

February 12, 2007

SARTELL CITY COUNCIL MEETING

MINUTES OF FEBRUARY 12, 2007

3RD MEETING

Pursuant to due call and notice thereof, the 3rd meeting of 2007 was held on February 12, 2007 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
ABSENT: Council member Perske
ALSO PRESENT: Patti Gartland, City Administrator
Mary Degiovanni, Finance Director
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

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING THE AGENDA AS AMENDED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

SPECIAL PRESENTATION

Administrator, Patti Gartland briefly explained the newly adopted Fire Department Policy and Procedures including the selection process for Fire Chief and Fire Captain. Along with a recommendation for appointment of Ken Heim as Fire Chief and Bill Sieben as Fire Captain, Gartland talked about the number of years they served with the department as well as their expertise serving the City of Sartell. A recommendation for a training officer position will be presented to the Council in the near future.

Council member Hennes thanked both Heim and Sieben for their years of service and stated that he was comfortable with the recommendation.

A MOTION WAS MADE BY PETERSON AND SECONDED BY HENNES APPROVING THE APPOINTMENT OF FIRE CHIEF KEN HEIM AND CAPTAIN BILL SIEBEN FOR A THREE YEAR TERM EXPIRING 12-31-2009.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

Mayor O'Driscoll thanked the representatives of the fire department for all they do to keep the City safe and mentioned the one opening on the department.

February 12, 2007

APPROVAL OF THE CITY COUNCIL MINUTES

A MOTION WAS MADE BY LYNCH AND SECONDED BY PETERSON APPROVING THE MINUTES OF THE JANUARY 16TH SPECIAL MEETING WITH THE JOINT PLANNING COMMISSION AND THE JANUARY 22ND, 2007 REGULAR MEETING.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

CONSENT AGENDA

- a. Approval of Public Works Commission notes for January 24, 2007
- b. January Building Inspectors Report – Acceptance
- c. January Fire Marshal/Code Official Report – Acceptance
- d. January Finance Directors Report – Acceptance
- ~~e. Approval of resolution endorsing St. Cloud metropolitan area federal fiscal year 2008 transportation appropriations priorities~~
- f. Approval of donation for park bench in memory of Shirley Scheil
- g. Approval of budgeted purchase of tractor/ditchmower with Beautification Funds
- h. Approval of a resolution accepting and approving a petition for annexation from Mitch Rengel for property located at 10-8th Avenue South
- i. Approval of resolution approving wetland conservation act permit for Tiffany Meadows Wetland Bank
- j. Approval of resolution setting public hearing for February 26, 2007, for an application for Natural and Scenic DNR Grant monies
- k. Approval of resolution authorizing application to the DNR for a Local Trail Connection Grant for the Huntngton Park Trail and Connecticut Avenue trail projects.
- ~~l. Approval of WSB contract amendment of West Metro Corridor environmental assessment study~~
- m. Approval of 2007 annual groundwater monitoring and reporting contracts for Sartell Landfill/Verso Paper site and Sartell wastewater lagoon/SPX site with Leggette, Brashears & Graham, Inc.
- n. Approval to purchase aerial photography and LIDAR for stormwater plan update and environmental assessment study preparation
- ~~o. Approval of resolution ordering preparation of a feasibility report for Pine Cone Road North Improvements north of 15th Street North (proposed 2008 project).~~
- p. Authorization to proceed with Comprehensive Storm Water Management Plan update
- ~~q. Approval of resolution ordering preparation of a feasibility reports for addition of sidewalk/trail along Connecticut Avenue between CR 134 and 23rd Street South and along CSAH 29 from 5th to 14th Avenue East.~~
- r. Approval of authorizing resolution for Schluchter Investment Advisors/First Allied Securities
- s. Approval to purchase two budgeted replacement desk top computers for the Police Department
- t. Set Board of Review/Stearns meeting for 6:30 p.m., Tuesday May 1, 2007
- u. Set Board of Review/Benton meeting for 6:30 p.m., Tuesday April 10, 2007

A MOTION WAS MADE BY HENNES AND SECONDED BY PETERSON APPROVING CONSENT AGENDA ITEMS A TO D, F TO K, M, N, P AND R TO U, REMOVING CONSENT AGENDA ITEM E AND L TO BE DISCUSSED UNDER “OLD BUSINESS” AND AGENDA ITEMS Q AND O TO BE DISCUSSED UNDER THE CITY ENGINEER’S BUSINESS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

PUBLIC HEARINGS

a. Interim ordinance extending a moratorium on plat approval for certain properties in Section 27, 28 and 33 for completion of a transportation study and plan development for the subject area.

Community Development Director, Anita Rasmussen presented a brief background on the request to extend a moratorium for properties in the City of Sartell. Anita identified the areas included in the moratorium the “exception areas” as well as the areas which are currently in the Township. The moratorium is an effort by the City to protect the project area from being platted prior to an appropriate routing system to be analyzed for the re-alignment of the east/west Roberts road, 50th Avenue South, 4th Avenue South and Heritage Drive.

Since February, the City has been working with the APO in the processing of our application and selecting the consultants to perform the assessment. In March, 2006 our City engineers completed and submitted a Project Memorandum to MnDOT for review and approval. In April, the APO created a Request for Proposal for both environmental assessments projects. MnDOT approved the Project Memorandum for both projects in May. In June the RFP was published and WSB was selected from a pool of four consultants. WSB met with staff, collected data and created a draft purpose and intent. Because the work of the EA/EAW is not yet complete, staff is requesting a 6 month extension to the moratorium.

During the period of the moratorium, applications for preliminary plat, final plat and other permits and approvals related to development would not be accepted by the City, except for those areas identified as “exception areas”. These “exception areas” should not inhibit the review of the transportation plan.

As with the first 12 months, the moratorium shall not apply to existing approved preliminary and final plats, plats and developments which have received all necessary permits and approvals prior to the effective date of this ordinance and plat applications which have been submitted previous to the effective date of this ordinance.

Staff and the Joint Planning Commission are recommending the approval of the extension of the interim ordinance for an additional 6 months.

7:20 p.m. Mayor O’Driscoll opened the public hearing.

The following comments were heard, although comments do not reflect entire statements made:

Lonnie Kornovich, Kornovich Development Company, Inc.owns property within the moratorium area and asked the timeline and if the City has the right to extend another six months after this? Lonnie asked for the date of the open house. Anita said the City will not extend the moratorium after this six months expires. The open house will be February 28, 2007.

Mayor O’Driscoll closed the hearing at 7:22 p.m. and stressed the critical timing of this project on priorities list with the Area Planning Organization.

**A MOTION WAS MADE BY LYNCH ADOPTING INTERIM ORDINANCE 07-02 EXTENDING A MORATORIUM FOR AN ADDITIONAL SIX MONTHS ON PLAT APPROVAL FOR CERTAIN PROPERTIES IN SECTIONS 27, 28 AND 33 FOR THE COMPLETION OF A TRANSPORTATION STUDY AND PLAN DEVELOPMENT FOR THE SUBJECT AREA. THE MOTION WAS SECONDED BY PETERSON.
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O’DRISCOLL, HENNES, LYNCH, PETERSON
NAY: NONE
MOTION CARRIED**

February 12, 2007

OLD BUSINESS

Public Works Director, Brad Borders presented his recommendation to appoint Tim Held as Maintenance Worker – Parks employee. Starting rate of pay will be \$15.49 per the union contract, and if approved, Tim will start work on February 14, 2007.

A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING THE HIRING OF TIM HELD FOR PARKS MAINTENANCE EMPLOYEE EFFECTIVE FEBRUARY 14, 2007 AT \$15.49 PER HOUR.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

Consent Agenda

"E" Approval of resolution endorsing St. Cloud metropolitan area federal fiscal year 2008 transportation appropriations priorities

A MOTION WAS MADE BY PETERSON AND SECONDED BY LYNCH APPROVING CONSENT AGENDA ITEM "E" AS PRESENTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

Council member Peterson discussed X-cel Energy's implementation of surcharges for installation of underground electric services, as presented as an update with the Finance Director's report.

Consent Agenda

"L" Approval of WSB contract amendment of West Metro Corridor environmental assessment study

A MOTION WAS MADE BY PETERSON AND SECONDED BY LYNCH APPROVING CONSENT AGENDA ITEM L.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

A MOTION WAS MADE BY PETERSON AND SECONDED BY HENNES TO RECONSIDER CONSENT AGENDA ITEM "M".

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

Consent Agenda

"M" Approval of 2007 annual groundwater monitoring and reporting contracts for Sartell Landfill/Verso Paper site and Sartell wastewater lagoon/SPX site with Leggette, Brashears & Graham, Inc.

February 12, 2007

Council member Peterson discussed his concerns regarding some of the terms of the contract with Leggett, Brashears & Graham, Inc. Peterson suggested staff contact legal counsel and recommended postponing action until the February 26, 2006 Council Meeting.

A MOTION WAS MADE BY PETERSON AND SECONDED BY HENNES TO POSTPONE TO FEBRUARY 26, 2007, CONSIDERATION OF THE 2007 ANNUAL GROUNDWATER MONITORING AND REPORTING CONTRACTS FOR SARTELL LANDFILL/VERSO PAPER SITE AND SARTELL WASTEWATER LAGOON/SPX SITE WITH LEGGETTE, BRASHEARS, & GRAHAM, INC.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

DEPARTMENT REPORTS

Police Department

Bi-Monthly Activity Report

Chief Hughes presented his memorandum and updated the Council on weather related crashes over the past weekend. Council member Hennes asked for some explanation on incidents from the activity report.

A MOTION WAS MADE BY PETERSON AND SECONDED BY LYNCH ACCEPTING THE ACTIVITY REPORT.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

Public Works

Monthly Memorandum

Director, Brad Borders presented his monthly memorandum and updated the Council on the options being considered to control odor at lift station #1.

Council member Hennes discussed snow plowing issues and street maintenance.

A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ACCEPTING THE PUBLIC WORKS MEMORANDUM.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

City Engineer

Bi-Monthly Memorandum

Brian Davies, Assistant City Engineer presented his memorandum.

Consent Agenda

"Q" Approval of resolution ordering preparation of a feasibility reports for addition of sidewalk/trail along Connecticut Avenue between CR 134 and 23rd Street South and along CSAH 29 from 5th to 14th Avenue East.

February 12, 2007

Council member Hennes suggested the Council reconsider a sidewalk/bike path for the south side of 1st Street NE from Benton Drive to 14th Avenue East as well as the north side of the street as was in the original plan. After discussion, it was decided to have the Engineer's office amend the feasibility report and include the recommendation including a sidewalk/bike path for the south side of 1st Street NE from Benton Drive to 14th Avenue East.

Mayor O'Driscoll has concerns about the timeline to amend the feasibility report and still host neighborhood meetings to discuss this project with the affected property owners, especially when some of the property owners will be assessed 100% of the project.

Council member Peterson concurs with Council member Hennes and included discussion on safety issues and the possibility of adding a section of fence along Val Smith Park to prevent stray balls from entering the roadway and avoid the danger of kids chasing balls onto the street.

**COUNCIL MEMBER PETERSON MOVED TO CONSIDER ADDING A SIDEWALK/BIKE PATH ON THE SOUTH SIDE OF FIRST STREET NORTHEAST FROM BENTON DRIVE TO 14TH AVENUE EAST TO THE FEASIBILITY STUDY. THE MOTION WAS SECONDED BY HENNES. THE ENGINEER'S OFFICE WILL PRESENT THE AMENDED FEASIBILITY REPORT AT THE MARCH 12TH CITY COUNCIL MEETING. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O'DRISCOLL, HENNES, PETERSON
NAY: NONE
ABSTAIN: LYNCH (AFFECTED PROPERTY OWNER)
MOTION CARRIED**

Consent Agenda

"O" Approval of resolution ordering preparation of a feasibility report for Pine Cone Road North Improvements north of 15th Street North (proposed 2008 project).

Mayor O'Driscoll gave a brief history of the reconstruction of Pine Cone Road North, where approximately three years ago the City partnered with the Township to reconstruct the road to a rural section. Since this reconstruction the Township has turned this section of road over to the City for maintenance. Plans to upgrade Pine Cone Road to an urban road and accommodate future traffic as well as timing the project with the extension of Pine Cone Road to Co. Road 133 in St. Cloud was discussed. Using MSA funding for the reconstruction along with other funds that may be available were discussed with the City's Finance Director. Because most of the land on both sides of Pine Cone Road North is in LeSauk Township, annexation and acquiring sufficient right of way for reconstruction were recognized.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES ADOPTING CONSENT AGENDA ITEM "O".
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON
NAY: NONE
MOTION CARRIED**

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

Anita presented her memorandum. The Developer's Summit will be held at City Hall on March 21st at 7:30 a.m.

February 12, 2007

City Administrator
Professional Development

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING THE PROFESSIONAL DEVELOPMENT AS RECOMMENDED BY PATTI GARTLAND. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O'DRISCOLL, HENNES, LYNCH, (MEMBER PETERSON ABSENT DURING VOTE)
NAY: NONE
MOTION CARRIED**

Exempt employee compensation adjustments for 2007

Administrator Gartland presented the pay range adjustments and compensation proposal for non-union employees, effective January 1, 2007.

Council member Peterson questioned how the merit increases are determined and if there were any compensation comparisons completed with other area cities in the same job capacity? Because this item was not included in the packet and Peterson did not have a chance to review it prior to the meeting, he did not feel comfortable approving this resolution at this meeting. Peterson asked who determined the percentage of raise based on merit? Mayor O'Driscoll then explained the process whereby the City Administrator conducts reviews with the non-union employees and, based on years of employment and performance, makes a recommendation to the Personnel Committee for merit and COLA increases. The Personnel Committee's recommendation is then presented to the Council for approval.

Council member Peterson said he did not necessarily disagree with the salaries recommended, however does disagree with the process and lack of information to the Council regarding individual performance reviews and merit increases. Peterson requested a meeting with the City Administrator to discuss the formula used to determine merit increases prior to approving this resolution.

A MOTION WAS MADE BY PETERSON TO POSTPONE ACTION ON RESOLUTION 28-07 APPROVING THE 2007 COMPENSATION RATES FOR NON-UNION EMPLOYEES. MOTION FAILED FOR LACK OF A SECOND DUE TO LACK OF INFORMATION TO SUPPORT THE RESOLUTION.

**A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING RESOLUTION 28-07 APPROVING THE 2007 COMPENSATION RATES FOR NON-UNION EMPLOYEES.
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: O'DRISCOLL, HENNES, LYNCH
NAY: PETERSON
MOTION CARRIED**

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Public Works Director, Brad Borders presented quotes received from Rheaumes for new city flags, street banners as well as parade banners for Summerfest. Borders reviewed prices, production time and flag options quoted and requested feed back from the Council.

Consensus of the Council favored City banners. Council asked Brad to get quotes from additional vendors as well as quotes for possible seasonal banners .

Patti responded to an inquiry for a price to sew City logo's on clothing. If Council members are interested in having a logo sewn on shirts, etc, the price is \$10.00 per logo.

February 12, 2007

Council member Hennes talked about some of the ideas shared at the last Council meeting regarding maintenance of streets and the need for seal coating and crack filling on a regular basis and how Hennes would like to have those ideas implemented.

Mayor O'Driscoll discussed some of the APO's future plans for Highway 15. O'Driscoll reminded the Council of the Community Expo to be held on February 24th at the Sartell Middle School from 9 a.m. – 2 p.m.

Council member Peterson talked about the League of MN Cities meeting he attended. Peterson also suggested broadcasting the Council meetings, either on the internet or on the public access channel.

Patti Gartland gave suggestions for a Council workshop dates/times

PAY ALL VOUCHERS

A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING THE PAYMENT OF ALL VOUCHERS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

ADJOURN

A MOTION WAS MADE BY PETERSON AND SECONDED BY LYNCH TO ADJOURN THE MEETING AT 10:25 P.M.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: O'DRISCOLL, HENNES, LYNCH, PETERSON

NAY: NONE

MOTION CARRIED

Judy Molitor
Administrative Secretary

MAYOR