

January 11, 2010

SARTELL CITY COUNCIL MEETING

MINUTES OF JANUARY 11, 2010

1ST MEETING

Pursuant to due call and notice thereof, the 1st meeting of 2010 was held on January 11, 2010 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, Perske
ABSENT: Council member Orndorff
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

SPECIAL PRESENTATION

- a. The Sartell American Legion presented the commemorative flags for display at City Hall.
- b. Retiring Board and Commission members were presented with service recognition plaques.

AGENDA REVIEW & ADOPTION

A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY MEMBER HENNES ADOPTING THE AGENDA AS AMENDED . THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF CITY COUNCIL MINUTES

- a. December 14, 2009 – Regular Meeting
- b. December 14, 2009 – Council Workshop
- c. December 21, 2009 – Special Meeting
- d. January 5, 2010 – Special Meeting

A MOTION WAS MADE BY MEMBER LYNCH AND SECONDED BY HENNES APPROVING THE MINUTES AS PRESENTED INCLUDING THE CORRECTIONS TO THE DECEMBER 14TH REGULAR MEETING MINUTES. 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 7, 2010
- e. Approval of professional development registrations: Planning Associate to attend EDAM Winter conference on January 21-22, 2010 in Minneapolis
- f. Approval of 2010 refuse hauler licenses

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- g. Set annual meeting of the Economic Development Authority for 6:30 p.m. on Monday, March 8, 2010
- h. Approval of resolution relating to 2010 compensation for non-union employees
- i. Approval of resolution relating to 2010 Fire Department pay rates
- j. Acceptance of donation of compensation proceeds for the Joint Planning Commission service in 2009
- k. Approval of purchase of two replacement vehicles for the Police Department
- l. Approval of resolution amending terms of interfund loan from Water fund to Sewer fund
- m. Approval of fund transfers effective December 30, 2009
- n. Approval of resolution approving plans and specifications and authorizing bid letting for Heritage West public improvements
- ~~o. Approval of proposal for completion of mandated pond sedimentation survey work for 2010 by Bonestroo in a budgeted amount not to exceed \$11,000~~
- p. Approval of registration to participate in St. Cloud Area Evening at the Capitol on Feb. 17, 2010
- q. Approval of budgeted purchase of 3 laptop replacement computers for the Police Department

A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING CONSENT AGENDA ITEMS "A-N" AND "P- Q". COUNCL MEMBER PERSKE REMOVED CONSENT AGENDA ITEM "O" FOR SEPARATE DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.

CONSENT AGENDA ITEM "O"

Approval of proposal for completion of mandated pond sedimentation survey work for 2010 by Bonestroo in a budgeted amount not to exceed \$11,000.

Finance Director Degiovanni verified that the fee is paid from storm water funds.

A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH APPROVNG CONSENT AGENDA ITEM "O". THE MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS

a. 23rd Street South public improvement project

City Engineer, Jeremy Mathiasen provided an overview of the proposed 23rd Street South public improvement project.

Mayor O'Driscoll opened the public hearing at 7:38 p.m. The following comments were heard, although comments do not reflect entire statement made:

Mark Skaj, 32625 50th Avenue, St. Cloud, MN 56303, inquired as to why all of 50th Avenue isn't proposed for reconstruction at the same time 23rd Street South is built?

Engineer, Mathiasen confirmed that the northern two-thirds of 50th Avenue is proposed as a future phase of reconstruction and the existing 50th Avenue will be maintained in its current status until it is feasible to reconstruct it to a full urban section.

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Finance Director, Degiovanni noted that doing the southern part of 50th and 23rd Street can be done without an increase in tax levy. The remainder of 50th Avenue can then be reassessed for reconstruction or overlay at a later time after final costs from bids and right-of-way acquisition is known.

Consensus is that while this is not optimal, is feasible at this time and will be monitored closely for maintenance and public safety.

Council member Perske noted his preference to defer action to January 25, 2010. Mayor O'Driscoll noted the four-fifths vote requirement and expressed a preference, along with Council members Lynch and Hennes, to move ahead with ordering preparation of plans and specs now, knowing changes can yet be made before taking action to approve plans and authorizing bid letting. Because Council member Perske continued to want the action deferred to January 25, 2010 and a four-fifths vote is required, the matter was postponed to the January 25, 2010 meeting.

b. Zoning Ordinance Amendment relating to Joint Planning Commission and Economic Development Commission

Anita Rasmussen, Community Development Director, provided an overview of the proposed amendments to the Zoning Ordinance.

Mayor O'Driscoll opened the hearing at 7:58 p.m. No testimony, either oral or written was received, the hearing was closed.

Ordinance amending Title 2 of the Code of Ordinances – Chapters 1 and 6, Joint Planning Commission and Economic Development Commission

A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH APPROVING ORDINANCE 10-01 AMENDNG TITLE 2 OF THE CODE OF ORDINANCES.

UPON VOTE BEING TAKEN, THE FOLLOWING VOTED:

AYE: MAYOR O'DRISCOLL, COUNCIL MEMEBERS: LYNCH, HENNES. PERSKE

NAY: NONE

MOTION CARRIED

OLD BUSINESS

a. Annexation petitions from River Vista Lane

Anita Rasmussen, Community Development Director provided an overview of a petition requesting annexation of five developed residential parcels on River Vista Lane.

Resolution accepting petition and approving annexation for the following land owners on River Vista Lane: Kenneth and Diane Jones , Richard and Kay Baschky, Dani Westra, James Noonan and Patsy Schelske .

A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH APPROVING RESOLUTION 6-10 FOR RIVER VISTA LANE PARCELS. THE MOTION CARRIED UNANIMOUSLY.

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b. Winners liquor license – imposition of penalty for alcohol compliance check failure

City Administrator Gartland, provided an overview of Winners' failure for the third time within three years of an alcohol compliance check. As such, the ordinance requires a \$1,000 civil penalty and up to a one day suspension of the liquor license. Staff is recommending the license be suspended for a one day period commencing on the normal start of business on January 30, 2010.

A MOTION WAS MADE BY MEMBER HENNES AND SECONDED BY MEMBER PERSKE APPROVING STAFF'S RECOMMENDATION FOR A ONE DAY LIQUOR LICENSE SUSPENSION ON JANUARY 30, 2010 INCLUDING A \$1,000 CIVIL PENALTY. THE MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

Resolution making certain annual appointments and designations

A MOTION WAS MADE BY HENNES AND SECONDED BY PERSKE APPROVING RESOLUTION 7-10 CONTINUING ALL 2009 APPOINTMENTS EXCEPT APPOINTING LYNCH AS ACTING MAYOR AND DEFERRING THE PARK BOARD REPRESENTATIVE APPOINTMENT ON TRI-REC BOARD TO A LATER DATE. THE MOTION CARRIED UNANIMOUSLY.

DEPARTMENT REPORTS

a. Police Report

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

b. Public Works Department

Director Brad Borders presented his report.

**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.

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CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Mayor O’Driscoll asked for feedback on the APO priority list for 2011 funding requests. Contemplation is being given to rank the Northstar extension as number one priority for a separate pool of funding from the streets projects. Consensus was to keep the current priority ranking and reject moving Northstar to number one ranking, despite it being a separate funding pool.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER PERSKE TO ADJOURN THE MEETING AT 8:26 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

Judy Molitor

MAYOR TIM O’DRISCOLL