

SARTELL CITY COUNCIL MEETING

MINUTES OF AUGUST 14, 2006

15TH MEETING

Pursuant to due call and notice thereof, the 15th meeting of 2006 was held on August 14, 2006 in the council chambers of the Sartell City Hall. Acting Mayor Tim O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Council members: O'Driscoll, Orndorff, Perske, Beutel
COUNCIL ABSENT: Mayor Pogatshnik
PRESENT: Patti Gartland, City Administrator
Judy Molitor, Administrative Secretary
Brad Borders, Public Works Director
Jim Hughes, Police Chief
Brian Davies, Assistant City Engineer
Anita Rasmussen, Planning & Community Development Director

PLEDGE OF ALLEGIANCE

Acting Mayor O'Driscoll asked newly appointed Council member Beutel to lead the Pledge of Allegiance and those in attendance to join in.

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY ORNDORFFF AND SECONDED BY BEUTEL ADOPTING THE AGENDA AS AMENDED, ADDING THE RESIGNATION OF THE PART-TIME PLANNING ASSOCIATE UNDER THE CITY ADMINISTRATOR'S BUSINESS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

SPECIAL PRESENTATION

Tom Moore, Chair of the St. Cloud Area Economic Development Partnership (SCAEDP) extended thanks to the City of Sartell for their support and to staff, particularly Anita, Mary and Patti for their involvement in the partnership along with Tim O'Driscoll who serves as Chair of the Board. The mission of the SCAEDP is to help create higher paying jobs, encourage businesses to expand and new business to relocate to the region. Mr. Moore talked about the recent new members to the partnership as well as the establishment of an ethics policy. There are six cities and three counties involved with the partnership which help keep businesses and tax base local. Some of the partnership's involvement include airport development, light rail extension, job fairs, black hawk helicopter support and sponsoring research by St. Cloud State University for quarterly business reporting. Moore also talked about the research being done for legislative support of bioscience initiatives and designated bioscience zones. Annual dues are \$8,000.

Council member Orndorff thanked Tom Moore for the update and also Tim O'Driscoll for serving on the Board and keeping the Council informed.

APPROVAL OF THE CITY COUNCIL MINUTES

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE CITY COUNCIL MINUTES OF THE JULY 13, 2006 SPECIAL JOINT MEETING, JULY 24, 2006 REGULAR MEETING, JULY 24, 2006 AND JULY 31, 2006 SPECIAL MEETINGS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE

ABSTAIN: BEUTEL

NAY: NONE

MOTION CARRIED

CONSENT AGENDA

- a. July Building Inspectors Report – Acceptance
- b. July Fire Marshal/Code Official Report – Acceptance
- c. July Finance Directors Report – Acceptance
- d. Public Works Commission meeting notes for July 25, 2006 - Acceptance
- e. Set special meetings for local sales tax referendum drafting workshops for 6:30 p.m., Monday, August 21, 2006; 5:30 p.m., Wednesday, August 30, 2006; and 6:30 p.m., Tuesday, September 5, 2006
- f. Acceptance of a \$500 donation to the Police Reserve program and \$500 for street safety cones from Apple Duathlon
- g. Approval to close a portion of 4th Avenue North between 1st Street North and Brookwood Lane for a Fire Department event during the St. Francis Fall Festival on August 19, 2006 from 5:30 – 8:30 p.m.
- h. Approval of a block party on a portion of Bechtold Drive and 3rd Street North on August 26, 2006 from 3:30 – 10 p.m.
- i. Approval to order replacement squad as provided for in 5 year capital improvement plan and proposed 2007 budget
- j. Authorization to solicit quotes/proposals for well exploration services
- k. Acceptance of Fire Marshal/Code Official resignation and authorization to initiate hiring process for replacement
- l. Approval of resolution ordering preparation of report on certain 2007 public improvements
- m. Approval of resolution setting public hearing for September 11, 2006, on assessments for Riverside Avenue and 15th Street North public improvements
- n. Approval of resolution appointing election judges for primary election on September 12, 2006
- o. Approval of agreement for legal services for AUAR on 97 acre TH 15 property
- p. Approval of cemetery improvements (bituminous road, new water lines and retaining wall with flower boxes at 2/12 Street entrance)
- q. Approval of street light installation quotes for 5th Street North from Pine Cone Road to 9th Avenue North and two lights on 6th Avenue South
- r. Approval of electrical service installation at Compost site
- s. Approval of quote for tennis court repair at Northside Park
- t. Approval of budgeted replacement generator purchase for the Police Department
- u. Approval of printing reorder for 500 Centennial cookbooks

A MOTION WAS MADE BY BEUTEL AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A-U.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

PUBLIC HEARINGS

Assessment hearing for 2006 capital improvements – phase I

7:18 p.m. Acting Mayor O’Driscoll opened and explained how the public hearing for the 2006 capital improvements, phase I would be conducted. Assistant City Engineer, Brian Davies presented the project. Total estimated construction cost is \$889,467.20. Proposed assessment proceeds is \$327,053.32 with an estimate city cost of \$562,413.88. If approved, construction will start in the early part of September .

The following comments were heard from the public, although comments do not reflect entire statement made:

Al Regnier, 500 2nd Avenue North, Sartell, asked when the final date the assessment can be paid without interest. Finance Director, Mary Degiovanni said it would need to be paid 30 days after adoption of the resolution, if the Council adopts the assessment roll tonight, the assessment would need to be paid by September 13, 2006.

Al Regnier, 500 2nd Avenue North, Sartell asked the engineer to verify the width of the street and the sidewalk and what the plans were for the evergreens in his front yard. Engineer Davies said the street will stay as proposed, 36 feet with a 5 foot sidewalk. They will try and save the trees, however they will need to be trimmed.

Council member Beutel asked the City Finance Director, Mary Degiovanni to explain the interest rate and time frame for payment of the assessments. Mary explained that, if the assessments are added to the tax rolls, the interest rate will be 6% for 10 years.

7:28 p.m. the public hearing was closed.

Acting Mayor O’Driscoll reminded the engineer to contact the school regarding any bus schedule changes needed due to this project and to keep residents informed with construction newsletter updates.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING RESOLUTION 147-06 ADOPTING ASSESSMENT 2006 CAPITAL IMPROVEMENTS PHASE I. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O’DRISCOLL, ORNDORFF, PERSKE, BEUTEL
NAY: NONE
MOTION CARRIED**

OLD BUSINESS

a. Ordinance adopting Title 10, Chapter 22 of the Zoning Ordinance

Community and Development Director, Anita Rasmussen recapped the presentation given at the July 24, 2006 City Council meeting regarding the adoption of the Environmentally Sensitive Areas Zoning Ordinance. The task force, Economic Development Commission, Park Commission and Joint Planning Commission all recommended unanimously the City Council approve both the ordinance and the amendment. Anita answered the concerns expressed at the public hearing. One of the questions asked at the public hearing was the reason why the area leaving Bakers Lake had a different classification than the area coming into the lake. Anita explained that the area had been classified by the DNR and that the difference was the area coming into Bakers Lake from the west was classified as an intermittent water way (natural water way) and the area going out of Bakers Lake to the south and draining into the Watab Creek had been classified as a ditch. If approved, the ordinance and amendments would be affective 30 days after publication.

Council member Beutel is pleased with the results and thanked Anita and the task force for all their hard work during this process.

Even though this was not a public hearing, Acting Mayor O'Driscoll allowed the following comment:

John Uderman, 2611 17th Street North, Sartell said the classification was wrong according to him because the area going into Bakers Lake from the west was a ditch dug in 1976. Anita explained that she will need to follow the recommendations from the DNR and if any corrections are made, they will need to be done by the DNR office.

Acting Mayor O'Driscoll thanked Anita and all the members of the committees who worked on this environmental ordinance over the past one and one-half years.

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE REMOVING THE ZONING ORDINANCE ADOPTION DISCUSSION FROM THE TABLE FROM THE JUNE 26, 2006 MEETING.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

a. Ordinance adopting Title 10, Chapter 22 of the Zoning Ordinance

A MOTION WAS MADE BY BEUTEL AND SECONDED BY ORNDORFF APPROVING ORDINANCE 06-15 ADOPTING CHAPTER 22, TITLE 10, ENVIRONMENTALLY SENSITIVE AREAS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE REMOVING THE ORDINANCE AMENDMENT INCLUDING THE MAPPING DISCUSSION FROM THE TABLE STATUS AT THE JUNE 26, 2006 MEETING.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

b. Ordinance amending Title 10 of the Zoning Ordinance to incorporate the mapping of identified Natural Resource features for the regulation of environmentally sensitive areas.

A MOTION WAS MADE BY BEUTEL AND SECONDED BY ORNDORFF ADOPTING ORDINANCE 06-16 AMENDING THE ZONING MAP TO INCORPORATE THE MAPPING OF IDENTIFIED NATURAL RESOURCE FEATURES FOR THE REGULATION OF ENVIRONMENTALLY SENSITIVE AREAS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

c. Consideration of Regional Human Rights Task Force recommendation

Mark Sakry, Co-chair of the Regional Human Rights Task Force and Charlotte Stephens representing GRIP spoke in favor of the City passing a resolution for the creation of a regional Human Rights office. Sakry presented a background of the work put forth by the task force and the need for the creation of a three-county regional office located in St. Cloud, including phased-in growth. Charlotte Stephens spoke on behalf of GRIP and the need for expanded services for the local area along with the need for the City of Sartell to support the resolution.

Council member Perske questioned the ability to service residents outside the limits of the City, or if this resolution includes residents in the township? Sakry said services would be included for residents only at this time, however could possibly be extended at a later date to include the township.

Community Development Director, Anita Rasmussen recommended holding off on adopting the resolution at this time, discuss this item further at the upcoming area cities meeting and bring it back for consideration at a future City Council meeting.

City Administrator, Patti Gartland asked about staffing anticipation. Sakry said, depending on need, may-be one full time and one part time person would be needed at the onset of the office.

Council member Beutel mentioned that the human rights office would handle more than just racial issues, handicapped and age are also areas of concern.

Acting Mayor talked about special legislation and double taxation issues as well as possible support for Stearns County to join in and broaden the service territory.

Consensus of the Council was to leave it as a discussion item for the upcoming Area Cities meeting and bring it back to a later City Council meeting for consideration.

NEW BUSINESS

a. Site plan for Pine Cone Cottages Phase II

Anita presented the site plan for Pinecone Development, LLC to construct 15 townhomes and 1 single family home at the intersection of Utah Road and 22nd Street South. The plan proposes two accesses, the first access is off of Utah Road and the second is off of 22nd Street South. There will be a private road through the development connecting the two accesses.

Setbacks are according to the CUP agreement: 20 feet, front, 20 feet rear yard along the roadways and 15 feet along interior lot lines, side yards will be 10 feet. The site plan proposes a 12-foot drainage and utility easement from all adjacent street right-of-way. There will be a 15-foot building setback on the east property line. There are proposed patios located on the front of the townhomes. Height of the townhomes are within the ordinance requirement. The plan is proposing 33 trees and 128 shrubbery, which is more than the City requires.

The following recommendations are made by staff and the Joint Planning Commission:

1. All comments and concerns by the Engineering Department are met.
2. All comments and concerns by the Fire Department are met.
3. The lot size of the townhomes be added to the notes section of the site plan
4. Locating an additional patio, open or screened porch will only be allowed if it does not encroach into the setbacks as prescribed within the CUP Amendment.
5. There will be parking on the Southside of the private road. The other side must be marked as no parking.

6. Consideration of a streetlight to be located between lots 6 & 7 that meets city standards.
7. The final location of the sign will be on the northwest side facing the intersection of Scout Drive and Utah Road.

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE SITE PLAN AS PRESENTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

DEPARTMENT REPORTS

Public Works

Monthly Activity Report

Public Works Director, Brad Borders presented his memorandum.

A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF ACCEPTING THE PUBLIC WORKS MEMORANDUM.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

Street striping quotes

Brad Borders presented the two quotes received for street striping. A recommendation was made to accept the low bid of \$6,930.04 from AAA Striping.

A MOTION WAS MADE BY BEUTEL AND SECONDED BY PERSKE TO AWARD THE BID FOR STREET STRIPING TO AAA STRIPING FOR \$6,930.04.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

Purchase of used line striper equipment

Brad Borders requested permission to purchase a used line striper to help with the painting of crosswalks, yellow curb lines and city parking lots. At the present time the City contracts these services out. Brad is recommending the purchase of the line striper for \$3950.00.

A MOTION WAS MADE BY BEUTEL AND SECONDED BY ORNDORFF APPROVING THE PURCHASE OF THE RECOMMENDED LINE STRIPER FOR \$3,950.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

Street seal coating quotes

Brad presented the two quotes received for street seal coating and his recommendation to award the bid to the lowest bidder, Caldwell Asphalt Co.

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY BEUTEL APPROVING THE STREET SEAL COATING QUOTES TO CALDWELL ASPHALT CO. IN THE AMOUNT OF \$48,590.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

City Engineer

Bi Monthly Memorandum

Assistant City Engineer, Brian Davies presented his bi-monthly memorandum.

15th Street North Pathways – neighborhood meeting update

Brian Davies updated the Council on the neighborhood meeting for the 15th Street North pathways. A presentation had been made to the neighborhood by City Engineer, Mike Nelson on July 27th and the project was outlined. This is being brought back to the Council as a recommendation from the Public Works Commission.

Discussion followed regarding consideration of the safety concerns for continuing to co-mingle motorized and non-motorized activity in the street, the impacts that a bike path and sidewalk would create and the feedback received to date. The suggested sidewalk improvements would include installation of a concrete sidewalk, either adjacent to the curb or on the boulevard and it was explained that the property owners would not be assessed, as previously approved by the City, for the sidewalk or trail. Residents will be required, according to ordinance, to keep the sidewalk shoveled.

Acting Mayor O'Driscoll discussed safety issues especially in the area from 4th Avenue to Riverside Avenue due to the narrow roadway and no pathway/sidewalk.

Council member Perske talked about how a sidewalk would benefit residents from the entire region, not only the residents who live on 15th street.

City Administrator, Patti Gartland suggested sending out surveys to the residents on both sides of 15th Street North regarding the installation of a sidewalk and bring the results of this survey back to the next City Council meeting.

Council members discussed location options of the sidewalk, either adjacent to the curb or on a boulevard area and it was agreed the best location would be adjacent to the curb. Consensus of the Council approved the survey of the residents on 15th Street North as recommended by the Patti Gartland. City staff will provide snow removal assistance in cases of excessive snowfall events.

Police Department

Monthly Activity Report

Because Chief Hughes left the meeting on an emergency, Deputy Police Chief, Dale Struffert presented the police memorandum.

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY BEUTEL ACCEPTING THE POLICE DEPARTMENT REPORT.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

Canine program report

Deputy Chief Struffert gave an update and his recommendation to end the canine program, based on the lack of a handler at this time.

**A MOTION WAS MADE, WITH REGRETS, BY PERSKE AND SECONDED BY BEUTEL TO DISCONTINUE THE CANINE PROGRAM AND LIQUIDATE THE ASSOCIATED ASSETS. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL
NAY: NONE
MOTION CARRIED**

9:40 P.M. Council member Beutel left the dais.

**Planning & Community Development Director
Bi-Monthly Memorandum**

Anita presented her memorandum.

**City Administrator
Professional Development**

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY PERSKE APPROVING THE PROFESSIONAL DEVELOPMENT CLASSES AS RECOMMENDED BY THE CITY ADMINISTRATOR. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

9:42 P.M. Council member Beutel returned to the dais.

Resignation of part-time planning associate

City Administrator, Patti Gartland explained the resignation she received today from the part-time planning associate, Carla Chapman. Carla has been offered a full-time position with the City of St. Cloud.

As the 2007 Budget would approve a full-time planning associate, Patti requested approval to hire an intern to work in the planning office until the end of 2006 in accordance with the 2006 budget.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY BEUTEL ACCEPTING THE RESIGNATION OF CARLA CHAPMAN AND APPROVE STAFF TO FILL HER POSITION WITH AN INTERN FOR THE REMAINDER OF 2006, AS BUDGET FUNDS PROVIDE. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL
NAY: NONE
MOTION CARRIED**

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Council member Perske has started coaching soccer and will be unavailable to attend the budget workshop on August 28th. Perske may have other occasions where he will be either unavailable or late to meetings.

Council member Beutel asked if he is going to be assuming all of Mary Lewandowski's appointments to other commissions? Patti Gartland will check if alternates were appointed to other commissions, or if Tom will assume the responsibility.

Council member Orndorff reported that he will not be attending the EDC meeting tomorrow morning.

Acting Mayor O'Driscoll asked if any members of the Council or staff would be able to attend the event on Thursday, with U.S. Representative, Mark Kennedy. O'Driscoll plans to attend.

PAY ALL VOUCHERS

A MOTION WAS MADE BY PERSKE AND SECONDED BY BEUTEL APPROVING THE PAYMENT OF ALL VOUCHERS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

ADJOURN

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY BEUTEL AJOURNING THE MEETING AT 9:57 P. M.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, ORNDORFF, PERSKE, BEUTEL

NAY: NONE

MOTION CARRIED

Minutes By:

Judy Molitor
Administrative Secretary

MAYOR