ZONING ORDINANCE ILLICIT DISCHARGE AND CONNECTION ORDINANCE. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Roberts Road, 7<sup>th</sup> Avenue South and Heritage Drive (east section)**

**Approval of concept plan for future roadway system in the Roberts Road and Pinecone Road South corridor area and setting a public hearing for June 8, 2009, to amend the official transportation plan to incorporate said concept plan**

Patti presented the concept plan for future roadway connections of major streets through the Ferche development. This concept plan is consistent with the transportation plan adopted in 2006 and further refines transportation in the downtown center area. It is staff's recommendation to approve the concept plan and set a public hearing for June 8, 2009 to redefine the major collector streets within this development and adopt it as an official component of the transportation plan.

Anita outlined a conceptual layout of the transportation plan through the south portion of the downtown area and medical offices. Anita also identified the major collector streets as part of refining the master plan. In order to include this into the transportation master plan, a public hearing is recommended by staff.

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY COUNCIL MEMBER HENNES APPROVING THE CONCEPT PLAN OF THE FUTURE ROADWAY SYSTEM IN THE ROBERTS ROAD AND PINE CONE ROAD SOUTH CORRIDOR AREA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE SETTING A PUBLIC HEARING FOR JUNE 8, 2009 AT 7 P.M. TO FORMALLY AMEND THE OFFICIAL TRANSPORTATION PLAN TO INCORPORATE THE CONCEPT PLAN. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution providing for the issuance and sale of \$6,255,000 General Obligation Improvement Bonds, Series 2009E, pledging special assessments for the security thereof and levying a tax for the payment thereof.**

Stacy Kvilvang, representing Ehlers & Associates presented the recommendation for approval of the issuance and sale of the first phase of \$6,255,000 bonds. These bonds will be used to finance 7<sup>th</sup> Street, East Heritage, a portion of West Heritage, Roberts Road and County Road 1/120 projects. The sale date will be set for June 17, 2009. A pricing committee has been established to include Mayor O'Driscoll, City Administrator Patti Gartland, Finance Director Mary Degiovanni and Stacy Kvilvang and Mark Ruff from Ehlers & Associates.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING RESOLUTION 58-09 PROVIDING FOR THE ISSUANCE AND SALE OF \$6,255,000 GENERAL OBLIGATION IMPROVEMENET BONDS, SERIES 2009E, PLEDGING SPECIAL ASSESSMENTS FOR THE SECURITY THEREOF AND LEVYING A TAX FOR THE PAYENT THEREOF.**

May 26, 2009

Before a vote was taken, the following comments were made:

Council member Perske expressed his concern of spending the majority of the anticipated sales tax dollars on the construction of new infrastructure and the possibility of not having enough funding left for other amenities as promised to residents such as a community center, library, ballfields and bathrooms at Northside Park.

Council member Lynch is confident the predicted sales tax money will be achieved, especially with Walmart, Sams Club and other retail developments coming into the City. Lynch also talked about how critical it is for the future of the City of Sartell to develop infrastructure in this commercial portion of town in order to attract more businesses. Residents did approve the use of sales tax money for infrastructure on the ballot question and, with the lack of funding from the government for roads, the City is very fortunate to have this sales tax mechanism to achieve safe roadways.

Council member Orndorff also spoke in favor of the transportation plan to build and attract businesses. Because of new businesses, more sales tax money will be generated to allow the City to fulfill recreational facilities as suggested by member Perske. Orndorff talked about how the City has prepared for future growth with the addition of the new water treatment plant to serve the southern portion of the City as well as additional infrastructure.

Council member Hennes verified that \$3.5 million of the sales tax money will be used on infrastructure and \$700,000 will be used toward trails, as approved by the residents.

Mayor O'Driscoll talked about the need for public safety, the importance of keeping roads safe for travel and the unsafe conditions of Heritage Drive at this time. A safe community with police and fire protection as well as safe infrastructure is vitally important to the City. O'Driscoll favors the use of sales tax money rather than increasing property tax to fund infrastructure needs.

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES, LYNCH, ORNDORFF**

**NAY: COUNCIL MEMBER PERSKE**

**MOTION CARRIED**

**Sidewalk petition**

Jeremy Mathiasen presented the written petition for a safe bike/pedestrian path from Heritage Drive to Pinecone Road as requested from some residents in the Heritage Drive area. Jeremy outlined a safe path for residents to use before the construction season of 2010 is complete when a bike/pedestrian path will be provided as part of the upgrades to Heritage Drive.

**Resolution accepting bids and awarding low bid to Arcon Construction for the Roberts Road**

City Engineer, Mathiasen presented the 11 bids with alternates for the Roberts Road Improvement project and recommended Council award the bid to the lowest bidder, Arcon Construction, Inc. in the amount of \$2,133,453.09.

May 26, 2009

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF AWARDING THE BID TO ARCON CONSTRUCTION FOR THE ROBERTS ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$2,133,453.09.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES, LYNCH, ORNDORFF**

**NAY: COUNCIL MEMBER PERSKE**

**THE MOTION CARRIED**

**Resolution accepting bids and awarding low bid to Joe's Excavating**

City Engineer, Mathiasen presented the 5 bids for the 2009 East Heritage Drive Improvements and recommended the bid be awarded to Joe's Excavating.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH TO AWARD THE BID TO JOE'S EXCAVATING FOR THE 2009 EAST HERITAGE DRIVE IMPROVEMENTS IN THE AMOUNT OF \$494,784.78. THE MOTION CARRIED UNANIMOUSLY.**

**DEPARTMENT REPORTS**

**a. Police Department**

Police Chief, Jim Hughes gave an update on the proceeds from the spaghetti supper fundraiser to benefit school youth programs. As an update for the Council: DARE graduation classes for St. Francis will be on May 28<sup>th</sup> and the Middle School graduation will be on May 29<sup>th</sup>. P.A.L. program starts on June 16<sup>th</sup> at Val Smith Park.

**b. Public Works Department  
Council participation in SummerFest parade**

After approval from the Council, Brad will be providing a vehicle for the Mayor and Council members in the SummerFest parade. Council member Hennes requested some minor repairs be completed on the small building in Watab park.

**c. CITY ENGINEERING  
Semi-Monthly Memorandum**

Jeremy Mathiasen presented his memorandum and reminded the public to watch for speed limit signs at the construction site at CSAH 1.

**d. PLANNING & COMMUNITY DEVELOPMENT  
Semi-Monthly Memorandum**

Anita Rasmussen presented her memo.

**e. City Administrator**

Patti Gartland presented her agenda notes.

May 26, 2009

**ADJOURN**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 8:50 P.M. THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

  
\_\_\_\_\_  
**Judy Molitor**

  
\_\_\_\_\_  
**MAYOR TIM O'DRISCOLL**

June 8, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF JUNE 8, 2009

11TH MEETING

Pursuant to due call and notice thereof, the 11th meeting of 2009 was held on June 8, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:01 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Dale Struffert, Assistant Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

**A MOTION WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PERSKE APPROVING THE MINUTES AS CORRECTED OF THE MAY 26, 2009 REGULAR CITY COUNCIL MEETING. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. *May Building Inspectors Report – Acceptance*
- b. *May Fire Marshal/Code Official Report - Acceptance*
- c. *May Finance Directors Report – Acceptance*
- d. *Public Works Commission meeting notes for May 20, 2009 – Acceptance*
- e. *Park Commission meeting notes for May 28, 2009 - Acceptance*
- f. *Approval of voucher payments dated June 4, 2009*
- g. *Professional Development Registrations: City Administrator to attend Coalition of Greater MN Cities summer conference in Brainerd on July 29 – 31, 2009; Public Works Director to attend MN Wastewater Operators Association conference on July 28 – 31, 2009 in Grand Rapids.*
- h. *Approval of first reading and resolution setting public hearing for June 22, 2009 for conditional use permit request from Westside Liquor for a seasonal outdoor dining patio*
- i. *Reset public hearing for proposed Comprehensive Plan Amendment to the Transportation Plan South to June 22, 2009*
- j. *Approval of first reading and setting public hearing for July 13, 2009 for a Code of Ordinance amendment relating to docks on public property*

June 8, 2009

- k. *Approval of fund transfers recommended by Finance Director*
- l. *Acceptance of \$900 memorial gift donation in honor of Ruth and George Nielsen for tree plantings in Pine Cone Regional Park*
- m. *Acceptance of \$500 donation from Dick Willenbring of baseball caps for Police Department youth programs*
- n. *Acceptance of \$500 donation from Badger Graphics for water bottles for Police Department youth programs*
- o. *Approval of resolution supporting cooperative/collaborative efforts by the St. Cloud Area Cities*
- p. *Acceptance of \$404.64 SCORE grant from Stearns County for Earth Day clean up*
- q. *Approval of Noise Exemption/Outdoor Event permit for July 11, 2009 from 1 pm to 2 am for G-Allen's subject to staff recommended conditions*
- r. *Approval of a resolution advocating Northstar Phase 2 Extension from Big Lake to St. Cloud; Advocating for Federal Railroad Administration (FRA) Grants*

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING CONSENT AGENDA ITEM A-Q. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. NPDES Phase 2 Permit and Storm Water Pollution Prevention Plan (SWPPP)**

Anita Rasmussen presented the NPDES report as required as part of the federally mandated program established by the Environmental Protection Agency to implement and maintain storm water management activities. Anita explained the six control measures by the City resulting in significant reductions of pollutants discharged into receiving water bodies. As part of the requirements, this hearing is held to receive public input on the 2009 SWPPP and 2008 NPDES Reports.

Mayor O'Driscoll opened the public hearing at 7:04 p.m. No oral or written testimony was received, the public hearing was closed.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING RESOLUTION 63-09 APPROVING THE 2008 NPDES REPORT AND 2009 STORMWATER POLLUTION PREVENTION PLAN. THE MOTION CARRIED UNANIMOUSLY.**

**b. Code of Ordinance amendment for the maintenance of turf grass and vegetation**

Mary Degiovanni presented the Ordinance for approval to clarify the enforcement and collection process for the maintenance of turf grass and vegetation.

Mayor O'Driscoll opened and closed the public hearing at 7:06 p.m. No oral or written testimony was received.

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF APPROVING ORDINANCE 09-06 WITH THE CHANGES AS SUGGESTED. THE MOTION CARRIED UNANIMOUSLY.**

June 8, 2009

**NEW BUSINESS**

**a. Site plan for Prairie Meadow Estates Office Building**

Anita Rasmussen presented the site plan for Prairie Meadow Estates on behalf of the applicant, James & Associate Development Co. Anita reviewed the request and recommended approval provided the following conditions are met:

1. Sign permit applications will need to be submitted for the permanent monument sign and any temporary contractor signs.
2. A land disturbance permit will need to be submitted prior to the issuance of a building permit.
3. The future addition will need to go through site plan approval.

Developer, James Schmitz of James Development verified that the building will be occupied by a counseling service business with general business office hours of Monday through Friday 9 a.m. – 5 p.m.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING THE SITE PLAN OF PRAIRIE MEADOW ESTATES OFFICE BUILDING PROVIDED THE STAFF RECOMMENDATIONS ARE MET. THE MOTION CARRIED UNANIMOUSLY.**

**b. Request for fee reduction for fireworks display permit for a private wedding event at Mulligans on July 4, 2009**

Administrator, Gartland noted that the request is being removed pending resolution of fire staffing resources availability, however it was also noted the request may come back for the agenda on June 22, 2009.

**c. Staff report and recommendations relating to construction staging for proposed 23<sup>rd</sup> Street South and/or Dehler Drive**

Gartland reviewed staff evaluations and recommendation to approve the proposed 23<sup>rd</sup> Street South and Dehler Drive construction.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING RESOLUTION 66-09 ORDERING PREPARATION OF FEASIBILITY REPORT ON IMPROVEMENT FOR 23<sup>RD</sup> STREET SOUTH AND RESOLUTION 67-09 ORDERING PREPARATION OF FEASIBILITY REPORT ON IMPROVEMENT FOR DEHLER DRIVE. THE MOTION CARRIED UNANIMOUSLY.**

June 8, 2009

**DEPARTMENT REPORTS**

**a. Police Department**

Assistant Chief, Dale Struffert presented the monthly report. Chief Hughes along with Engineer, Mathiasen will address the Pine Meadow Elementary and 5<sup>th</sup> Avenue traffic and turn lanes issue at the next meeting.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE ACCEPTING THE POLICE DEPARTMENT REPORT. THE MOTION CARRIED UNANIMOUSLY.**

**b. Public Works Department  
Monthly Report**

Brad Borders presented his report. Council member Orndorff talked about the nature of the bridge repair and the need for advance signage and radio announcements for the public regarding the closing of the bridge.

**c. CITY ENGINEERING  
Semi-Monthly Memorandum**

Jeremy Mathiasen presented his memorandum.

**d. PLANNING & COMMUNITY DEVELOPMENT  
Semi-Monthly Memorandum**

Anita Rasmussen presented her memorandum and updated the Council on the upcoming sign ordinance public hearing expected for July 13<sup>th</sup> or 22<sup>nd</sup>.

**e. City Administrator**

**Request from City of Waite Park for letter of support of American Recovery and Reinvestment Act funding for 28<sup>th</sup> Avenue/County Road 137 improvements as provided for in the APO 2030 plan**

Consensus of the Council supported the request.

**Recommendation for letter of support for MnDOT District 3 submission for Greater MN Interchange Solicitation Program Funding for TH 15 and CR 120 interchange improvements.**

Consensus of the Council supported the request.

June 8, 2009

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

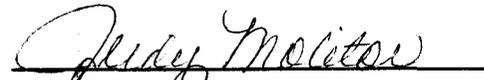
Mayor O’Driscoll reminded the Council of the SummerFest activities starting Thursday June 11<sup>th</sup> through Saturday, June 13<sup>th</sup>.

Council member Lynch noted that SCAEDP will present a mid-year development update on June 17<sup>th</sup> at 7:30 a.m. at the American Heritage Bank’s lower level. All Council members are encouraged to attend.

**ADJOURN**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES TO ADJOURN THE MEETING AT 8:04 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Molitor



\_\_\_\_\_  
MAYOR TIM O’DRISCOLL

## SARTELL CITY COUNCIL MEETING

MINUTES OF JUNE 8, 2009

SPECIAL MEETING

Pursuant to due call and notice thereof, a special meeting was held on June 8, 2009 in the Conference Room at Sartell City Hall. The meeting commenced at 5:00 PM.

**COUNCIL PRESENT:** Mayor O'Driscoll; Council members: Perske, Lynch, Hennes and Orndorff

**COUNCIL ABSENT:** None

**OTHERS PRESENT:** Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director

### JOHNSON CONTROLS

Madonna Rykken and Clayton Dumcum provided a power point presentation on their services, statutory provisions for capital expenditures resulting in guaranteed savings, and preliminary analysis of potential savings they see possible for the City through energy improvements, automated water meters, and potentially reduced water plant operations during non-peak months. The next step would be a Project Development Agreement and JCI will provide a draft for future Council consideration.

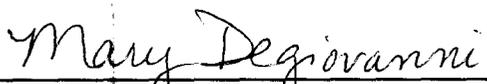
### 2008 AUDIT

Kara Gaffy of Kern, DeWenter, Viere overviewed the 2008 audited financial statements of the City. Councilmembers were able to ask questions and discuss the audit results as well as the auditor's recommendations and findings.

### ADJOURNMENT

A motion was made by Lynch and seconded by Orndorff to adjourn the meeting at 6:55 PM. The motion carried unanimously.

**Minutes By:**

  
\_\_\_\_\_  
**Mary Degiovanni, Finance Director**

  
\_\_\_\_\_  
**Tim O'Driscoll, Mayor**

SARTELL CITY COUNCIL MEETING

MINUTES OF JUNE 22, 2009

12TH MEETING

Pursuant to due call and notice thereof, the 12th meeting of 2009 was held on June 22, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Jim Hughes Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. June 8, 2009 Regular City Council meeting
- b. June 8, 2009, City Council workshop session

**A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH APPROVING THE MINUTES OF THE JUNE 8, 2009 COUNCIL WORKSHOP AND MEETING. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. Approval of voucher payments dated June 17, 2009
- b. Acceptance of Public Works Commission meeting notes for June 10, 2009
- c. Acceptance of donations from Glen Lauer in support of the City's Garden Club work and Police Reserve Officer program
- d. Acceptance of \$400 donation from Sartell American Legion for the DARE program
- e. Approval of resolution authorizing execution of agreement for CRASH task force (Central MN Reduction of Accidents for Safe Highways) grant application for County wide enforcement of Safe & Sober, Night Cap, and HEAT programs
- f. Approval of resolution setting a public hearing for July 13, 2009 for adoption of Minnesota State Energy Code
- g. Approval of resolution setting a public hearing for July 13, 2009 for zoning ordinance amendments relating to signs
- h. Approval of resolution authorizing application to the 2010 capital bonding request program for acquisition of regional parkland
- i. Approval to apply for federal stimulus funding from the ARRA Fire Station Construction Grants program

June 22, 2009

- j. Approval of first reading and setting public hearing for July 13, 2009 for a Code of Ordinance amendment relating to docks on public property.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING CONSENT AGENDA ITEMS A- J. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. Assessment hearing for 7<sup>th</sup> Avenue South public improvements**

Engineer, Mathiasen gave a brief overview of the project and presented the assessment roll for the 7<sup>th</sup> Avenue South public improvements.

Mayor O'Driscoll opened the public hearing at 7:03 p.m. No oral or written testimony was received, the hearing was closed at 7:03 p.m.

**Resolution adopting assessments for 7<sup>th</sup> Avenue South public improvements**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING RESOLUTION 71-09 ADOPTING ASSESSMENTS FOR PROJECT #901-08124-0 7<sup>TH</sup> AVENUE SOUTH IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**b. Conditional use permit request from Westside Liquor for a seasonal outdoor dining patio**

Anita Rasmussen presented the request on behalf of Westside Liquor for approval of a conditional use permit to operate a seasonal outdoor dining patio associated with special events for the Westside Learning Center. The proposed patio will be located along the westerly side of the building and will be approximately 1,440 square feet in size. The patio will be constructed of a concrete pad surrounded with a six foot iron fence, with maximum occupancy of 48 people and daily closing anticipated to be no later than 11 p.m. It is also anticipated to have the patio area operational from April 15<sup>th</sup> through October 15<sup>th</sup>, weather permitting. One written objection was received, however no reason for the objection was stated.

Staff is recommending approval provided the following conditions are met:

1. All lighting deflects away from adjacent properties.
2. The outdoor patio to be open April 1 through November 30, weather permitting.
3. The proposed hours will be morning through 11 p.m.

Mayor O'Driscoll opened the hearing at 7:08 p.m. The following comments were heard, however do not reflect entire statements made:

Chris Zupke, 236 6<sup>th</sup> Avenue South, Sartell, manager of the Learning Center clarified that this is for occasional special events and will not be used as part of the regular restaurant operation. No live music will be on this patio area.

Chris Plautz, 908 Sundance Road, Sartell, questioned what the Learning Center is and expressed concerns of traffic issues and speeding vehicles along 1<sup>st</sup> Street South.

June 22, 2009

Bob Feuling, owner of West Side Liquor, explained that they are very committed to a safe and friendly neighborhood operation. They also plan to add shrubbery along the fence area. Most events will be geared toward professional business people who want a teaching facility with limited liquor service. They will have a full kitchen to compliment the operation and plan to have tasting classes for employees as well as other groups.

Krista Lindt, 1039 1<sup>st</sup> Street South, Sartell, expressed her concern of excessive noise coming from the patio area into the neighborhood, parking issues and trespassing into private yards.

Paul Morrison, 1023 1<sup>st</sup> Street South, Sartell, said he would object to the project, especially if there will be a lot of noise.

Dave Gaida, owns a rental unit at 1019 1<sup>st</sup> Street South, Sartell, but resides at 1944 Tyrol Drive, St. Cloud, however did not get a notice of the hearing. Gaida said he strongly objects to liquor being served on this proposed patio and suggested the closing should be no later than 10 p.m. According to Gaida, the tenants of the building are also concerned of noise. A suggestion was made to place the patio on the south side of the building where a buffer already exists and would also be farther from a residential area.

Ron Friehammer 909 Sundance Road, Sartell, provided written testimony and photographs, explained his objections and offered alternatives for more restrictions on the business.

Chris Zupke, 236 6<sup>th</sup> Avenue South, Sartell, talked about this being a place for organized events and not an all night party spot. For most events, there would probably be about 30 people on this patio area and to close at 10 p.m. would certainly be acceptable.

Chris Plautz, 908 Sundance Road, Sartell, said he is concerned that success could intensify the use and therefore impact increased use which could also impact the neighborhood.

Krista Lindt, 1039 1<sup>st</sup> Street South, Sartell, does not believe there is a need for alcohol to be served on the outside patio.

Bob Feuling, owner of West Side Liquor talked about their business ethics over the past 30+ years and reassured their commitment to training their employees and operating an extremely well run business.

Mayor O'Driscoll closed the hearing at 7:53 p.m.

Council member Perske verified this permit would be for special event gatherings only and not treated as a restaurant type setting.

Patti Gartland explained the only aspect of operation subject to special limits is how the outside patio is used.

Bob and Linda Feuling discussed options of limitations and mentioned that the suggested 9 p.m. closing would be acceptable and agreed to a patio maximum occupancy of 40. No music or video will be allowed on the patio area.

June 22, 2009

Council member Lynch suggested 9 p.m. closing with a maximum capacity of 40 on the patio area be a condition of granting the conditional use permit however, not limit the events to specific days of the week.

Anita Rasmussen suggested that we incorporate the offered conditions as far as time limitations and not allow any music, audio or video displays on the patio.

Patti Gartland suggested the following conditions be added to the findings of fact as well as the resolution approving the CUP:

1. Owners agree to operate the patio area in a manner that mitigates noise, odors, dust, light, fumes and vibrations as well as any other nuisances to the neighboring properties.
2. No music, audio or video displays will be allowed on the patio.
3. Patio could be open until 9 p.m. and limited to 40 people.
4. The patio will be operated from April 1 through October 31.

**Resolution adopting Findings of Fact relating to a request for Conditional Use Permit to Westside Liquor for an outdoor dining patio.**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING RESOLUTION 72-09 ADOPTING FINDINGS OF FACT RELATNG TO A REQUEST FOR A CONDITIONAL USE PERMIT FOR THE PURPOSES OF HAVING A SEASONAL OUTDOOR DINING PATIO FOR WESTSIDE LIQUOR. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution approving a Conditional Use Permit to Westside Liquor for an outdoor dining patio**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 73-09 APPROVING A CONDITIONAL USE PERMIT FOR THE PURPOSES OF HAVING A SEASONAL OUTDOOR DINING PATIO.THE MOTION CARRIED UNANIMOUSLY.**

Mayor O'Driscoll requested staff review and report back to the Council after one year of operation.

**c. Comprehensive Plan – Transportation Plan South Amendment**

Anita Rasmussen presented the amended transportation plan and outlined the future roadway corridor alignments to a more specific degree for developing the Town Center area. This plan will also include future local and residential roads.

Council member Orndorff left the meeting at 8:40 p.m.

8:37 Mayor O'Driscoll opened the public hearing. No oral or written testimony was received and the hearing was closed.

**Resolution amending the Transportation Plan South**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING RESOLUTION 74-09 AMENDING THE TRANSPORTATION SOUTH PLAN. THE MOTION CARRIED UNANIMOUSLY.**

June 22, 2009

**DEPARTMENT REPORTS**

a. **Police Department**  
**Pine Cone Road/5<sup>th</sup> Street turn lane**

Chief Hughes offered his explanation as to why he disagrees with the Public Works Commission regarding the turn lanes.

- Right turn lane on 5<sup>th</sup> Street to Pinecone Road will generate more crashes for left turners to Pinecone Road just as happens at 7<sup>th</sup> Street now.
- Internal change needs to occur first.
- Traffic back-ups actually slows traffic and improves the safety.

Engineer, Mathiasen concurred with Chief Hughes and suggested additional internal options may also dilute the problem.

Council member Hennes suggested future road through the former golf course property would also help.

Mayor O'Driscoll reminded the Council that the 5 year temporary access permit to School District is coming due.

Council member Perske suggested adding right-out only from Pine Meadow to Pinecone Road.

Mayor O'Driscoll, Council members Hennes and Lynch concurred with education efforts and internal changes as suggested by the Police Chief without turn lanes at this time.

b. **Public Works Department**  
**Monthly Report**

Council member Hennes discussed the issues brought up in a letter from Amy and Greg Lindstrom regarding additional golf course use. Brad will follow up with the golf course operators.

c. **CITY ENGINEERING**  
**Semi-Monthly Memorandum**

Jeremy Mathiasen presented his memorandum.

d. **PLANNING & COMMUNITY DEVELOPMENT**  
**Semi-Monthly Memorandum**

Anita Rasmussen presented her memorandum.

e. **City Administrator**

Patti Gartland reminded the Council of the Area Cities meeting on June 30<sup>th</sup>.

June 22, 2009

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Accolades were sent to the volunteers and staff that helped make SummerFest a success.

**ADJOURN**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 9:12 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Melitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

July 13, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF JULY 13, 2009

13TH MEETING

Pursuant to due call and notice thereof, the 13th meeting of 2009 was held on July 13, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Dale Struffert, Deputy Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF ADOPTING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. June 22, 2009 – City Council Meeting

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING THE MINUTES OF THE JUNE 22, 2009 MEETING. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. June Building Inspectors Report – Acceptance
- b. June Fire Marshal/Code Official Report – Acceptance
- c. June Finance Directors Report – Acceptance
- d. Approval of voucher payments dated July 9, 2009
- e. Professional Development Registrations
- f. Approval of resolution approving the proposed reorganization of Charter Communications, Inc.
- g. Approval of resolution changing the name of Abbott Northwestern Court to 23<sup>rd</sup> Street South
- h. Approval of resolution authorizing acquisition of right-of-way for Heritage Drive (west) improvement project.
- i. Approval of change order #1 for the 2009 Roberts Road improvement.
- ~~j. Approval of resolution designating new precinct boundaries and polling places~~
- k. Approval of temporary 3.2 liquor license for St. Francis Fall Festival
- l. Approval of Outdoor Event permit, Noise Exemption and temporary on sale liquor license for Sartell Chamber of Commerce event on August 22, 2009 and for Blue line event on September 26, 2009.

July 13, 2009

- ~~m. Approval of 2009 seal coat bid to Astech Corp in the amount of \$87,400.~~
- n. Approval of Supplemental Agreement #1 for the CR 120/CSAH 1 public improvement project.
- o. Approval of resolution setting assessment hearing for August 10, 2009 for Heritage (ease segment) improvement.
- p. Acceptance of \$80 donation from Pine Ridge Golf Course fundraising event for on-site cross country ski trail and skating rink maintenance expenses
- q. Approval of block party permit allowing for the temporary closure of independence Court on July 25, 2009
- r. Approval to apply for a federal OJP grant for Byrne funding for Community Service Officer services

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A-R, REMOVING ITEMS "J" AND "M" FOR SEPARATE DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.**

**CONSENT AGENDA "m"**

**Approval of 2009 seal coat bid to Astech Corp in the amount of \$87,400**

Council member Perske inquired about adding additional crack filling and roadways for seal coating with the lower bid outcome. City Administrator, Gartland cautioned against over spending, especially with the potential risk of LGA unallotment, suggesting additional roadways could be considered for 2010.

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF APPROVING SEAL COAT BID BE AWARDED TO ASTECH CORP IN THE AMOUNT OF \$87,400. THE MOTION CARRIED UNANIMOUSLY.**

**CONSENT AGENDA "j"**

**Approval of resolution designating new precinct boundaries and polling places**

Consensus of the Council was to move this item for discussion under the City Administrator's report.

**PUBLIC HEARINGS**

**a. MN State Energy Code adoption**

Kyle Christenson presented an overview of the updates to the new State Energy Code that we are required to adopt and enforce as part of our current code. Kyle highlighted the most significant change involving radon mitigation.

7:10 p.m. Mayor O'Driscoll opened the public hearing, there being no oral or written testimony, the hearing was closed.

**Ordinance Adopting the MN State Building Code – Energy Code provisions**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING THE ADOPTION OF ORDINANCE 09-07 ADOPTING THE MINNESOTA STATE BUILDING CODE. THE MOTION CARRIED UNANIMOUSLY.**

July 13, 2009

**b. Ordinance amending regulation of private docks on public property**

Finance Director, Mary Degiovanni presented an overview of the proposed changes to an ordinance regulating private docks on public property. The current permitting and inspection provisions are not being actively enforced. The current regulations benefit a limited few with land across the street from the river with a liability risk and exposure to the city as a whole.

7:15 p.m. Mayor O'Driscoll opened the hearing. The following comments were heard although comments do not reflect entire statements made:

Ben Kockler, 706 Martin Court, Sartell, owns 411 Riverside Avenue North. He wants future owners to retain ability to have a private dock on the public park area. He believes an increased permit fee is acceptable to offset enforcement costs. He does not currently have a dock installed.

Kraig Lalim, 503 Riverside Avenue North, Sartell. He wants the future owners to retain ability to have a private dock on the public park area. He believes an increased permit fee is acceptable to offset enforcement costs. He does not currently have a dock installed.

Dave Schwartz, 607 Riverside Avenue North, Sartell, has a dock and steps to the river. He also supports solidifying the process but wants to retain the ability of future owners to have the right to keep a dock on the river.

John Dugstad, 613 Riverside Avenue North, Sartell, advocates continued ability to have a dock on the river.

Mike Walrath, 611 Riverside Avenue North, Sartell, inquired about any liability incidents to date. Suggested docks are located on State property, not City. Also objects to "no swimming" restrictions.

Darrin Fleagle, 609 Riverside Avenue North, Sartell, has a staircase and steel dock and does not want to remove the dock.

Cindy Dugatad, 613 Riverside Avenue North, Sartell, does not have a dock at this time, however wants to retain the ability to have a dock in the future. She just moved in October and noted that the City of Albert Lea has examples of where docks are allowed.

Gloria Carothers, 617 Riverside Avenue North, Sartell, has had a dock for 22 years and wants to retain the ability to continue keeping it. She supports a permit and insurance being required. River dangers and safety should also be a concern.

Lisa Schwartz, 607 Riverside Avenue North, Sartell, said they have allowed the broader public to use their dock.

Written communication was received from Pam Stellmach, 501 Riverside Avenue North, Sartell, inquiring about whether naming the City as additional insured is necessary and whether their deck also located on City property would need the same requirements. Staff was researching this with the City's insurance provider.

July 13, 2009

The public hearing was closed at 7:43 p.m.

Staff will check on and report back for public dock potential:

- Co-insured versus additional insurer requirements
- Availability of an insurance policy for the group of docks
- Treatment of decks on the shore versus docks in the water
- Actual property ownership boundary of the City property
- DNR provisions for docks and river access
- Other examples from other communities

Council member Lynch said he would reluctantly support grandfathering in existing docks, otherwise believes a limited few should not be allowed or special privilege of access just because they live across the street.

Council member Perske supports the continuation of what the current ordinance allows.

Council member Orndorff has mixed views on the matter and wants more time to consider the options.

Mayor O'Driscoll suggested the Council needs to consider how this might be applied in other riverfront locations that may exist in the future.

Consensus of the Council is to defer action to the August 10, 2009 meeting.

#### Zoning Ordinance provisions regulating signs

Planning Director, Anita Rasmussen presented an overview of the proposed amendments to our current sign regulations. Substantive changes proposed are as follows:

- Reduce setback in residential property
- Reduce the additional signage allowed in B-1 commercial neighborhood from 32 sq. ft. to 12 sq. ft. in digital signage.
- No changes proposed to B-2, B-3, DCZ and Industrial zones.
- New standards for digital signs that do not currently exist. The proposed standards are identical to St. Cloud digital signage standards with consideration for aesthetics and public safety.
- No change to special community event signs.
- Temporary yard signs are not currently allowed but the EDC is recommending they be allowed only in residential zones whereas JPC opposes such an allowance.
- Provisions for sports and arts venue be added.
- Allow some off premises messages for digital signs which are not currently allowed.

8:15 p.m. Mayor O'Driscoll opened the hearing. The following comments were heard although comments do not reflect entire statement made:

Michael Horning, 1816 8<sup>th</sup> Street North, Sartell, with Valley Green Companies, provided handout. They use temporary signs in their business which is vitally important to them and many other contractors and service vendors. He suggested each vendor have a limited number of signs allowed at any given time in the city.

July 13, 2009

Brenton Kent, 717 Starlight Drive, Sartell, objects to the community message board allowance but businesses not given the same allowance. Brenton concurred with Mr. Horning's comments.

Bill Winter, St. Cloud Federal Credit Union supports reasonable regulations for signage but is currently too restrictive in Sartell but also believes St. Cloud's provisions are too permissive and now they're trying to bet better controls which is very difficult.

Chad Niezgocki, 136 Twin River Court, Sartell, wants to be able to have temporary signage.

Nick Waphake, manages Granite City Tire in Sartell. Their St. Cloud store has a competitive advantage because their businesses are allowed temporary signage opportunities.

9:10 p.m. Mayor O'Driscoll closed the hearing. No written testimony was received.

Council member Lynch noted that some residential subdivision entrance signs are lit. He supports other recommended changes along with some allowances for yard signs as the EDC recommends, requiring property owner permission. Store front signage isn't necessarily effective for all businesses.

Council member Orndorff concurred with member Lynch's comments but would like more time to consider the amendments being contemplated.

Council member Hennes supports staff and the JPC's recommendations.

Council member Perske is concerned at how far we open doors for accepting yard signs, however believes some allowances are justified.

Mayor O'Driscoll agrees yard signs provide some public informational value. Suggested the City needs more information from legal counsel regarding the scope of limits we can consider for yard signs and the practical enforcement aspect. This part may take more time to work through.

Administrator Gartland noted that the yard sign portion of the ordinance could be deferred but action on the off-premise changeable copy sign provisions needs to be acted on within the parameters of the 60/120 rules.

Mayor O'Driscoll suggested deferring action on all parts of the ordinance except perhaps the yard sign portion and bring it back on July 27, 2009.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF TO TABLE ACTION ON THE ORDINANCE AMENDING CHAPTER 11, SIGNS, OF THE ZONING ORDINANCE UNTIL JULY 27, 2009, AND DIRECT STAFF TO DRAFT LANGUAGE TO ALLOW TEMPORARY YARD SIGNS.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: LYNCH, PERSKE, ORNDORFF**

**NAY: COUNCILMEMBER HENNES**

**MOTION CARRIED**

July 13, 2009

**DEPARTMENT REPORTS**

a. **Police Department**

Deputy Chief Struffert presented the department's report.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ACCEPTING THE POLICE DEPARTMENT REPORT. THE MOTION CARRIED UNANIMOUSLY.**

b. **Public Works Department**  
**Monthly Report**

Director, Brad Borders presented his report.

c. **City Engineering**  
**Semi-Monthly Memorandum**

Engineer, Mathiasen presented his report.

d. **Planning & Community Development**

No memo was presented.

e. **City Administrator**  
**Authorization to procure appraisals for right-of-way acquisitions required for 50<sup>th</sup> Avenue**  
**realignment**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF APPROVING THE APPRAISAL REQUEST. THE MOTION CARRIED UNANIMOUSLY.**

**Consent Agenda "5-j"**  
**Approval of resolution designating new precinct boundaries and polling places**

Consensus of the Council was to defer action to the July 27, 2009 meeting.

**ADJOURN**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES TO ADJOURN THE MEETING AT 9.42 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

## SARTELL CITY COUNCIL MEETING

**MINUTES OF JULY 15, 2009**

**SPECIAL MEETING**

Pursuant to due call and notice thereof, a special meeting was held on July 15, 2009 in the conference Room at Sartell City Hall. The meeting commenced at 5:00 PM.

COUNCIL PRESENT: Mayor O'Driscoll; Council members: Perske, Lynch, Hennes and Orndorff  
COUNCIL ABSENT: None  
OTHERS PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director

### AGENDA

A motion was made by Lynch and seconded by Hennes to adopt the agenda amended to include City Administrator updates prior to adjournment. The motion carried unanimously.

### PROPOSED 2010 BUDGET, CAPITAL PLAN & FEE SCHEDULE

Fire Chief Heim overviewed the Fire Department's proposed 2010 operating budget and explained the higher fitness & medical and training line items to get back to full strength after some retirements from the Department. Weekends are currently tougher to fill than daytime response since they have focused on daytime response with recent additions to the department. The Fire Department has no capital expenditures planned for 2010 and there was brief discussion of the Fire Marshal's fee recommendations with the Chief not in favor of a recreational fire permit charge.

Police Chief Heim overviewed his budget and that he has tried to cut every potential area, including cutting training in 2010 to the minimum requirements for licensure. Jim also offered that he could potentially cut another \$5,000 from his fuel line item if we want to assume that fuel prices won't spike in 2010. Since no squads were purchased in 2009, we will need to go back to squad replacement in 2010 to maintain a healthy rotation without compromising safety or incurring high maintenance costs/lower trade in values that will cost us more in the long run. We also overviewed the fee schedule related to the Police Department and staff will bring back the special event permit fees for further discussion.

Public Works Director Borders reviewed his capital plans and fee schedule changes. Brad reviewed his operational budgets for public works, parks and rec, and utilities with the Council. He will check with St. Cloud on how the County handles plowing of county roads near busy retail establishments to try to determine the level of maintenance we can expect on CR 1/120 after the Epic Center retail establishments open for business. Brad confirmed that the last time they researched using contractors for snow plowing/snow removal, none were willing to be on call, but he will make updated contacts to pursue this idea. He also agreed to schedule a Council tour of the new water treatment plant once it is up and running.

Community Development Director Rasmussen overviewed her budget and the itemized reductions, many of which were implemented in 2009 to help with current year unallotment. Proposals in both Brad and Anita's budgets eliminate any payments to Park and Planning Commission members. This is recommended both due to budget constraints as well as for consistency among City commissions.

The City Administrator and Finance Director discussed the administration budget areas and Patti recommended paying 50% of 2010 dues in January with a letter similar to what was recommended last year as far as potential reductions to be decided upon in the second half of the year. The Mayor outlined the APO's potential dues reductions and the fact that the Mayor's Run raised enough money to allow the City to reduce our 2009 Community Ed \$5,000 new programs allocation down to \$2,000.

### **2009 BUDGET AMENDMENT**

The Council reviewed the formalized 2009 budget amendments and agreed by consensus to have this on the consent agenda of the next regular meeting.

### **2010 BUDGET**

The Council discussed their goals for the 2010 budget and there were mixed opinions on working toward a flat tax rate either at the preliminary or final budget stages. Some were in favor of cutting now, some were in favor of waiting until final budget time when more information was available to help determine a final tax rate, and some were comfortable with a small final tax rate increase. The consensus was for staff to work on a list of potential cuts that do not impact service levels (i.e. final 2010 membership actuals, PD fuel line item, etc) and the Council will discuss again at their next workshop on August 10<sup>th</sup> at 5:00 pm.

### **BASEBALL ASSOCIATION**

Staff presented a request by the Baseball Association to present a Champion Field improvement plan and funding request at the Council's July 27<sup>th</sup> regular meeting. There was concern about hearing a request to spend money on a Park improvement project while virtually all other capital spending, including squad cars replacements, are not being funded due to the capital spending freeze put in place for 2009. After just having reviewed a 2010 budget maintaining unfilled vacancies in both the public works and police departments, Councilmembers were concerned about discussing any park improvement plans at this time. Within the Park Commission's prioritization of park improvement projects, there are a number of projects that rated higher than Champion Field improvements, although some preliminary retaining wall evaluation was a top priority. There was also discussion about how fortunate the City is to have the Association volunteering their time and talent and the overall importance of improvements to Champion Field, although timing and budget constraints were strong concerns. Staff was asked to relay Council spending concerns to the Association but to invite them to make a 10 minute presentation to the Council at their July 27<sup>th</sup> meeting so the Council can provide feedback.

**ADMINISTRATOR'S UPDATE**

Patti updated the Council on the weekend storm impacts on CR 1 and CR 120 project but that Contractor and Engineering staff were both onsite during the rain event to contain the problem. Patti also reported on the Sewer Use Agreement update as part of the planned Wastewater Treatment Plant expansion. The area cities will be reviewing a proposal from Flaherty & Hood for all cities to contribute to attorneys' fees in the same proportion as their plant expansion cost shares in order to have an independent review of the proposed Agreement on behalf of the area cities.

**ADJOURNMENT**

Motion was made by Lynch and seconded by Hennes to adjourn the meeting at 9:10 PM.  
Motion carried unanimously.

Minutes By:

  
\_\_\_\_\_  
Mary Degiovanni, Finance Director

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor

SARTELL CITY COUNCIL MEETING

MINUTES OF JULY 27, 2009

14TH MEETING

Pursuant to due call and notice thereof, the 14th meeting of 2009 was held on July 27, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
James Hughes, Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. July 13, 2009 – Regular City Council meeting
- b. July 15, 2009 – City Council Workshop Session

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

CONSENT AGENDA

- a. Approval of voucher payments dated July 22, 2009
- b. Acceptance of donation from Sartell Jaycees for purchase of bleachers at Val Smith park
- c. Approval of resolution amending the general fund budget for 2009
- d. ~~Approval of resolution designating precincts 1 through 7 and establishing polling places within the City of Sartell~~
- e. Approval of resolution setting public hearing for August 10, 2009 for drainage & utility easement vacation in Pinecone marketplace.
- f. Approval of outdoor event/block party and noise exemption permit for Blue Line
- g. ~~Approval of amended Financial Policy & Guidelines~~
- h. Approval of resolution setting public hearing for August 24, 2009 on delinquent accounts.
- i. Approval of recommended fund transfers of August 10, 2009
- j. Approval of budgeted low quote for street striping services
- k. Approval of budgeted joint purchase of waterline tracer/locator for PVC pipe
- l. Approval of block party/street closure on 4<sup>th</sup> Avenue/10<sup>th</sup> Street NE on Saturday, August 1, 2009

July 27, 2009

- m. Approval for sale of previously leased glass ice rink boards to Sartell Youth Hockey Association and the use of proceeds to purchase replacement plexiglass rink boards for the outdoor rink at Pine Cone Regional Park

Council members Lynch and Perske requested removal of Consent Agenda "g" and "d" respectively for discussion under the City Administrator's business.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING CONSENT AGENDA ITEMS A-C, E & F, AND H THROUGH M, REMOVING ITEMS "D" AND "G" FOR SEPARATE DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Ordinance amending Chapter 11, Signs of the Zoning Ordinance**

Anita Rasmussen presented the ordinance provisions to allow a limited amount of temporary vendor signage in both commercial and residential areas subject to annual permit approval for the vendor. Additionally private walkway sign boards would also be allowed in commercial areas. Enforcement and some legal defensibility concern exist with the proposal that would allow temporary signs in residential areas. Administrative penalties and criteria are being explored to assist with enforcement efforts.

Delayed Implementation to October 1<sup>st</sup> was suggested to allow time to establish a permit process, staff training & potential penalty structure for violations.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF TO ADOPT THE SIGN ORDINANCE EFFECTIVE OCTOBER 1, 2009, AMENDING CHAPTER 11, SIGNS OF THE ZONING ORDINANCE WITH THE INCLUSION OF TEMPORARY SIGNAGE AMENDMENTS OFFERED BY STAFF THIS EVENING AND DIRECT STAFF TO PURSUE DRAFTING OPTIONS FOR ADMINISTRATIVE PENALTIES, ENFORCEMENT AND IMPLEMENTATION STRATEGIES.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS LYNCH, ORNDORFF, PERSKE**

**NAY: COUNCIL MEMBER HENNES**

**MOTION CARRIED**

**NEW BUSINESS**

**a. Sartell Baseball Association presentation**

Steve Gabrielson presented a proposal by the Sartell Athletic Club, Inc. for improvements to Champion Field. Additional information with an alternative proposal was handed out. Gabrielson advocates that phase one investment by the city is needed just to maintain playability. Subsequent phases can stand alone with significant private donations anticipated. Gabrielson also reviewed the bids attained by the Baseball Association for phase one at \$59,000.

The Sartell Athletic Club is suggesting the City Council agree to proceed with phase one improvements conditioned on the Athletic Club providing for removal and reinstallation of the light poles, estimated at \$4,000, electrical estimate at \$7,000, fencing, architectural concept design (already completed), temporary storage and temporary concessions totaling \$33,250.

July 27, 2009

The Athletic Club intends to solicit donations and attain in-kind service work and consider some alternative materials like nets versus chain link fencing. There are approximately 80 games played at Champion Field per year. No fundraising has been done to date. City commitment is being requested first.

The Council discussed advantages and disadvantages of the Sartell Athletic Club's proposal. Support was expressed by Council members Hennes and Perske using Beautification and/or Park funds but not property tax dollars.

Mayor O'Driscoll and Council member Lynch talked about economic constraints and capital spending freezes as well as a higher priority needs for public safety. Both stated they cannot support moving forward with the proposal for 2009 especially with wage and hiring freezes which are also being continued. There is also concern of other groups with higher priority project that have honored the capital expenditure freeze and have not requested city spending.

Council member Orndorff requested more definitive plans and a commitment being needed from the Sartell Athletic Club.

**A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY ORNDORFF TO MOVE FORWARD WITH FURTHER CONSIDERATION OF THE PROPOSED CONCEPT PRESENTED BY THE SARTELL ATHLETIC CLUB AND REQUEST STAFF WORK WITH LEGAL COUNSEL AND THE ATHLETIC CLUB IN PREPARING A MORE FORMALIZED PLAN AND AGREEMENT FOR PROPOSED IMPLEMENTATION IN 2009, USING BEAUTIFICATION AND/OR PARK FUNDS WITH THE UNDERSTANDING THE ATHLETIC CLUB WILL WORK ON FUNDRAISING FOR PHASE 2 AND 3.  
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:  
AYE: COUNCIL MEMBERS HENNES, ORNDORFF, PERSKE  
NAY: MAYOR O'DRISCOLL AND COUNCIL MEMBER LYNCH  
MOTION CARRIED**

**Resolution adopting revised assessment roll for Savanna Oaks**

Finance Director, Mary Degiovanni suggested the City abate and recertify the assessment roll for Savanna Oaks to allow transfer in ownership to be facilitated with assessments and all accrued interest and penalties transferred to the new ownership.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE ADOPTING RESOLUTION 83-09, REVISED ASSESSMENT ROLL FOR SAVANNA OAKS. THE MOTION CARRIED UNANIMOUSLY.**

**DEPARTMENT REPORTS**

**Police Department**

**Semi-Monthly Memorandum**

Police Chief Hughes presented his memorandum.

**Public Works Department**

No report was given.

July 27, 2009

**City Engineer**  
**Semi-Monthly Memorandum**

Engineer Mathiasen presented his memorandum.

**Planning & Community Development**

No report was given.

**City Administrator**

**Consent Agenda "d"**

Approval of resolution designating precincts 1 through 7 and establishing polling places within the City of Sartell

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MAYOR O'DRISCOLL APPROVING RESOLUTION 78-09 ESTABLISHING POLLING PLACES WITHIN THE CITY OF SARTELL. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:  
AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES, LYNCH, ORNDORFF  
NAY: COUNCIL MEMBER PERSKE  
MOTION CARRIED**

**Consent Agenda "g"**

Approval of amended Financial Policy & Guidelines

City Council discussed whether or not including the Financial Management Plan referenced in the Financial Policy is appropriate.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING THE AMENDED FINANCIAL POLICY & GUIDELINES. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:  
AYE: COUNCIL MEMBERS: HENNES, ORNDORFF  
NAY: MAYOR O'DRISCOLL, COUNCIL MEMBERS LYNCH, PERSKE  
MOTION FAILED**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY O'DRISCOLL APPROVING THE AMENDED FINANCIAL POLICY AND GUIDELINES KEEPING ITEMS 7.1 AND 7.3 AS THE CURRENT ORIGINAL LANGUAGE. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:  
AYE: MAYOR O'DRISCOLL AND COUNCIL MEMBER LYNCH  
NAY: COUNCIL MEMBERS HENNES, ORNDORFF, PERSKE  
MOTION FAILED**

Council member Perske suggested definitive wording to better describe the Financial Management Plan as a working document for future Council consideration.

July 27, 2009

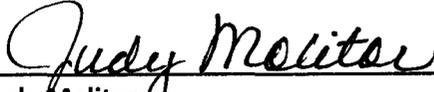
**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

No comments were offered.

**ADJOURN**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 10:19 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

1971-1972

August 10, 2009

## SARTELL CITY COUNCIL MEETING

MINUTES OF AUGUST 10, 2009

15TH MEETING

Pursuant to due call and notice thereof, the 15th meeting of 2009 was held on August 10, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
James Hughes, Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders, Public Works Director

### PLEDGE OF ALLEGIANCE

### AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

### APPROVAL OF CITY COUNCIL MINUTES

- a. July 27, 2009

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

### CONSENT AGENDA

- a. July Building Inspectors Report – Acceptance
- b. July Fire Marshal/Code Official Report – Acceptance
- c. July Finance Directors Report – Acceptance
- d. Park Commission meeting notes for July 23, 2009 – Acceptance
- e. Approval of voucher payments dated August 4, 2009
- f. Approval of professional development registrations
- g. ~~Approval of resolution adopting speed zone change on Heritage Drive from Huntington Drive to CSAH 1~~
- h. Approval of resolution accepting feasibility reports for 23<sup>rd</sup> Street South and Dehler Drive improvements
- i. Approval of resolution declaring cost to be assessed and calling for a public hearing on September 14, 2009 on assessments for 2009 Roberts Road improvements.
- j. Approval of resolution setting a public hearing for August 24, 2009 for a conditional use permit request from Sartell Academy for a daycare facility in the former Celebration Lutheran Church facility at 931 North 5<sup>th</sup> Avenue

August 10, 2009

- k. Approval of resolution setting a public hearing for August 24, 2009 for a conditional use permit for a rooftop wind turbine at 32286 County Road 1
- l. Approval of the budgeted trade-in of two lawn mowers

**A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH APPROVING CONSENT AGENDA ITEMS A THROUGH I, REMOVING ITEM G FOR DISCUSSION UNDER THE POLICE DEPARTMENT BUSINESS. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. Assessments for 2009 East Heritage Drive public improvements**

A presentation was provided by the City Engineer, Jeremy Mathiasen outlining the proposed assessments for the eastern portion of Heritage Drive as mill and overlay and minor roadway widening improvement. Total current assessments are estimated at \$60,391, future potential assessments at \$65,063 with construction costs at \$494,785.

Mayor O'Driscoll opened the public hearing at 7:06 p.m., no oral or written testimony was offered and the hearing was closed.

**Resolution adopting assessments for 2009 East Heritage Drive Improvements**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING RESOLUTION 89-09 ADOPTING ASSESSMENTS FOR PROJECT #901-008104-1, 2009 EAST HERITAGE DRIVE IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**b. Vacation of public drainage and utility easement in Pinecone Marketplace**

A presentation was provided by Planning Director, Anita Rasmussen for a drainage and utility easement vacation request from Ferche development. Staff is recommending approval contingent on subsequent action for final plat approval.

Mayor O'Driscoll opened the public hearing at 7:13 p.m. No testimony was received and the hearing was closed.

**Resolution approving the vacation of a public drainage and utility easement in Pinecone Marketplace**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING RESOLUTION 90-09 VACATING A PORTION OF A DRAINAGE AND UTILITY EASEMENT. THE MOTION CARRIED UNANIMOUSLY.**

**Final plat of Pinecone Marketplace 3<sup>rd</sup> Addition**

Rasmussen presented the final plat of Pinecone Marketplace 3<sup>rd</sup> Addition creating a 1.07 acre commercial/multi use lot for the proposed construction of a pet hospital, a 5.07 acre outlot also provides a 30' roadway, drainage and utility easement on the northerly portion of the plat. Site plan

August 10, 2009

approval is recommended for a single story 3,642 square foot building for a veterinary clinic abutting Scout Drive.

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF APPROVING THE FINAL PLAT OF PINECONE MARKETPLACE 3<sup>RD</sup> ADDITION. THE MOTION CARRIED UNANIMOUSLY.**

**Site plan for Advanced Pet Hospital**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING THE SITE PLAN FOR ADVANCED PET HOSPITAL, PROVIDED NO OUTDOOR KENNEL FEATURES ARE INCLUDED. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Ordinance amending Ordinance No. 94-03 relating to the regulation of private docks on public property**

Finance Director, Mary Degiovanni provided an overview of the issues surrounding the private dock permit ordinance. At the request and direction from the Council, Mary made further inquiry and researched with the League of MN Cities, the DNR, the City Assessor, and the City's property insurance agent on the various issues and concerns surrounding potential changes to the City's dock permit ordinance. Staff continues to advocate terminating the allowance for private docks on public park property with a phase out for existing docks at the time of property transfer.

General consensus of the Council is supportive of phase out of private docks on public parks with change in ownership and existing docks grandfathered in. The amendment would also be subject to permit and insurance requirements in addition to exploring longer term opportunities for public dock (s) or fishing pier(s). Council discussed November 1<sup>st</sup> dock removal requirement versus October 15<sup>th</sup> and suggested to allow other abutting property owners an opportunity to get on the grandfathered in list by securing a permit between now and December 31, 2009.

Staff will make the proposed wording changes and research insurance provision options further for Council consideration on August 24, 2009.

**b. Update from Sartell Athletic Club, Inc.**

Steve Gabrielson, Sartell Athletic Club, (SAC) expressed appreciation for the Council's lengthy consideration of the proposal they made at the last meeting. With the benefit of Council feedback and further discussion by SAC, they are now asking the Council to rescind the motion approved at the last meeting with the intent that SAC will take the next several months to develop a new, more comprehensive proposal including significant private fundraising.

August 10, 2009

**DEPARTMENT REPORTS**

**Police Department  
Monthly Report**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ACCEPTNG THE POLICE REPORT. THE MOTION CARRIED UNANIMOUSLY.**

Police Chief Hughes, advised the Council that the deferred replacement of a 2001 squad from 2008 to 2009 to 2010 is now facing an engine repair that makes moving its replacement in 2010 to now, a financially more prudent action. Instead of two squads getting replaced in 2010, it would then be one replacement.

**A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH APPROVING THE REPLACEMENT SQUAD PURCHASE USING 2009 STATE BID PLUS \$2,000 FOR STRIPING AND EQUIPMENT. THE MOTION CARRIED UNANIMOUSLY.**

**g. Approval of resolution adopting speed zone change on Heritage Drive from Huntington Drive to CSAH 1**

Police Chief Jim Hughes, noted uncertainty on legal interpretation for ability to change the speed limit without a MnDOT study. Action was deferred pending further legal review and to allow some time to monitor the situation and better assess the potential need for lowering the speed limit.

**Public Works Department  
Monthly Report**

Director, Borders presented his report.

**City Engineer  
Semi-Monthly Memorandum**

Engineer, Mathiasen presented his report.

**Planning & Community Development**

Director, Anita Rasmussen presented her report.

**City Administrator**

Consensus of the Council directed staff to offer a letter to Brockway Township requesting a meeting to discuss mutual interests and concerns regarding Brockway's interest in incorporation as a City.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

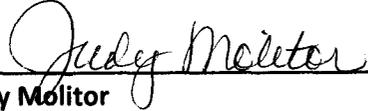
Council member Orndorff noted there are 220 early hockey registrations, which is the highest number ever.

August 10, 2009

**ADJOURN**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE TO ADJOURN THE MEETING AT 8:53 P.M. THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

  
\_\_\_\_\_  
**Judy Molitor**

  
\_\_\_\_\_  
**MAYOR TIM O'DRISCOLL**

## SARTELL CITY COUNCIL MEETING

**MINUTES OF AUGUST 10, 2009**

**SPECIAL MEETING**

Pursuant to due call and notice thereof, a special meeting was held on August 10, 2009 in the conference Room at Sartell City Hall. The meeting commenced at 5:00 PM.

COUNCIL PRESENT: Mayor O'Driscoll; Council members: Perske, Lynch, Hennes and Orndorff  
COUNCIL ABSENT: None  
OTHERS PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director

### **AGENDA**

A motion was made by Orndorff and seconded by Lynch to adopt the agenda amended to include PD equipment purchase. The motion carried unanimously.

### **2010 BUDGET**

The Finance Director circulated an updated budget schedule.

The Council discussed whether to drop some coverages of property in the open to reduce overall insurance expense. A list of covered property will be provided to the Council for further consideration. Councilmember Orndorff raised the issue that storms or other natural disasters are not our only insurance concern and that vandalism could create a great deal of damage on this type of property.

The Council also discussed pros and cons of adopting a policy that pick up of non-vicious animals will not occur during off duty hours in order to save overtime on those non-emergency call outs. Since there is someone on rotation every day, it would be very limited reduction in service but could save substantial overtime dollars. Staff was asked to estimate savings and look into possible policy examples from the League.

Charges for various types of fire department response were also discussed and the Council had no interest in setting fees for those services at this time.

The proposed 2010 budget and levy were reviewed and concerns were expressed about possible reductions in funding to Community Ed. The Mayor explained that the \$3,000 reduction from 2009 levels was covered by the funds raised through the Mayor's 5K. Various Council members had concerns about other possible line item cuts, including eliminating 2010 Fire Equipment funding and contingency funding, reduced rink staffing and reduced sealcoat funding. Council member Lynch suggested an alternative cut could be to drop the Coalition of Greater MN Cities membership. He has philosophical concerns about using tax dollars to fund lobbying. Mayor Tim indicated that Patti's expertise is called upon by the Coalition so that the City's true costs are higher than the membership dues, although it was acknowledged that Patti's participation has allowed for some specific benefits to Sartell to be achieved. There was also question about whether it would be beneficial to at least hold off for another year while the LGA task force is active. Staff was asked to bring back more information on the reduced legal rate we receive through membership and those estimated savings.

There was also discussion about whether to count on increased compost permit revenues at this point and discussion about increasing non-City resident permits as proposed at 150 up to 200 and that the fee should be higher than \$40.

Staff confirmed that budget line items can always be changed but consensus on an overall levy amount for preliminary purposes needs to be established at the August 24<sup>th</sup> Council meeting. Councilmember Lynch expressed concerns about tax increases and questioned how our tax rate has affected single family homeowners in recent years. Staff indicated we don't have year by year single family valuation changes itemized, but we do know our 2002 tax rate was over 36% and our 2004 rate was over 34% and our **estimated** rate from the 2010 budget would be about 33.5% even with single family valuation decreases. It could be higher or lower depending upon actual tax capacity information which generally isn't available until November, but staff circulated an impact spreadsheet at that estimated rate showing homeowners' City taxes would drop under the budget and levy as proposed. Staff would like to have this preliminary budget and levy amount adopted and wait for firmer information to make final decisions in December.

#### **PD EQUIPMENT**

The Finance Director updated the Council on squad #12 requiring a major repair estimated at over \$2,000. This squad was in the rotation for replacement in 2009 but was pushed to 2010 as part of the City's response to the budget situation. Funds are available in the PD Equipment Fund to make the purchase at a cost of just over \$22,000, and it was recommended as more cost effective to replace the squad now rather than making a major repair and then replacing it in 2010. The Council will seek additional information from the Police Chief at the regular meeting about additional costs to equip the vehicle in order to make a decision.

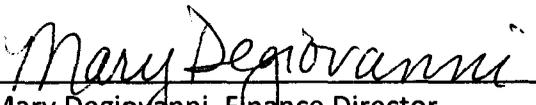
#### **FINANCIAL MANAGEMENT PLAN**

Staff circulated updated Financial Policies language and also reviewed with the Council the language changes within the FMP to more clearly state in both documents that the FMP is a planning tool and is not a commitment to any future budget or tax levy amounts. The consensus of the Council was that these documents were now ready for the August 24<sup>th</sup> consent agenda.

#### **ADJOURNMENT**

A motion was made by Hennes and seconded by Orndorff to adjourn the meeting at 7:00 PM. The motion carried unanimously.

Minutes By:

  
Mary Degiovanni, Finance Director

  
Tim O'Driscoll, Mayor

SARTELL CITY COUNCIL MEETING

MINUTES OF AUGUST 24, 2009

16TH MEETING

Pursuant to due call and notice thereof, the 16th meeting of 2009 was held on August 24, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders: Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ADOPTING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. August 10, 2009 – Regular City Council meeting
- b. August 10, 2009 – City Council workshop session

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

CONSENT AGENDA

- a. Approval of voucher payments dated August 19, 2009
- b. Professional Development Registrations
- c. Approval of resolution setting date for public hearing on December 14, 2009, for consideration of adoption of 2010 budget and levy
- d. ~~Approval of resolution approving the proposed 2010 general fund budget and preliminary tax levy collectible in 2010~~
- e. ~~Approval of revised City of Sartell Financial Policy and Guidelines and Financial Management Plan~~
- f. Approval of resolution regarding the administration of the Wetland Conservation Act in the City of Sartell
- g. Approval of Agreement in Principle with GHB Family LLC
- h. Acceptance of a \$2,000 donation from Sartell Lions for the DARE program
- i. Approval of special event permit for a 10K/5K walk-run event on September 19, 2009 by Rejuv Medical/Northcrest Athletic Association

August 24, 2009

- j. Approval of natural resource management prescribed burn permit application for recreational bonfire at Bernicks Arena/Pinecone Regional Park on September 19, 2009 for Sartell High School Soccer Team

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEMS A THROUGH J, REMOVING ITEM "D" AND "E" FOR SEPARATE DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.**

The Mayor announced the approved date and time for public testimony to be taken on the 2010 budget and levy will be at 7:00 p.m. on December 14, 2009.

**CONSENT AGENDA ITEM "E"**

- e. **Approval of revised City of Sartell Financial Policy and Guidelines and Financial Management Plan**

Council member Perske inquired when the next opportunity was to discuss the Financial Management Plan and Finance Director, Degiovanni noted it would be brought before the Council again in November or at any other time requested by the Council.

**A MOTION WAS MADE BY PERSKE AND SECONDE BY HENNES APPROVING CONSENT AGENDA ITEM "E". THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

- a. **Assessment of delinquent accounts**

Finance Director, Degiovanni reviewed the proposed action to assess delinquent utility and mowing bills for payment with property tax payments.

Mayor O'Driscoll opened the public hearing at 7:06 p.m. No oral or written testimony was received and the hearing was closed.

**Resolution adopting assessment of delinquent accounts**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF APPROVING RESOLUTION 95-09 ADOPTING ASSESSMENT OF DELINQUENT ACCOUNTS. THE MOTION CARRIED UNANIMOUSLY.**

- b. **Conditional use permit request from Manuel Moran to allow a wind turbine on the roof of the house at 32286 County Road 1**

Anita Rasmussen presented an overview of the request and noted favorable recommendation by both staff and the Joint Planning Commission subject to conditions listed.

Mayor O'Driscoll opened the public hearing at 7:12 p.m.

Written testimony was received from Dori Wixon who was initially objecting but now is supporting the request.

August 24, 2009

No oral testimony was received, the hearing was closed.

Applicant Moran responded to an inquiry stating his intent to sell the energy generated to the utility grid. Council member Orndorff suggested the specific style be included in granting the Conditional Use Permit along with an inspection by Xcel.

**Resolution adopting findings of fact supporting approval of a conditional use permit allowing a wind turbine on the roof of 32286 County Road 1**

**A MOTION WAS MADE BY HENNES AND SECONDED BY PERSKE APPROVING RESOLUTION 96-09 ADOPTING FINDINGS OF FACT RELATING TO A REQUEST FOR A CONDITIONAL USE PERMIT FOR THE PURPOSES OF HAVING A ROOF MOUNTED WIND TURBINE. THE MOTION CARRIED UNANIMOUSLY.**

**Resolution approving a conditional use permit for a wind turbine on the roof of 32286 County Road 1**

**A MOTION WAS MADE BY PERSKE AND SECONDED BY HENNES ADOPTING RESOLUTION 97-09 APPROVING A CONDITIONAL USE PERMIT FOR THE PURPOSES OF A ROOF MOUNTED WIND TURBINE. THE MOTION CARRIED UNANIMOUSLY.**

- c. **Conditional use permit request from Sartell Children's Academy for a daycare facility exceeding 12 children at 931 North 5<sup>th</sup> Avenue (former Celebration Lutheran Church site)**

Because Council Member Perske resides within the 350' public notification area required by State statute for this type of land use action, legal counsel maintains that there is clearly an appearance of impropriety and has advised the Council and Mr. Perske that he should not participate or vote on the matter as a member of the City Council due to conflict of interest.

The only exception to this identified by legal counsel is where the number of abstentions based on conflict of interest would render the Council unable to render a decision – in this case if there were fewer than 3 members of the Council participating in a vote on the decision. This is not the circumstance that exists in this particular matter.

Legal counsel further notes that simply being a member of the congregation in and of itself does not rise to the level of constituting a conflict of interest and therefore any member of the Council that is a member of the subject congregation should participate and vote on this matter to fulfill their responsibility as a member of the Council.

Council member Perske left the dais.

Anita provided an overview of the CUP request. The Joint Planning Commission recommended denial on a 3-2 vote based on their assessment of excess traffic impact and insufficient parking. Staff continues to recommend in favor, subject to certain conditions.

Mayor O'Driscoll made inquiry of the applicant as to his intent to withdraw his request based on his representation at the neighborhood meeting and the Joint Planning Commission meeting of not wanting to move ahead with this request if there is neighborhood opposition.

August 24, 2009

Applicant, Dr. Mohammed Yassin, 2039 35<sup>th</sup> Street North, Sartell, acknowledged the neighborhood opposition but noted he has a legal obligation in the purchase agreement that only terminates if the City denies the CUP, therefore he is unable to withdraw the request.

Mayor O'Driscoll opened the public hearing at 7:30 p.m. The following comments were heard, although comments do not reflect entire statement made:

Charles Engelbretson, 713 5<sup>th</sup> Avenue North, Sartell, representing the Church and also a resident from two blocks away, spoke in favor of the request and noted the weekly average attendance of 500+, three services per week plus 200 – 300 students in Wednesday evening classes when utilized as a church site.

Todd Mayer, 939 Parkview Lane, Sartell, expressed concern of traffic congestion in the area and questioned the applicants intentions of moving ahead despite neighborhood opposition.

Dr. Yassin explained his intention for use of the property as a day care facility or possibly some other type of business, however does not want to cause disruption in the neighborhood. Dr. Yassin clarified the possibility of adult classes which could cover parent classes for children with asthma, or education classes for smoking, drinking or gambling addictions.

Arv Moser, 514 10<sup>th</sup> Street North, Sartell, objects to the request with concern for traffic and safety. Also concerned about other unknown uses for the property mentioned by Dr. Yassin. Moser provided a petition which encourages the former church to be sold for continued church use.

Bob Pogatshnik, 1001 Parkview Lane, Sartell, owned the 20 acre parcel that was eventually developed to include Celebration Lutheran Church and single family development in 1983. Pogatshnik believes a daycare facility of this size belongs in commercially zoned property. He is concerned of safety issues with this request because this location is on residentially scaled roads. Existing daycares in Sartell are not at capacity therefore Sartell doesn't need another daycare business. Pogatshnik submitted a petition of opposition signed by 43 residents from the area.

Dave Schwartz, 1005 Parkview Lane, Sartell, is concerned that traffic created on Sundays by the church would be extended to Monday-Friday with daycare.

John Delinsky, 506 10<sup>th</sup> Street North, Sartell, opposes the request noting traffic safety concerns and business incompatibility.

Dennis Molitor, 923 Parkview Lane, Sartell, opposes the request noting concern of noise from the playground activity.

Barb Scamehorn, 513 10<sup>th</sup> Street North, Sartell, opposed the request as incompatible with the neighborhood.

Tom Wright, 1816 7<sup>th</sup> Avenue North, Sartell, and Pastor at Celebration Lutheran Church had understood this daycare would serve special needs children with medical conditions and also explained how the church has evolved into a 7-day use with weddings, funerals and youth activities. Pastor Wright suggests the daycare will create less traffic impact to the neighborhood.

August 24, 2009

Dr. Yassin stated the facility would be open to any child, however would provide specialized care for children with certain medical conditions such as asthma and food allergies.

Scott Schneider, 910 5<sup>th</sup> Avenue North, talked about the amount of foot traffic past his property and the possibility of foot traffic ending if excessive daily car/truck traffic will become a part of this day care facility.

Brian Balloon, 1408 8<sup>th</sup> Avenue North, Sartell, spoke in favor as a church council member. Mr. Balloon suggested that lower speed limits should be considered to address traffic concerns. He also noted the lack of daycare options to service the north side and lack of daycare for children with medical conditions.

Donna Morgan, 1002 5<sup>th</sup> Avenue North, Sartell, talked about a daycare being incompatible with the neighborhood due to traffic safety concerns and expanding from Wednesday nights and Sunday morning to Monday through Friday and some Saturdays.

Dr. Yassin understands the concerns of the neighborhood opposition and said he would be willing to donate \$10,000 tonight in order to acquire the building and keep the use as a church, if everyone who is opposing it would also be willing to donate.

Becky Minnerath, 922 5<sup>th</sup> Avenue North, Sartell, opposes the request and talked about concerns of traffic congestion with expanding hours beyond Wednesday night and Sundays. She is concerned that her property value will go down with a daycare business in the neighborhood.

Mayor O'Driscoll closed the hearing at 8:33 p.m. and suggested the Council take the opportunity to consider testimony and information provided, ask staff to gather legal guidance and table action to a later date.

Both Council members Orndorff and Hennes requested additional traffic assessment and analysis to better help evaluate the concerns, particularly at the intersections at 5<sup>th</sup> Avenue and 10<sup>th</sup> Street.

Consensus was to defer action pending receipt of additional traffic analysis and legal guidance.

Council member Perske rejoined the Council.

## **OLD BUSINESS**

### **a. Dock permit ordinance**

Finance Director, Mary Degiovanni provided an overview of the research on insurance provision options for docks. A written notice of the City's ordinance provisions to the affected property owners will be provided including a cover letter that summarizes the provisions. Dock removal date will be the earlier of October 31<sup>st</sup> or a date prescribed by the DNR.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING ORDINANCE 09-09 AMENDING ORDINANCE NO. 94-03 RELATING TO THE REGULATION OF PRIVATE DOCKS ON PUBLIC PROPERTY. THE MOTION CARRIED UNANIMOUSLY.**

b. **Approval of Wastewater Treatment System Use Agreement between the City of St. Cloud and the City of Sartell.**

City Administrator, Gartland provided an overview of the primary changes to the existing sewer use agreement and the new agreement that has been jointly developed with the City of St. Cloud and other contract cities to facilitate the jointly planned expansion, upgrade & rehab of the St. Cloud Area Wastewater Treatment facility. Phase I construction expands treatment capacity to 15 MGD and will include removal of phosphorus and nitrogen. Phase 2 construction is intended to move full biological treatment capacity to 17.9 MGD. Completion of phase 1 construction will terminate all prior lease agreements, the capacity we currently lease will be owned by us. Based on growth and development projections for Sartell, Sartell's share of the estimated cost for needed upgrades and rehab to the system and expansion capacity account for 27.69% of the total cost.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING RESOLUTION 98-09 AUTHORIZING APPROVAL OF WASTEWATER TREATMENT SYSTEM USE AGREEMENT BETWEEN THE CITY OF SARTELL AND THE CITY OF ST. CLOUD. THE MOTION CARRIED UNANIMOUSLY.**

**Consent Agenda Item "d"**

**Resolution approving the proposed 2010 general fund budget and preliminary tax levy collectible in 2010**

Finance Director, Mary Degiovanni provided an overview of staff's recommended preliminary levy and budget for 2010 which represents almost \$250,000 reduction from the amended 2009 budget and over \$435,000 lower than the original 2009 budget.

Council member Lynch expressed concern for any increase in tax rate and would like the preliminary levy to be based on a flat tax rate, based on estimated tax capacity values.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES ADOPTING RESOLUTION 93-09 APPROVING THE PROPOSED 2010 GENERAL FUND BUDGET AND PRELIMINARY TAX LEVY COLLECTIBLE IN 2010.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: HENNES, ORNDORFF, PERSKE**

**NAY: COUNCIL MEMBER LYNCH**

**MOTION CARRIED**

**DEPARTMENT REPORTS**

**Police Department**

**Semi-Monthly Memorandum**

The police memorandum was included in the packet. Since Chief Hughes was not at the meeting, Mayor O'Driscoll asked that any comments or concerns regarding the memorandum should be made directly to Chief Hughes.

August 24, 2009

**Public Works Department**

No report was given.

**City Engineer**

**Semi-Monthly Memorandum**

Jeremy Mathiasen presented his memorandum.

**Planning & Community Development**

Anita Rasmussen presented her memo. Council member Lynch suggested Anita review the permitted uses within the zoning requirements, specifically as it pertains to R-1 zoning and day care facilities.

**City Administrator**

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Both Mayor O’Driscoll and Council member Perske commented on the need to develop criteria and protocol for specific type of donation levels needed in advance of potential public improvement amenities. Administrator Gartland noted that staff is working on this.

Council member Hennes noted that MTC will be coming out with a new route study which will positively impact the EPIC Center and Centra Care area. Member Hennes also invited Mayor, Council Members and staff to the open house to be held on September 8<sup>th</sup> from 2-4 p.m. at the old elementary school for the new home of the Sartell Senior Connection group.

Mayor O’Driscoll noted that he has a conflict with the next scheduled budget workshop in October.

**ADJOURN**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF TO ADJOURN THE MEETING AT 9:39 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O’DRISCOLL

SARTELL CITY COUNCIL MEETING

MINUTES OF SEPTEMBER 14, 2009

17TH MEETING

Pursuant to due call and notice thereof, the 17th meeting of 2009 was held on September 14, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
James Hughes, Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders, Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF ADOPTING THE AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. August 24, 2009

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

CONSENT AGENDA

- a. August Building Inspectors Report – Acceptance
- b. August Fire Marshal/Code Official Report – Acceptance
- c. August Finance Directors Report – Acceptance
- d. Park Commission meeting notes for August 27, 2009 – Acceptance
- e. Approval of voucher payments dated September 10, 2009
- f. Professional development registration
- g. Approval of first reading and resolution setting public hearing for September 28, 2009, for adoption of Title 1, Chapter 8, Administrative Citations, in the Code of Ordinances to establish administrative fines for certain offenses
- h. Approval of first reading and setting public hearing for September 28, 2009, for rental housing and Crime Free Multi-housing ordinance amendments
- i. Approval of first reading and setting public hearing for September 28, 2009, for fee schedule ordinance amendments relating to rental housing and temporary sign permit
- j. Approval of mandated annual bridge/culvert inspection proposal from Bonestroo
- k. Approval of resolution setting public hearing for October 12, 2009 for delinquent accounts

September 14, 2009

- l. Approval of resolution authorizing PMA financial Network, Inc. and PMA Securities, Inc. for specified banking and investment services through the 4M Fund
- m. Approval of revised 2010 budget process schedule.

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A THROUGH M. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. Roberts Road Improvements Assessments**

A presentation was provided by the City Engineer, Jeremy Mathiasen outlining the proposed assessments for the Roberts Road Improvements. Total current assessments are estimated at \$820,640.60, deferred assessments at \$88,919.54, and future potential assessments at \$1,111,621.73, with construction bid price of \$2,116,977.17.

Mayor O'Driscoll opened the public hearing at 7:06 p.m., no oral or written testimony was offered and the hearing was closed.

**Resolution adopting assessments for Roberts Road Improvements**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING RESOLUTION 101-09 ADOPTING ASSESSMENTS FOR PROJECT #901-08104-2, ROBERTS ROAD IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Review of Insurance**

Paul Omann, Omann Insurance Agency, was present to review the list of property coverages and respond to Council questions related to coverages and potential reduction in premiums by cutting some line items. Mayor O'Driscoll clarified the City would still have liability coverage on these items and the Council was just considering dropping some property coverage. After discussion, staff was asked to bring back a proposal at a future meeting, with playground equipment and fencing other than Northside Park fencing dropped, and an update/recommendation on golf course building and contents coverage for a final decision by the Council.

**b. Sign Ordinance Enforcement Protocol**

Planning Director Anita Rasmussen overviewed her memo about protocol, permitting and enforcement of the sign ordinance. The Council took it under advisement and since no decision on this issue will be requested until after the administrative fine ordinance is reviewed, it will be brought before the Council at the next meeting.

September 14, 2009

**c. Fire Service Contract**

Mayor O'Driscoll and Council member Hennes recommended approval of the negotiated Fire Protection Service Agreement between the City of Sartell and LeSauk Township which the Council had reviewed in detail during a special workshop session.

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING THE FIRE PROTECTION SERVICE AGREEMENT EFFECTIVE 10/1/09, EXTENDING THE CURRENT AGREEMENT THROUGH 9/30/09, AND APPROVING THE RELATED BILL OF SALE. THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS**

**a. Special Event Request - Winners**

Anita Rasmussen provided an outline of the event request and Council questions were addressed by Rasmussen with the Winners property owners also in attendance.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE SPECIAL EVENT REQUEST WITH THE CONDITIONS OUTLINED BY STAFF. THE MOTION CARRIED UNANIMOUSLY.**

**DEPARTMENT REPORTS**

**Police Department  
Monthly Report**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ACCEPTING THE AUGUST POLICE REPORT. THE MOTION CARRIED UNANIMOUSLY.**

Police Chief Hughes advised the Council that the first week of school went well, and also responded to the Mayor's inquiry that the re-stripping at Pine Meadow is working well.

**Public Works Department  
Monthly Report**

Director Borders presented his report. Councilmember Hennes asked about slipperiness of crosswalk paint and Borders responded that they have switched to adding gritty reflective beads as of last year which should help. Borders confirmed that the Park Commission is discussing golf course fields and temporary parking feasibility and timing. Borders also believes the Nordic ski agreement worked out very well the first year.

**City Engineer  
Semi-Monthly Memorandum**

Engineer Mathiasen presented his report.

September 14, 2009

**Planning & Community Development**

Director Anita Rasmussen presented her report.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Orndorff noted there are increased registrations for youth hockey which is a good sign of the high use for that facility. Council member Perske asked about a Public Works Commission meeting and Director Borders will confirm timing of the next meeting and/or written summary sheet to provide project updates.

**ADJOURN**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES TO ADJOURN THE MEETING AT 8:23 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
Judy Molitor

  
MAYOR TIM O'DRISCOLL

## SARTELL CITY COUNCIL MEETING

**MINUTES OF SEPTEMBER 14, 2009**

**SPECIAL MEETING**

Pursuant to due call and notice thereof, a special meeting was held on September 14, 2009 in the conference Room at Sartell City Hall. The meeting commenced at 6:30 PM.

COUNCIL PRESENT: Mayor O'Driscoll; Council members: Perske, Lynch, Hennes and Orndorff

COUNCIL ABSENT: None

OTHERS PRESENT: Jim Hughes, Police Chief  
Mary Degiovanni, Finance Director

### **FIRE SERVICE CONTRACT**

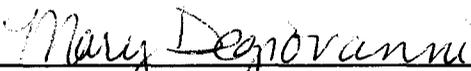
Mayor O'Driscoll overviewed the draft Fire Protection Service Agreement and Bill of Sale. This Agreement follows a model contract developed by the League of Minnesota Cities and the Association of Townships, with modifications made to suit the needs of Sartell and LeSauk. It provides for a more equitable administrative fee and a 3 part formula for annual reimbursement by the Township based upon taxable market value, population, and number of fire calls. The City will reimburse the Town through a credit on the annual billings over a 5 year period to buy out the Town's interest in equipment and vehicles. Vehicle valuations were mainly obtained through an independent evaluation the Fire Chief obtained by an out of state company. The Government Center is not subject to this Contract and we will continue to work with the Town on that building under the Sartell-LeSauk Government Center corporate structure which currently exists.

Council member Hennes concurred in recommending this new Agreement as a format which more clearly identifies the relationship as the City selling fire protection services under contract to the Township and the Council agreed that this is the right model moving forward.

### **ADJOURNMENT**

A motion was made by Lynch and seconded by Perske to adjourn the meeting at 6:58 PM. The motion carried unanimously.

Minutes By:

  
\_\_\_\_\_  
Mary Degiovanni, Finance Director

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor

SARTELL CITY COUNCIL MEETING

MINUTES OF SEPTEMBER 28, 2009

18TH MEETING

Pursuant to due call and notice thereof, the 18th meeting of 2009 was held on September 28, 2009, in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
James Hughes, Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders, Public Works Director  
Dale Struffert, Deputy Police Chief  
Butch Rieland, Fire Marshal

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER HENNES ADOPTING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. September 14, 2009 – Regular City Council Meeting
- b. September 14, 2009 – City Council Workshop session

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

CONSENT AGENDA

- a. Approval of voucher payments dated September 23, 2009
- b. Professional Development Registrations
- c. Approval of action establishing no parking on the east side of 4<sup>th</sup> Avenue South from 2<sup>nd</sup> Street South to the entrance to the Sartell LeSauk Fire Station site
- d. Approval for the budgeted purchase of bleachers for Val Smith Park facilitated in part by funds donated by the Sartell Jaycees.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEMS A THROUGH D. THE MOTION CARRIED UNANIMOUSLY.**

September 28, 2009

## **PUBLIC HEARINGS**

### **a. Establishment of administrative citations for certain offenses**

An overview for the ordinance proposing to establish an administrative citation process and authority as an alternative to enforcement through the court system was presented by Anita Rasmussen.

Mayor O'Driscoll opened the public hearing at 7:10 p.m. No written or oral testimony was received, the hearing was closed.

### **Ordinance amending the Code of Ordinances adding Title 1, Chapter 8 Administrative Citations, effective October 15, 2009 and related Summary Ordinance**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF ADOPTING ORDINANCE 09-10 AMENDING THE CITY'S CODE OF ORDINANCES ADDING CHAPTER 8, TITLE 1, ADMINISTRATIVE CITATIONS. THE MOTION CARRIED UNANIMOUSLY.**

### **Resolution establishing fee schedule for Administrative Civil Citations**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING RESOLUTION 103-09 ESTABLISHING FEE SCHEDULE FOR ADMINISTRATIVE CIVIL CITATIONS. THE MOTION CARRIED UNANIMOUSLY.**

### **b. Rental Housing and Crime Free Multi-Housing Ordinance amendments**

Deputy Chief, Dale Struffert along with Fire Marshal Butch Reiland presented an overview of the proposed changes to the rental housing ordinance and CFMH requirements. The proposed changes would require all rentals to complete Phase 1 of CFMH requirements and would also provide a 25% refund opportunity to those rentals that complete and comply with all three phases of the CFMH requirements.

Mayor O'Driscoll opened the public hearing at 7:22 p.m. The following comments were made, although comments do not reflect entire statements made:

Nancy Johnson, Heritage Place Apartments and represents Granite City Real Estate. She is concerned of the proposed increase of 91% in fees. She referenced e-mail testimony from Dave Kuefler that was sent to all Council members regarding fee increase.

Bob Lunduist, 517 Heritage Drive, Sartell, asked about rental licensing requirements for single homes and the need for enforcement.

Anita Rasmussen and Chief Hughes responded to inquiries noting further follow-up investigation will occur.

No other testimony was received and the hearing was closed at 7:30 p.m.

A discussion followed regarding potential eviction impacts for tenants whose landlord violates their licensing and lose their rental license as a result.

September 28, 2009

Consensus of the Council was to defer action until after the related hearing is conducted for proposed fees.

**c. Fee Schedule Ordinance amendment – rental housing and temporary sign permits**

An overview of the proposed fee ordinance amendments for housing rentals was provided by Finance Director, Mary Degiovanni. The current fee structure system does not meet costs, however comes closer and still provides incentives for Crime Free Multi Housing participation.

An overview of the proposed fee ordinance amendment for temporary signage was provided by Anita.

Mayor O'Driscoll opened the hearing at 7:55 p.m. No testimony beyond that offered under previous hearing by Nancy Johnson and written testimony from Torborg Management and Dave Kuefler.

Consensus of the Council agreed there is a need to phase in fee increases to eventually cover costs of administration. Discussion followed regarding implementing a tiered system for fees and placing more emphasis on not penalizing the well run rentals versus the problem units. Staff will generate alternative housing fee scenarios as well as possible Council consideration for owner occupied units.

**Ordinance amending the City's Fee Schedule Ordinance**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE APPROVING ORDINANCE 09-12 AMENDMENT FOR TEMPORARY SIGN PERMIT FEES ONLY, EXCLUDING HOUSING RENTAL FEES. THE MOTION CARRIED UNANIMOUSLY.**

**Approval of sign ordinance enforcement protocol**

Anita Rasmussen reviewed the proposed temporary sign ordinance and enforcement protocol.

**A MOTION WAS MADE BY ORNORFF AND SECONDED BY LYNCH APPROVING THE PROTOCOL FOR SIGN ORDINANCE ENFORCEMENT. THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS**

- a. Consideration of on sale intoxicating and special Sunday liquor license application from Ruce Inc. dba Little Fiesta for the former Corks Wine Bar and Grill site in the Pinecone Market Place development.**

The applicants described their planned operation of an authentic Mexican restaurant in Pinecone Marketplace.

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING THE LIQUOR LICENSE FOR LITTLE FIESTA. THE MOTION CARRIED UNANIMOUSLY.**

- b. Administrative citations for certain traffic offenses**

An overview of the proposed resolution establishing administrative citations for certain traffic offenses was presented by Chief Hughes.

September 28, 2009

**Resolution authorizing administrative citations for certain traffic offenses pursuant to Minn. Stat. 169.999**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING RESOLUTION 104-09 AUTHORIZING ADMINISTRATIVE CITATIONS FOR CERTAIN TRAFFIC OFFENSES PURSUANT TO MN. STAT. 169.999. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

a. **Approval of changes to property-in-the-open insurance coverage's**

Finance Director, Mary Degiovanni confirmed the cost savings achieved would be part of the General Fund Reserves unless the Council directs differently.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY MAYOR O'DRISCOLL APPROVING THE DELETION OF INSURANCE COVERAGE FOR PLAY STRUCTURES, FENCING AND CONTENTS AT GOLF COURSE AS RECOMMENDED BY STAFF. THE MOTION CARRIED UNANIMOUSLY.**

**DEPARTMENT REPORTS**

**Police Department**

Chief Hughes noted all establishments passed the tobacco compliance checks.

**Public Works Department**

Director, Brad Borders noted that preparation for the future community garden at Northside Water Plant will start this fall.

**City Engineer**

**Semi-Monthly Memorandum**

Engineer, Jeremy Mathiasen presented his memorandum and also confirmed 15 MPH speed limit for roundabouts at completion.

**Planning & Community Development**

Director Anita Rasmussen presented her report.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Administrator, Patti Gartland provided an overview of the land purchase negotiation with Grede Foundry to facilitate a future extension of 4<sup>th</sup> Avenue South.

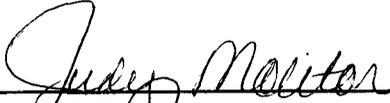
September 28, 2009

A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH AUTHORIZING COMPLETION OF THE WETLAND DELINEATION OF THE GREDE PROPERTY IN ORDER TO MOVE FORWARD WITH THE LAND PURCHASE. THE MOTION CARRIED UNANIMOUSLY.

ADJOURN

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES TO ADJOURN THE MEETING AT 9:14 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL



---

**Date:** Monday, September 28, 2009 2:39 PM

**From:** David Kuefler <davidk@granitecityproperties.com>

**To:** trainer414@hotmail.com, stevehennes@aol.com, plynch52@charter.net, jperske@charter.net, paul01356@hotmail.com

**Subject:** Rental License

---

To Sartell Mayor and City Council Members:

I understand that you are having a public hearing on increasing the fees for rental housing in the city of Sartell.

As one of the owners and the property manager of Heritage Village Apartments, 138 units in Sartell, we have complied with the Crime Free Drug Free upgrades which have cost the property several thousand dollars. Based on my calculations for the current fee schedule, the rental license would be \$1,410. With the new proposal it would be \$3,600 with \$900 of that returned 10 months later. This is a 91% increase in licensing fees!

With the current economic times, I feel this is an excessive increase. We are not able to raise rents more than 1%-2% to our residents. Heritage Village Apartments also pays approximately \$137,000 in property taxes, in which a portion of this goes to the city of Sartell to pay for services.

I understand that an increase in fees may be needed from time to time. However, the proposed increase is above and beyond a normal increase. Please reconsider your decision for such a large increase in rental licensing fees.

Respectfully,

David J. Kuefler, C.R.M.

Granite City Real Estate

Broker/Prinicpal

Office: 320-253-0003

Fax: 320-253-0006

[www.granitecityproperties.com](http://www.granitecityproperties.com)

---

info sartell

---

**From:** Torborg Management [torborgmgmt@charterinternet.com]  
**Sent:** Monday, September 28, 2009 4:32 PM  
**To:** trainer414@hotmail.com; stevehennes@aol.com; plynch52@charter.net;  
jperske@charter.net; paul01356@hotmail.com; info sartell  
**Subject:** Rental Housing Ordinance and Amendments, Fee Schedule

**City of Sartell Mayor and Council Members:**

**We have provided rental housing in Sartell for twenty plus years. We have continued to provide good quality housing for a good value.**

**The city receives a significant amount of revenue through the real estate taxes on the rental properties.**

**We feel it would be inconsiderate of this council to raise the registration fee to the proposed levels.**

**At a time when foreclosure rates are high and personal bankruptcy is high, we do not want to impact residents with higher fees and housing costs.**

**Sincerely,  
Torborg Builders**

October 12, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF OCTOBER 12, 2009

19TH MEETING

Pursuant to due call and notice thereof, the 19th meeting of 2009 was held on October 12, 2009 in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Dale Struffert, Deputy Police Chief  
Jeremy Mathiasen, City Engineer  
Brad Borders, Public Works Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER HENNES ADOPTING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. September 28, 2009

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. September Building Inspectors Report – Acceptance
- b. September Fire Marshal/Code Official Report – Acceptance
- c. September Finance Directors Report – Acceptance
- d. Park Commission meeting notes for September 24, 2009 – Acceptance
- e. Approval of voucher payments dated October 8, 2009
- f. Professional development registrations
- g. Approval of amended mutual aid agreement between Sartell and Waite Park providing for use of personnel and equipment.
- h. Approval of fund transfers per the Finance Director's recommendation of October 12, 2009
- i. Approval of resolution setting a public hearing for October 26, 2009 for proposed DNR Legacy Grant application submittal
- j. Approval of request for prospective consent to Brigg's and Morgan's representation of Xcel Energy and its affiliates as recommended by legal counsel.

October 12, 2009

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A THROUGH K. THE MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS**

**a. Assessments for delinquent Accounts**

A presentation was made by Finance Director, Mary Degiovanni covering delinquent utility and mowing bills proposed for assessment and collection with 2010 property taxes.

7:06 P.M. Mayor O'Driscoll opened and closed the hearing, no oral or written testimony was received.

**Resolution adopting assessments for delinquent accounts**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING RESOLUTION 106-09 ADOPTING THE ASSESSMENT OF DELINQUENT ACCOUNTS. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Rental Housing & CFMH ordinance amendments**

Deputy Chief Struffert reviewed the proposed additional changes per the Council's direction following the public hearing held on September 28, 2009 as outlined in staff's memorandums.

Administrator, Gartland noted that staff is also comfortable with deletion of requiring phase 1 class for owner occupied single family properties. She also confirmed that any number of people related by blood or marriage are part of the single family definition and therefore not subject to rental licensing requirements.

Struffert concurred with not requiring retraining annually as specified in Ordinance 4-9A – 12B.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE APPROVING ORDINANCE 09-11 AND SUMMARY ORDINANCE 09-11 WITH THE FOLLOWING PROVISIONS:**

- 1. EXEMPT OWNER OCCUPIED SINGLE FAMILY RENTALS FROM PHASE CFMH PROGRAM CLASS IN 4-9A-5A.**
- 2. DELETE ANNUAL RETRAINING REQUIREMENT IN 4-9A-12B.**

**THE MOTION CARRIED UNANIMOUSLY.**

**b. Rental housing fee amendments**

Finance Director, Mary Degiovanni overviewed the areas for further feedback and direction from Council being requested. She noted the current costs are approximately \$52,000/year with the current pricing system generating about \$42,000/yr. Should there continue to be a general property tax subsidy for the rental housing program? Fees currently cover about 80% of the cost.

Consensus of the Council is that the current ratio is comfortable for now and agreed to apply the first unit rate to each building which is more appropriate and equitable.

October 12, 2009

Consensus of the Council also is to continue the CFMH discount incentive as it is for now but as fee increases are made, gravitate more to the CFMH rates so as to reduce the discount somewhat over time.

**NEW BUSINESS**

**a. Site plan – Heritage Memory Care Complex**

A presentation was made by Anita Rasmussen on the request and recommended approval. Developer, Lonnie Kornovich acknowledged awareness and acceptance of the recommended conditions.

Council discussed whether or not right turn lanes should be required at driveways such as on Roberts Road and Heritage Drive. City Engineer, Jeremy Mathiasen noted that Roberts Road and Heritage Drive are designed as three lane roadways at the entrance locations, left turn lanes will not be impeded.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING THE SITE PLAN FOR HERITAGE MEMORY CARE SUBJECT TO THE RECOMMENDED CONDITIONS BY STAFF.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES, LYNCH, PERSKE**

**NAY: MEMBER ORNDORFF**

**MOTION CARRIED**

Council member Orndorff noted his objection is due to the lack of right turn lanes on Roberts Road and Heritage Drive at the Heritage Memory Care complex driveway entrances.

**DEPARTMENT REPORTS**

**Police Department**

**Monthly Report**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE ACCEPTING THE POLICE REPORT. THE MOTION CARRIED UNANIMOUSLY.**

**Public Works Department**

**Monthly Report**

Director, Brad Borders presented his report.

**City Engineer**

**Semi-Monthly Memorandum**

Mathiasen noted that new water plant tours will be included with the Public Works Commission meeting scheduled for October 19<sup>th</sup> at 5 p.m.

October 12, 2009

**Planning & Community Development**  
**Semi-Monthly Memorandum**

Anita Rasmussen presented her memo.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Perske expressed concern for use of park funds for the Grede property purchase.

Mayor O'Driscoll noted the Emerging Leaders Forum expressed interest in a river oriented improvement partnership with the city. He also noted housing sales market time has had a significant improvement.

**ADJOURN**

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 8:40 P.M. THE MOTION CARRIED UNANIMOUSLY.**

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

October 26, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF OCTOBER 26, 2009

20TH MEETING

Pursuant to due call and notice thereof, the 20th meeting of 2009 was held on October 26, 2009 in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER ORNDORFF ADOPTING THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF CITY COUNCIL MINUTES

- a. October 12, 2009

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

CONSENT AGENDA

- a. Approval of voucher payments dated October 21, 2009
- ~~b. Approval of Northstar Guiding Principles and provisions of a letter of support advocating such actions be taken based on these principles~~
- c. Approval of Oral Interview Committee's recommendation for conditional offer of appointment of Brady Olmscheid and Aaron Thomes as firefighters effective December 1, 2009
- d. Approval of emergency replacement purchase of thermal imaging equipment for the Fire Department.
- e. Approval of supplemental agreement for CR 120 and CSAH 1 for signal light modifications
- ~~f. Approval of resolution setting public hearing for November 23, 2009 for fee schedule amendments and financial management plan update.~~
- ~~g. Approval of setting Benton County Board of Review on April 12, 2010 AT 9:30 am.~~

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEMS "A, C, D & E", MOVE ITEMS "B" AND "G" IMMEDIATELY FOLLOWING THIS MOTION AND DISCUSS ITEM "F" UNDER THE ADMINISTRATIVE REPORT. THE MOTION CARRIED UNANIMOUSLY.**

October 26, 2009

**Consent Agenda Item "g"**

**Approval of setting Benton County Board of Review on April 12, 2010 AT 9:30 am.**

Council member Perske expressed concern that a daytime Board of Review isn't very user friendly to the public. It was noted that the meeting schedule is set by the County.

**A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH SETTING THE BENTON COUNTY BOARD OF REVIEW ON APRIL 12, 2010 AT 9:30 A.M. THE MOTION CARRIED UNANIMOUSLY.**

**Consent Agenda item "b"**

**Approval of Northstar Guiding Principles and provisions of a letter of support advocating such actions be taken based on these principles**

Mayor O'Driscoll asked if the Council is still interested in supporting the Northstar Commuter Rail service to St. Cloud. Pricing, schedules and sub-system transportation support needs to be structured appropriately to make it beneficial to the St. Cloud metro area. Concern was expressed as to the extent of subsidization to maintain lower fares. Discussed whether transportation funds could be spent in a more beneficial way for our region.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE NORTHSTAR GUIDING PRINCIPLES AND PROVISIONS OF A LETTER OF SUPPORT ADVOCATING SUCH ACTIONS BE TAKEN.**

**UPON VOTE BEING TAKEN THE FOLLOWING VOTED:  
AYE: COUNCIL MEMBERS HENNES, ORNDORFF AND PERSKE  
NAY: MAYOR O'DRISCOLL AND MEMBER LYNCH  
MOTION CARRIED**

**PUBLIC HEARINGS**

- a. **Grant application to DNR Regional Park Legacy Grant program for proposed Sauk River park land acquisition**

Anita Rasmussen, Community Development Director provided an overview of the proposed grant request of \$500,000 to the State's new Regional Park Legacy program for the proposed Dehler/Sauk River park acquisition. A local match of 25% is required.

Mayor O'Driscoll opened the public hearing at 7:25 p.m. No oral or written testimony was offered and the hearing was closed.

A discussion followed regarding the potential for requesting funding for something less than 68 acres. Member Orndorff advocates Mississippi River parkland versus Sauk River parkland abutting St. Cloud. Regional destination park benefit was also discussed.

October 26, 2009

**A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING RESOLUTION 108-09 FOR THE GRANT APPLICATION TO THE DNR REGIONAL PARK LEGACY GRANT PROGRAM FOR THE PROPOSED SAUK RIVER PARK LAND ACQUISITION.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES, LYNCH, PERSKE**

**NAY: MEMBER ORNDORFF**

**MOTION CARRIED**

**NEW BUSINESS**

- a. Resolution providing for terms for an easement agreement and settlement agreement for the 50<sup>th</sup> Avenue realignment and acquisition of asbestos assessment services**

Administrator Gartland provided an overview of the negotiated settlement agreement for the church property affecting 50<sup>th</sup> Avenue and County Road 134 realignment at County Road 120.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH ADOPTING RESOLUTION 109-09 PROVIDING FOR THE TERMS FOR AN EASEMENT AGREEMENT AND SETTLEMENT AGREEMENT WITH MN ANNUAL CONFERENCE OF THE UNITED METHODIST CHURCH THE 50<sup>TH</sup> AVENUE REALIGNMENT PUBLIC INFRASTRUCTURE IMPROVEMENT PROJECT. THE MOTION CARRIED UNANIMOUSLY.**

- b. Property acquisitions from Grede Foundries**

Administrator Gartland provided an overview of the negotiated acquisition terms for the Grede landfill and buffer parcels and funding source options. She noted that the actual closure of the landfill and subsequent closings on the acquisition is more likely to happen next spring.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING THE ACQUISITION FROM GREDE FOUNDRIES USING OPTION 2 AS A FUNDING SOURCE: \$24,000 FROM PARK FUNDS AND THE REMAINDER FROM STREET FUNDS.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: HENNES, LYNCH, ORNDORFF**

**NAY: COUNCIL MEMBER PERSKE**

**MOTION CARRIED**

**OLD BUSINESS**

- a. Fee Schedule Ordinance – rental housing fees**

Finance Director, Mary Degiovanni provided an overview of the fee ordinance and recommendation for option "A" which provides a 78% subsidy for Crime Free Multi Housing units.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING ORDINANCE 09-13 RENTAL HOUSING INCLUDING FEES WITH "OPTION A", AMENDING THE CITY'S FEE SCHEDULE ORDINANCE. THE MOTION CARRIED UNANIMOUSLY.**

October 26, 2009

**b. Rental Housing Ordinance (request to reconsider and revise amendments approved on 10-12-09)**

Administrator Gartland provided an overview of the two technical corrections requested to ordinance 09-11 approved on October 12, 2009.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY PERSKE TO RECONSIDER APPROVAL OF ORDINANCE 09-11 FROM THE OCTOBER 12, 2009 MEETING. THE MOTION CARRIED UNANIMOUSLY.**

**A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH APPROVING THE NEW VERSION OF ORDINANCE 09-11 AS RECOMMENDED. THE MOTION CARRIED UNANIMOUSLY.**

**c. Consideration of recommendation from Public Works Commission to add a right turn lane on Heritage Drive at the driveway entrance to the Heritage Place Memory Care facility.**

City Engineer, Jeremy Mathiasen provided an overview of the Public Works Commission's recommendation to add right turn lanes on Heritage Drive to the 34 unit memory care site. Discussed if it's an unnecessary expense and whether it should be a standard for the future. Should traffic generation thresholds be discussed as a consideration for future purposes or on a case by case basis.

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF APPROVING THE ADDITION OF RIGHT TURN LANES ON HERITAGE DRIVE AT THE DRIVEWAY ENTRANCE TO HERITAGE PLACE MEMORY CARE FACILITY.**

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

**AYE: COUNCIL MEMBERS ORNDORFF AND PERSKE**

**NAY: MAYOR O'DRISCOLL, COUNCIL MEMBERS LYNCH AND HENNES**

**MOTION FAILED**

**DEPARTMENT REPORTS**

**a. Police Report**

None given.

**b. Public Works Department**

None given.

**c. City Engineer  
Semi-Monthly Memorandum**

Mayor O'Driscoll advocated the Public Works Commission draft some proposed criteria for when and where turn lanes are needed.

**d. Planning & Community Development  
Semi-Monthly Memorandum**

Anita Rasmussen presented her memorandum and explained the process and timeline of reappointments for the upcoming vacated Commission seats.

**e. City Administrator**

**Consent Agenda "4"**

**Approval of resolution setting public hearing for November 23, 2009 for fee schedule amendments and financial management plan update.**

Council member Perske expressed concern and desire for needing an additional Council meeting time to discuss the financial management plan before the proposed public hearing on November 23, 2009. Finance Director, Degiovanni clarified the financial management plan update could occur in 2010.

Consensus of the Council is to stay with the November 23<sup>rd</sup> workshop and schedule an additional meeting if determined necessary.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING RESOLUTION #107-09 SETTING A PUBLIC HEARING ON FEE SCHEDULE AND FINANCIAL MANAGEMENT PLAN UPDATE.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: HENNES, LYNCH, ORNDORFF**

**NAY: COUNCIL MEMBER PERSKE**

**THE MOTION CARRIED**

Patti Gartland offered to donate a complimentary brown bag professional development training session by Sage Presence for a one hour workshop for the Council and Department Managers on "The Art of Getting (and Staying) on the Same Page". Consensus was to accept and schedule for some time in early 2010.

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Orndorff questioned if the City could screen the finished product at the compost site? He also advocated scheduling an open house for the new water treatment plant and questioned if the flood light at the entrance meets our light limitations at property lines, seems excessive to him.

Council member Perske suggested reminders for November 1<sup>st</sup> parking restrictions.

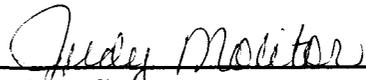
Mayor O'Driscoll referenced an article in the MN Police Chief's magazine that profiled Sartell's SALT program.

October 26, 2009

**ADJOURN**

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES TO ADJOURN THE MEETING AT 9:50 P.M. THE MOTION CARRIED UNANIMOUSLY.**

**Minutes By**

  
\_\_\_\_\_  
**Judy Molitor**

  
\_\_\_\_\_  
**MAYOR TIM O'DRISCOLL**

November 9, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF NOVEMBER 9, 2009

21ST MEETING

Pursuant to due call and notice thereof, the 21st meeting of 2009 was held on November 9, 2009 in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders, Public Works Director  
Jim Hughes, Police Chief

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

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

APPROVAL OF CITY COUNCIL MINUTES

- a. October 26, 2009

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

CONSENT AGENDA

- a. October Building Inspectors Report – Acceptance
- b. October Fire Marshal/Code Official Report – Acceptance
- c. October Finance Directors Report – Acceptance
- d. Park Commission meeting notes for October 22, 2009 – Acceptance
- e. Public Works Commission meeting notes for October 19, 2009 – Acceptance
- f. Quarterly Assessor's Report dated November 3, 2009 - Acceptance
- g. Approval of voucher payments dated November 5, 2009
- h. Acceptance of \$25 donation to PAL program from Mylo and Lucy Bjorkman
- i. First reading and approval of resolution setting public hearing for November 23, 2009 on zoning ordinance amendment relating to fence regulations.
- j. Approval of fund transfers in accordance with Finance Director's 11-9-09 memo

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEMS A-J. THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS**

**a. Community Education and Tri-Rec annual update**

Chris Kosloske, Community Education and Tri- Rec Director for the Sartell-St. Stephen School District gave an overview of the programs and classes offered as well as statistics and participation numbers. Chris extended special thanks to the volunteers and business who help to support their programs.

**NEW BUSINESS**

**a. Review of draft Central MN Cities resolution advocating support for certain legislative issues and proposals of common interest to the Central MN region**

Mayor O'Driscoll overviewed the resolution provided. A discussion followed and suggested changes were offered for staff to incorporate into the resolution and bring it back to the Council for future consideration.

**DEPARTMENT REPORTS**

**a. Police Report  
Monthly Report**

Chief Hughes presented his report.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE ACCEPTING THE POLICE REPORT. THE MOTION CARRIED UNANIMOUSLY.**

**b. Public Works Department  
Monthly Report**

Director Brad Borders presented his maintenance report.

**c. City Engineer  
Semi-Monthly Memorandum**

City Engineer, Jeremy Mathiasen presented his memorandum.

**d. Planning & Community Development  
Semi-Monthly Memorandum**

Anita Rasmussen presented her memorandum.

November 9, 2009

e. City Administrator

**CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS**

Council member Lynch encouraged members to attend the upcoming Partnership special meeting. In observance of the upcoming Veterans day Mayor O'Driscoll extended appreciation to Council member Hennes and all the veterans in the Community who are serving or who have served our country.

**ADJOURN**

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF TO ADJOURN THE MEETING AT 7: 50 P.M. THE MOTION CARRIED UNANIMOUSLY.**

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

Minutes By

  
\_\_\_\_\_  
Judy Molitor

November 23, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF NOVEMBER 23, 2009

22nd MEETING

Pursuant to due call and notice thereof, the 22nd meeting of 2009 was held on November 23, 2009 in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:02 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders, Public Works Director  
Jim Hughes, Police Chief

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

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

APPROVAL OF CITY COUNCIL MINUTES

- a. November 9, 2009

**A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF APPROVING THE MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. Approval of voucher payments dated November 19, 2009
- b. Public Works Commission meeting notes for November 5, 2009; Accept
- c. Professional Development
- d. Approval of resolution to participate in hazard mitigation planning process with Stearns County

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A-D. THE MOTION CARRIED UNANIMOUSLY.**

PUBLIC HEARINGS

- a. Zoning Ordinance amendment relating to fence regulations

Anita Rasmussen presented an overview of the recommended changes to the fence regulations for residential front yards. Anita confirmed that a permit is required to install a fence.

November 23, 2009

Mayor O'Driscoll opened the hearing at 7:05 p.m. No oral or written testimony was received.

**Ordinance amending Chapter 8, General Regulations, Section 10, Fences**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LYNCH APPROVING ORDINANCE AND SUMMARY ORDINANCE 09-14 AMENDING CHAPTER 8, GENERAL REGULATIONS SECTION 10 – FENCES, INCLUDING CHANGES TO PROVIDE FOR ADEQUATE HEIGHT LIMITATIONS TO ALLOW FOR BACKSTOPS. THE MOTION CARRIED UNANIMOUSLY.**

**b. Fee Schedule amendments and financial management plan update**

Finance Director, Mary Degiovanni provided an overview of the proposed fee schedule changes.

Mayor O'Driscoll opened the public hearing at 7:12 p.m. The following comments were heard, although comments do not reflect entire statements made:

Jane DeAustin with the Central Minnesota Builders Association talked about the 2010 housing construction numbers which are expected to be similar to 2009. The CMBA is advocating no increase in fees, particularly SAC and WAC and to collect SAC and WAC at the time of occupancy versus with the building permit.

No additional testimony was received, Mayor O'Driscoll closed the hearing.

**Fee schedule amendments**

**A MOTION WAS MADE BY HENNES AND SECONDED BY PERSKE ADOPTING ORDINANCE 09-15 AMENDING THE CITY'S FEE SCHEDULE ORDINANCE RELATING TO FIRE EXTINGUISHING SYSTEMS. THE MOTION CARRIED UNANIMOUSLY.**

All other fee amendments will be considered at the December 14<sup>th</sup> council meeting.

Finance Director, Mary Degiovanni provided an overview of the proposed capital improvement plan changes in the Financial Management Plan.

Mayor O'Driscoll opened the public hearing at 7:23 p.m. The following comments were heard, although comments do not reflect entire statements made:

Steve Gabrielson, Sartell Baseball Association talked about the repairs and improvements needed at Champion Field and suggested having this allocation in the Financial Management Plan as a priority level #1 need. Gabrielson also advocated the installation of sewer and water into the site (2007 estimate by Bonestroo of \$217,000).

No further comments were made, Mayor O'Driscoll closed the hearing.

Council member Perske indicated he had received an e-mail and asked that the information be entered into the public hearing record as written testimony. He noted he would forward it to the Administrator tomorrow.

November 23, 2009

Council member Perske suggested the \$11 million estimate for total sales tax collections is too high and current commitments for the golf course acquisition, roads and trail improvements will leave no sales tax funds for other voter authorized amenities like community resource facilities. Considerable discussion followed relative to actual and possible sales tax expenditures.

Council members Orndorff, Hennes, Lynch and Mayor O'Driscoll agreed the current \$11 million projection for sales tax collections should be maintained.

Council member Hennes asked that the estimate for extending water and sewer into Champion Field site be revisited and updated by Bonestroo. Member Orndorff also advocated cost estimate to repair existing amenities at the ballpark.

Council members Perske and Hennes encouraged exploring field use at the golf course property with a temporary road and parking access for 2010. Porta-potty facilities were suggested. Member Orndorff suggested that Central Minnesota Youth Soccer Association be asked to provide more details on the areas for which they are offering assistance.

Development of criteria versus case-by-case evaluation of various capital investment opportunities and needs were discussed including existing amenities and proposed new amenities. All partnership possibilities should be flushed out and then prioritized per Mayor O'Driscoll.

Staff will draft a list of known project partnership opportunities for discussion at the December 14<sup>th</sup> workshop.

#### **NEW BUSINESS**

a. **2010 Liquor License Renewals**

**A MOTION WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ORNDORFF APPROVING THE 2010 LIQUOR LICENSE RENEWALS SUBJECT TO LIQUOR LIABILITY INSURANCE RECEIPT. THE MOTION CARRIED UNANIMOUSLY.**

#### **OLD BUSINESS**

a. **Approval of recommended consultant engineering services provider and preparation of scope of services contract for third party review of storm sewer collapse**

City Administrator, Patti Gartland offered staff's recommendation to select Bolton-Menk to draft a scope of service agreements for third party review of a storm sewer collapse for Council consideration on December 14<sup>th</sup> with SEH identified as alternate selection.

**A MOTION WAS MADE BY MEMBER HENNES AND SECONDED BY MEMBER PERSKE APPROVING BOLTON-MENK TO PROVIDE ENGINEERING SERVICES FOR REVIEW OF STORM SEWER COLLAPSE AS RECOMMENDED BY STAFF. THE MOTION CARRIED UNANIMOUSLY.**

**b. Joint resolution of Central MN Cities advocating support for certain legislative issues and proposals of common interest or concern to the Central MN region**

Administrator Gartland, offered an update on questions regarding Photo Cop and Minnesota Board of Government Innovation and Cooperation Legislation.

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER ORNDORFF REMOVING ITEM #10 "REGIONAL COLLABORATION" FROM THE RESOLUTION.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: HENNES, LYNCH, ORNDORFF**

**NAY: COUNCIL MEMBER PERSKE**

**MOTION CARRIED**

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MAYOR O'DRISCOLL TO REMOVE ITEM #17 "PHOTO COP" FROM THE RESOLUTION.**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES AND LYNCH**

**NAY: COUNCIL MEMBERS PERSKE AND ORNDORFF**

**MOTION CARRIED**

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER PERSKE APPROVING RESOLUTION 113-09, A JOINT RESOLUTION OF THE CENTRAL MN CITIES OF ST. CLOUD, SARTELL, SAUK RAPIDS, WAITE PARK, ST. JOSEPH, ST. AUGUSTA AND ROCKVILLE ADVOCATING SUPPORT FOR CERTAIN LEGISLATIVE ISSUES AND PROPOSALS OF COMMON INTEREST OR CONCERN TO CENTRAL MINNESOTA REGION, REMOVING ITEMS #10 "REGIONAL COLLABORATION" AND #17 "PHOTO COPS".**

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

**AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS HENNES, LYNCH AND PERSKE**

**NAY: COUNCIL MEMBER ORNDORFF**

**MOTION CARRIED**

**DEPARTMENT REPORTS**

**a. Police Report**

No report given

**b. Public Works Department**

No report given

**c. City Engineer  
Semi-Monthly Memorandum**

City Engineer, Jeremy Mathiasen presented his memorandum.

November 23, 2009

d. Planning & Community Development  
Semi-Monthly Memorandum

Anita Rasmussen presented her memorandum. December 1<sup>st</sup> and 7<sup>th</sup> are selected dates for interviewing candidates to fill various commission vacancies.

e. City Administrator

Gartland presented her agenda notes.

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER ORNDORFF AND SECONDED BY MEMBER LYNCH TO ADJOURN THE MEETING AT 10:02 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

  
\_\_\_\_\_  
Judy Molitor

  
\_\_\_\_\_  
MAYOR TIM O'DRISCOLL

Patti Gartland

From: Patti Gartland  
Sent: Wednesday, November 25, 2009 9:07 AM  
To: 'olsonkyle@sartell.k12.mn.us'  
Cc: 'stevehennes@aol.com'  
Subject: Questions regarding sales tax allocations

*Brockway Twp  
resident*

Hi Kyle,

Council Member Hennes forwarded a copy of your email to me and asked that I include it as part of the public record for their Financial Management Plan update hearing. He also asked that I provide you relevant information regarding the Council's decisions and actions to-date relating to local option sales tax. To that end, I offer the following information:

- Sartell voters approved a total of up to \$24 million in local option sales tax expenditures in the 2006 General Election as follows:
  - Up to \$5 million for land acquisition (4,202 votes in favor)
  - Up to \$6 million for athletic, recreation, parks & trails (4,200 votes in favor)
  - Up to \$3 million for community resource facilities (e.g. branch library, museum, senior center) (3,969 votes in favor)
  - Up to \$10 million for regional roadways (4,106 votes in favor)
  - Although the voters approved up to \$24 million in potential expenditures, sales tax collections were never assumed to reach a total anywhere close to that amount. However, the Council wanted to make sure that there wouldn't be any sales tax collections relinquished if one or more of the questions failed to get voter approval.
- On 4/28/08 and again on 3/9/09 and 11/23/09, the Sartell City Council determined \$11 million was a reasonable estimate of local option sales tax collections during the authorized period and established the following guideline allocations to assist with expenditure decision-making:
  - Up to \$3 million for land acquisitions (27% of total Council allocation or 60% of the 'up to' amount approved by voters)
  - Up to \$2.9 million for athletic recreation, parks & trails (26% of total Council allocation or 48% of the 'up to' amount approved by voters)
    - \$2.2 million for athletic, parks & recreation (20%)
    - \$.7 million for trails (6%)
  - Up to \$1.6 million for community resource facilities (e.g. branch library, museum, senior center) (15% of total Council allocation or 53% of 'up to' amount authorized by voters)
  - Up to \$3.5 million for regional roadways (32% of total Council allocation or 35% of 'up to' amount authorized by voters)
  - Actual expenditures within the sales tax allocation categories has occurred as specific project opportunities have occurred.
- Sartell's share of the local option sales tax revenues has increased from 5.37% in 2001 to 8.125% in 2009 because a proportionately higher increase in population and sales tax revenue generation in Sartell as compared to the other 5 cities in our collection. Relocation of Sam's Club and construction of

a new Super WalMart (scheduled to open in fall 2010) in Sartell is expected to further increase our share of total revenue collections.

- **100%** (\$3.6 million) of the acquisition cost for the golf course property/future athletic facilities complex was paid for with local option sales tax
- **22%** (\$4.2 million) of the regional roadway & trail project costs authorized for 2009/2010 construction (Heritage Drive, Roberts Road, 50<sup>th</sup> Avenue, CSAH 1/CR 120, and 7<sup>th</sup> Avenue South) will be paid for with local option sales tax
- The allocations for community resource facilities and for additional land acquisitions remain in place in the Financial Management Plan and no change has been made or even proposed to those allocations.
- While not everyone agreed with the golf course purchase and not everyone wants sales tax used on roads, the Council needs to try to honor ALL areas of voter approved sales tax use. With no potential library branch as a possibility for years, it made sense to a majority of the Council to expend the roadway approved portion of the sales tax expenditures now by improving the transportation system in the most heavily commercial area of the City. This not only honors the vote of all of those who wanted sales tax used on roads, but it will actually increase the amount of sales tax available to fund the other priorities in future years by encouraging more commercial development.

In summary, it's my hope that all of the information above provides a more comprehensive overview of the various capital investments that have been made or being contemplated over the course of the next several years using various funding sources, but particularly local option sales tax.

Please let me know if there is any additional information you would like in an effort to respond/answer the questions you posed in your email.

● *Patti Gartland*  
*City Administrator*  
320-258-7305

**Patti Gartland**

---

**From:** stevehennes@aol.com  
**Sent:** Tuesday, November 24, 2009 10:52 AM  
**To:** Patti Gartland  
**Subject:** Fwd:

Patti, You may want to answer Mr, Olson's concerns and add to public comments on FMP, Steve

-----Original Message-----

**From:** Olson, Kyle <olsonkyle@SARTELL.K12.MN.US>  
**To:** stevehennes@aol.com  
**Sent:** Mon, Nov 23, 2009 12:51 pm

Dear Council member

Question?? When money is allocated for certain items that surveys portray as important to community member that pay the taxes, why do we feel the need to rob the money for other things when there should be \$\$\$ allocated for road projects. Why is everything that is important to the people of Sartell, do you as city officials get to spend the money your way????????? The Sartell community has been patient and willing to wait for things but it is time for you to act in favor of what the people want, remember the people of Sartell put you where you are.

A concerned person

Kyle Olson

Members of the city council,

My name is Tara Berger, and I am one of the coordinators of the Sartell-St. Stephen Early Childhood Coalition. I am writing because I am concerned about the financial plan for the city, and the use of the money from the half cent sales tax. I feel that the revenue projected over the next nine years is unrealistic, especially when it is compared to the original projections (original Exhibit G, before the community center/library was added). What it comes down to is that the community voted on how to use these tax dollars. Natural habitat, a community center/library, and roads were the top priorities. We have already put money into roads, and now you need to make certain that there will be money for our community resource facility. According to the wording of the financial plan, "future expenditures will depend upon collections which are very difficult to project at this point." What this statement implies, is if we don't have the money when it comes time to build the facility then we are out of luck. Our community has voiced that they are in favor of a community center/library in the SCSU phone survey and in the community visioning session put on by the Early Childhood Coalition.

This fall, there was a free story time put on by the Coalition and the Friends of the (Sartell)Library. It was a great success, which shows that people in our community would like the opportunity to stay closer to home to enjoy the activities that they now travel into St. Cloud to attend.

We want our children to be successful and prepared for school. We want our children and their families to be able to enjoy as much time together as possible. Cutting back on the time it takes to drive to and from activities in St. Cloud leaves more time for fun.

Our children need a place in our community to play, read, and learn. Having a facility in Sartell will greatly benefit our children and those who care for them.

Thank you for your time.

Tara Berger

Co-coordinator, Sartell-St. Stephen Early Childhood Coalition

## SARTELL CITY COUNCIL MEETING

**MINUTES OF NOVEMBER 23, 2009**

**SPECIAL MEETING**

Pursuant to due call and notice thereof, a special meeting was held on November 23, 2009 in the conference Room at Sartell City Hall. The meeting commenced at 5:00 PM.

COUNCIL PRESENT: Mayor O'Driscoll; Council members: Perske, Lynch, Hennes and Orndorff  
COUNCIL ABSENT: None  
OTHERS PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director

### AGENDA

A motion was made by Orndorff and seconded by Lynch to adopt the agenda as presented. The motion carried unanimously.

### 2010 BUDGET

The Finance Director suggested the Council discuss their comfort level with the tax rate resulting from the adopted preliminary levy which is estimated at 33.085% instead of the 33.5% estimated at the time of preliminary levy adoption. Commercial and apartment properties would see small dollar increases in their City taxes while most single family homes would see a decrease.

The Council discussed the reduction in community ed new program funding and reached consensus at the reduction for 2010 based upon the district's involvement with that decision due to the Mayor's 5k fundraising efforts. The reduced level is a continuation of the actual contribution made for 2009.

Council member Lynch suggested dropping our membership in the Coalition of Greater MN Cities because he felt they were partisan and lobbying for LGA might not be in the best interest of all Sartell taxpayers if it results indirectly in income tax increases. He requested confirmation of our total legal fees paid to Flaherty & Hood to confirm whether our estimated savings in legal fees would be achieved through continuing membership. Hennes and Perske expressed concern at dropping for 2010 when new LGA formulas would be reviewed by the legislature and Coalition efforts could benefit Sartell.

O'Driscoll and Lynch felt an absolute flat tax rate was an important sign of our recognition of the difficult economy. Hennes, Orndorff and Perske expressed their comfort level with the 3/10<sup>th</sup> of one percentage point increase in rate but would still like to look for line items cuts that could be used to fund reserves to offset risk of revenue shortfalls or debt service issues.

The Council concurred with Administrator Gartland's suggestion on the Sartell Senior Connection funding request which has been paid by community ed.

The Council approved the 3 year KDV audit contract proposal by consensus and agreed to schedule engineering fees for competitive review for 2011.

**FINANCIAL MAMANGEMENT PLAN UPDATE**

The Council overviewed growth projections and recommended decreases on permit activity estimates as well as SAC and WAC projected unit counts. Staff was also asked to review the projected 1% growth rate for payable 2011 existing tax base growth and to update the average single family permit value based upon the latest information from the City's Building Official. The impacts of these changes will be brought back to the Council.

The Council briefly discussed the Dehler property acquisition showing a City \$500,000 obligation from both sales tax and regional park funds. We currently have a \$500,000 State bond allocation which requires a match, and we've applied for grants and more State bond money so the other \$500,000 is reserved in the event the other revenues sources come together and we get a price from Dehlers that allows for that acquisition.

The Council did not have sufficient time to discuss the balance of the capital and financial management plans and will devote future workshop time to this topic.

The City Administrator updated the Council on the WWTP expansion/rehab project and that SCAWAC will be meeting tomorrow to get input from all cities as to whether or not to proceed with construction in 2010.

**FEE SCHEDULE UPDATE**

The Building Official came in to explain the proposed changes to the fee ordinance resulting from the City taking over plan review and inspections on fire prevention systems. Staff briefly outlined additional changes and the Council by consensus requested removal of the proposed recreational fire permit fee. The Council will take public input on the entire fee schedule at their regular meeting.

**ADJOURNMENT**

A motion was made by Hennes and seconded by Orndorff to adjourn the meeting at 6:58 PM. The motion carried unanimously.

Minutes By:

Mary Degiovanni  
Mary Degiovanni, Finance Director

Tim O'Driscoll  
Tim O'Driscoll, Mayor

**SARTELL CITY COUNCIL  
SPECIAL MEETING**

**MINUTES OF DECEMBER 1, 2009**

---

Pursuant to due call and notice thereof, a special meeting was held on December 1, 2009 in the conference room of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 4:00 p.m.

**COUNCIL PRESENT:** Mayor Tim O'Driscoll, Joe Perske, Steve Hennes, Pat Lynch, Paul Orndorff

**ALSO PRESENT:** Anita Rasmussen, Planning & Community Development Director  
Brad Borders, Public Works Director

**PARK COMMISSION INTERVIEWS**

Interviews were held for positions on the Park Commission. There were two – three year openings on the Park Commission.

The following persons were interviewed for the Park Commission: Michael Haehn, Matt Lindstrom, Ryan Fitzthum, Sean Moynan and Diane Schellinger.

**ECONOMIC DEVELOPMENT COMMISSION INTERVIEWS**

Interviews were held for positions on the Economic Development Commission. There were three – three year openings, with the possibility of up to two – one year appointments on the Economic Development.

The following persons were interviewed for the Economic Development Commission: Bob Beumer, Chris Hauck, and Neil Fandel.

The Council directed staff to clarify the language of the Economic Development Commission ordinance language which would allow up to 9 appointments to the EDC, with a minimum of 7 members. Rasmussen will prepare the language with the first reading to be read during the December 14<sup>th</sup> meeting (public hearing would be set for January 11<sup>th</sup>).

**OTHER BUSINESS**

None

**ADJOURN**

**A MOTION TO ADJOURN THE MEETING AT 8:00 P.M.  
MOTION CARRIED**

Minutes By: Anita Rasmussen, Planning and Community Development Director



Anita Rasmussen  
Planning and Community Development Director



Mayor

**SARTELL CITY COUNCIL  
SPECIAL MEETING**

**MINUTES OF DECEMBER 7, 2009**

---

Pursuant to due call and notice thereof, a special meeting was held on December 7, 2009 in the conference room of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 6:30 p.m.

**COUNCIL PRESENT:** Mayor Tim O'Driscoll, Joe Perske, Steve Hennes, Pat Lynch, Paul Orndorff

**ALSO PRESENT:** Anita Rasmussen, Planning & Community Development Director

**ECONOMIC DEVELOPMENT COMMISSION INTERVIEWS**

Interviews were held for positions on the Economic Development Commission. There were three – three year openings, with the possibility of up to two – one year appointments on the Economic Development.

The following persons were interviewed for the Economic Development Commission: Dr. Nicholas Colatrella, Cindy Fitzthum, Kaye Raden-Bechtold, Mike Markman and Patrick Jacobson-Schulte.

**PLANNING COMMISSION INTERVIEWS**

Interviews were held for a position on the Planning Commission. There is one – three year opening on the Economic Development.

The Donald Anderson was interviewed for the Planning Commission.

There was lengthy discussion regarding the applications for the Economic Development, Park Commission and Planning Commission. Consensus of the group was to appoint 5 members to the EDC (3-3year terms (Mike Markman, Bob Beumer, Chris Hauck), 1-2 year term (Dr. Nicholas Colatrella) and 1-1 year term (Cindy Fitzthum), appoint two new people (Diane Schellinger and Matt Lindstrom) to the Park Commission and seek new applications for the Planning Commission. The Council directed staff to draft a new application for the Planning Commission which includes questions relative to an applicant's knowledge and experience of annexation, visioning and land development issues.

**OTHER BUSINESS**

None

**ADJOURN**

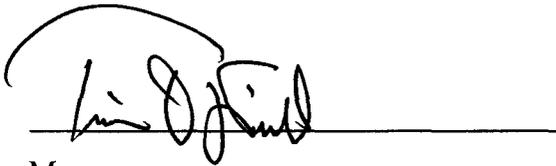
**A MOTION TO ADJOURN THE MEETING AT 9:40 P.M.**

**MOTION CARRIED**

Minutes By: Anita Rasmussen, Planning and Community Development Director



\_\_\_\_\_  
Anita Rasmussen  
Planning and Community Development Director



\_\_\_\_\_  
Mayor

## SARTELL CITY COUNCIL MEETING

**MINUTES OF DECEMBER 14, 2009**

**SPECIAL MEETING**

Pursuant to due call and notice thereof, a special meeting was held on December 14, 2009 in the conference Room at Sartell City Hall. The meeting commenced at 5:00 PM.

COUNCIL PRESENT: Mayor O'Driscoll; Council members: Perske, Lynch, Hennes and Orndorff

COUNCIL ABSENT: None

OTHERS PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director

### AGENDA

A motion was made by Perske and seconded by Orndorff to adopt the agenda as presented. The motion carried unanimously.

### 2010 FEE SCHEDULE

The Council reviewed the proposed fee schedule and suggested the following:

- The animal control policy of picking up non-vicious animals only during staffed hours was approved by consensus
- Neighboring cities' residents compost permits - \$55 per vehicle on a trial basis and limit of 150 permits – no guarantee of continuation in future years
- No change to current \$30 dock permit
- Cemetery fee increases driven by vendor pricing was acknowledged
- Proposed Val Smith park rental rates were approved
- Continuation of 25% single family plan review for 2010 along with delaying the 2010 SAC/WAC rate increases until June 1<sup>st</sup> for single family permits and they would need to pay for permit within 30 days of June 1<sup>st</sup> or of issuance/approval by City. Council also agreed to continue policy of allowing current year rates for multi-family and commercial permit applications if full submittal by year end and if paid for within 30 days of permit issuance/approval by City.
- Reviewed correspondence request from Tim Corcoran and decided against any adjustment in the proposed flat sewer rate
- Delay consideration of remote read meter and street lighting utility changes to fee schedule.

The Council discussed reconfiguration of phase 2 of the south end transportation improvements to eliminate the funding gap by eliminating a portion of 50<sup>th</sup> Avenue and adding 23<sup>rd</sup> Street South instead. Pros and cons of 23<sup>rd</sup> vs Dehler were discussed, as well as the possibility of doing limited improvements to the eliminated section of 50<sup>th</sup>. Council consensus was to call for the hearing on 23<sup>rd</sup> Street South but staff will deliver more detailed options for the Council's consideration as part of that public hearing presentation.

The Council discussed the public/private partnership opportunities and requested staff schedule an early January workshop to bring back the following topics for more discussion:

- Champion Field
- Golf Course
- Sponsorship dollar thresholds/naming rights

- Park sprinkler systems
- Tree planting
- Beautification Fund through the Community Foundation

The Veterans Park paving, ELF/Rotary dock/pier, and Rotary Val Smith horse shoe pits were approved by consensus.

**WWTP**

Patti gave an update on the project recommendation by SCAWAC and Mary circulated some SAC collection projection scenarios to background the Council for the support resolution on their regular meeting agenda.

**OTHER**

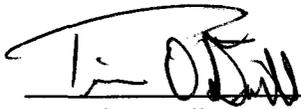
Mayor Tim reported on APO discussions and wanted feedback over the coming weeks on prioritization of North Star for any additional stimulus money.

**ADJOURNMENT**

A motion was made by Hennes and seconded by Lynch to adjourn the meeting at 6:58 PM. The motion carried unanimously.

Minutes By:

  
\_\_\_\_\_  
Mary Degiovanni, Finance Director

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor

December 14, 2009

SARTELL CITY COUNCIL MEETING

MINUTES OF DECEMBER 14, 2009

23rd MEETING

Pursuant to due call and notice thereof, the 23rd meeting of 2009 was held on December 14, 2009 in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Mayor O'Driscoll, Council members: Hennes, Lynch, Orndorff, Perske  
ABSENT: None  
ALSO PRESENT: Patti Gartland, City Administrator  
Mary Degiovanni, Finance Director  
Anita Rasmussen, Community Development Director  
Jeremy Mathiasen, City Engineer  
Brad Borders, Public Works Director  
Jim Hughes, Police Chief

PLEDGE OF ALLEGIANCE

AGENDA REVIEW & ADOPTION

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

SPECIAL PRESENTATION

Police Chief, Jim Hughes presented life saving awards to Officers: Mader, Lester, VandeVrede, Thompson, Lyon, Lane and Sergeant Bromenschenkel and to civilians Tom Offerdahl, Mark Levandowski, Robert Calhoun and David Frechette.

APPROVAL OF CITY COUNCIL MINUTES

- a. November 23, 2009 – City Council Meeting
- b. November 23, 2009 – City Council Workshop
- c. December 1, 2009 – City Council commission applicant interviews meeting
- d. December 7, 2009 – City Council commission applicant interviews meeting

**A MOTION WAS MADE BY MEMBER ORNDORFF AND SECONDED BY PERSKE APPROVING THE MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

- a. November Building Inspectors Report – Acceptance
- b. November Fire Marshal/Code Official Report – Acceptance
- c. November Finance Directors Report – Acceptance
- d. Approval of voucher payments dated December 10, 2009
- e. Professional Development Registrations
- f. Approval of the sale of excess inventory from golf course acquisition

December 14, 2009

- g. Appointment of Matt Lindstrom and Diane Schellinger to Park Commission for three year terms commencing January 1, 2010 and expiring December 31, 2012
- h. Reappointment of Bob Beumer, Chris Hauck and Mike Markman to Economic Development Commission for three year terms commencing January 1, 2010 and expiring December 31, 2012
- i. Appointment of Nick Colatrella for a two year term and Cindy Fitzhum for a one year term to the Economic Development Commission with terms commencing January 12, 2010
- j. Approval of reappointment of Ken Heim as Fire Chief, Bill Sieben as Fire Captain and Wayne Harrison as Training Officer for three year terms expiring on December 31, 2012.
- k. First reading and set public hearing for January 11, 2010 for zoning ordinance amendment relating to quorums and duties of the Joint Planning Commission and number of members on the Economic Development Commission.
- l. Approval of 2010 Joint Powers Agreement with City of St. Cloud for legal services
- m. Approval of 2010 consultant services agreement with Bonestroo for engineering services
- n. Approval of 2009-2011 consultant services agreement with KDV for auditor services
- o. Approval of mutual aid agreement that adds the cities of St. Joseph and Sauk Rapids to an existing agreement between Sartell and Waite Park for use of various personnel and equipment
- p. Approval of agreement with Bolton Menk for TH 15 storm sewer investigation services
- q. Approval of 2010 Schedule of City meetings
- r. Approval of Bonestroo contract for mandated well head protection plan update at an estimated cost of \$16,900 funded from Water Access Charge funds
- s. Approval of resolution certifying public participation for a project submitted to the St. Cloud Area Planning Organization for FY 2015 and 2015 Federal Transportation Funding – Roberts Road from 322<sup>nd</sup> Street to Pinecone Road and Roberts Road from Heritage Drive to CSAH 1
- t. Approval of resolution certifying availability of local match and other local costs for FY 2014 and 2015 Federal Transportation Project Submittal to the St. Cloud Area Planning Organization - Roberts Road from 322<sup>nd</sup> Street to Pinecone Road and Roberts Road from Heritage Drive to CSAH 1
- u. Approval of resolution certifying public participation for a project submitted to the St. Cloud Area Planning Organization for FY 2015 and 2015 Federal Transportation Funding – 50<sup>th</sup> and 4<sup>th</sup> Avenue from County Road 120 to 2<sup>nd</sup> Street South
- v. Approval of resolution certifying availability of local match and other local costs for FY 2014 and 2015 Federal Transportation Project Submittal to the St Cloud Area Planning Organization – 50<sup>th</sup> and 4<sup>th</sup> Avenue from Country Road 120 to 2<sup>nd</sup> Street South
- w. Approval of resolution setting a public hearing for January 11, 2010 for proposed 23<sup>rd</sup> Street South improvements
- x. Schedule City Council workshop for financial management plan update for 5 pm on Monday, February 8, 2009
- y. Approval of resolution approving a premises permit application for Morrison County Animal Humane Society/PJ's Pub

**A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A-Y . THE MOTION CARRIED UNANIMOUSLY.**

December 14, 2009

**PUBLIC HEARINGS**

**a. 2010 General Fund budget and levy**

Finance Director, Mary Degiovanni provided an overview of the proposed final 2010 budget and tax levy.

Mayor O'Driscoll opened the Public Hearing at 7:48 p.m. There was no oral or written testimony and the hearing was closed.

Council member Lynch agreed that this is a modest tax increase, but believes it is necessary to maintain a flat tax which sends a message to the residents that the City Council is doing everything they can to maintain low taxes.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING RESOLUTION 120-09, THE 2010 GENERAL FUND BUDGET AND LEVY.**

**AFTER VOTE BEING TAKEN THE FOLLOWING VOTED:**

**AYE: COUNCIL MEMBERS HENNES, ORNDORFF, PERSKE**

**NAY: MAYOR O'DRISCOLL, COUNCIL MEMBER LYNCH**

**MOTION CARRIED**

**OLD BUSINESS**

**a. Ordinance adopting 2010 fee schedule**

Finance Director, Mary Degiovanni provided an overview of the proposed 2010 fee schedule noting a couple of changes since the public hearing held on November 23, 2009.

**A MOTION WAS MADE BY HENNES AND SECONDED BY ORNDORFF APPROVING ORDINANCE 09-16 AND SUMMARY ORDINANCE 09-16 ADOPTING 2010 FEE SCHEDULE. THE MOTION CARRIED UNANIMOUSLY.**

**b. Consideration of new draft of Central MN Cities resolution advocating support for certain legislative issues and proposals of common interest to the Central MN region.**

City Administrator, Gartland provided an overview of the revised resolution drafted by area Mayors and Administrators.

Council member Orndorff objects to removal of the photo cop authorization and inclusion of park bonding for Sartell's Sauk River Park.

Council member Lynch objects to re-establishment of the Board of Government Innovation and Cooperation.

December 14, 2009

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MAYOR O'DRISCOLL APPROVING THE CENTRAL MN CITIES RESOLUTION ADVOCATING SUPPORT FOR CERTAIN LEGISLATIVE ISSUES AND PROPOSALS OF COMMON INTEREST TO THE CENTRAL MN REGION. THE MOTION INCLUDES REMOVING THE RE-ESTABLISHMENT OF THE BOARD OF GOVERNMENT INNOVATION AND COOPERATION TO FACILITATE REVIEW AND APPROVAL OF WAIVERS IN STATE RULES AND REGULATIONS. THE MOTION CARRIED UNANIMOUSLY.

- c. Resolution supporting award of bid for wastewater treatment plant rehab, upgrade and expansion.

City Administrator, Patti Gartland provided an overview of the SCAWAC recommendation to move forward with awarding of bid for the expansion rehab and upgrade of the St. Cloud wastewater treatment plant.

A MOTION WAS MADE BY LYNCH AND SECONDED BY ORNDORFF APPROVING JOINT RESOLUTION #121-09 SUPPORTING THE AWARD OF A BID FOR THE WASTEWATER TREATMENT PLANT REHAB UPGRADE AND EXPANSION. THE MOTION CARRIED UNANIMOUSLY.

#### NEW BUSINESS

- a. Approval of on sale, Special Sunday on sale, and 2 am liquor license renewals for 2010 for PJ's Pub

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY HENNES APPROVING SPECIAL SUNDAY ON SALE AND 2 AM LIQUOR LICENSE RENEWALS FOR 2010 FOR PJ'S PUB. THE MOTION CARRIED UNANIMOUSLY.

- b. Consideration of request from St. Cloud Area Joint Planning District Board to allow transfer of unexpended life cycling housing funds to regional sustainability framework planning.

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING \$285.16 UNSPENT FUNDS FOR LIFECYCLE HOUSING TO BE USED FOR REGIONAL SUSTAINABILITY INITIATIVE FOR ST. CLOUD AREA JOINT PLANNING DISTRICT BOARD. THE MOTION CARRIED UNANIMOUSLY.

#### DEPARTMENT REPORTS

- a. Police Report

Chief Hughes presented the police report.

A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ACCEPTING THE POLICE REPORT. THE MOTION CARRIED UNANIMOUSLY.

- b. Public Works Department

Director Brad Borders presented his report.

December 14, 2009

c. City Engineer  
Semi-Monthly Memorandum

City Engineer, Mathiasen presented his report.

d. Planning & Community Development  
Semi-Monthly Memorandum

Director, Anita Rasmussen presented her semi-monthly report .

e. City Administrator

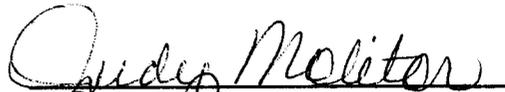
Administrator Gartland presented her agenda notes.

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER ORNDORFF AND SECONDED BY MEMBER LYNCH TO ADJOURN THE MEETING AT 8:23 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

  
Judy Molitor

  
MAYOR TIM O'DRISCOLL

## SARTELL CITY COUNCIL MEETING

**MINUTES OF DECEMBER 21, 2009**

**SPECIAL**

Pursuant to due call and notice thereof, a special meeting was held on December 21, 2009 in Sartell City Hall conference room. The meeting commenced at 7:30 am.

**COUNCIL PRESENT:** Mayor O'Driscoll; Council members: Perske, Hennes, Orndorff and Lynch  
**COUNCIL ABSENT:** None  
**OTHERS PRESENT:** Patti Gartland, City Administrator; Anita Rasmussen, City Planning Director

### **AGENDA REVIEW & ADOPTION**

Motion was made by Lynch, seconded by Orndorff to approve the agenda as presented. Motion unanimously carried.

### **SETTLEMENT AGREEMENT & MUTUAL RELEASE – LAKELAND CONSTRUCTION FINANCE**

Administrator Gartland reviewed the terms of settlement of the eminent domain action that commenced to acquire right-of-way needed (7.91 acres in fee title & 8,040 sq. ft. temporary construction easement) for the reconstruction of the west part of Heritage Drive including the construction of a roundabout intersection for Heritage Drive, 4<sup>th</sup> Avenue South, 50<sup>th</sup> Avenue South, and Roberts Road. The terms of the agreement provide for \$275,000 payment in settlement of the eminent domain action. The appraised value of the subject property is \$268,840. This settlement enables the City to move forward with construction in the spring of 2010. Motion was made by Lynch, seconded by Hennes to approve the settlement agreement and mutual release in the form as essentially provided and review by the Council. Motion unanimously carried. Legal counsel will pursue completion of the settlement via legal counsel for Lakeland Construction Finance and in a stipulation of the parties to Hennepin District Court as part of a receivership action.

### **RESOLUTION OF SUPPORT FOR APPLICATION FOR CSAH 120 SAFETY IMPROVEMENTS**

Motion was made by Orndorff, seconded by Perkse to approve the resolution of support for Stearns County's application for federal transportation funding for safety improvements in the CSAH 120 corridor between 50<sup>th</sup> Avenue and Connecticut Avenue. Motion unanimously carried.

### **ADJOURNMENT**

Motion was made by Orndorff and seconded by Lynch to adjourn the meeting at 7:40 am. Motion carried unanimously.

Minutes By:

  
\_\_\_\_\_  
Patti Gartland, City Administrator

  
\_\_\_\_\_  
Tim O'Driscoll, Mayor