

June 14, 2010

SARTELL CITY COUNCIL MEETING

MINUTES OF JUNE 14 , 2010

11th MEETING

Pursuant to due call and notice thereof, the 11th meeting of 2010 was held on June 14, 2010 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, Perske, Peterson
ABSENT: None
ALSO PRESENT: Patti Gartland, City Administrator
Anita Rasmussen, Community Development Director
Mary Degiovanni, Finance Director
Jeremy Mathiasen, City Engineer
Brad Borders, Public Works Director
Jim Hughes, Police Chief

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY MEMBER PETERSON AND SECONDED BY MEMBER PERSKE APPROVING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF CITY COUNCIL MINUTES

- a. May 24, 2010 – Regular Council Meeting.

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER LYNCH APPROVING THE MEETING MINUTES FROM MAY 24, 2010 AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

CONSENT AGENDA

- a. May Building Permit Activity Report – Acceptance
- b. May Inspections Activity Report – Acceptance
- c. May Finance Directors Report – Acceptance
- ~~d. May 26, 2010 Park Commission meeting notes – Acceptance~~
- e. Approval of voucher payments dated June 10, 2010
- f. Authorize solicitation of sealcoat bids for 2010 completion
- g. Approval of purchase of replacement computer for Fire Department
- h. Approval of resolution setting a public hearing for June 28, 2010, for an interim use permit request for patio restaurant with alcohol service for Little Fiesta Mexican Restaurant
- i. Approval of low quote for North water tower maintenance services
- j. Acceptance of donations from Country Manor, Pan-O-Gold Baking Company, and Sanitation Service for the Cookout with Cops event
- k. Acceptance of Chader Voice Technology product/service donation from Jim Hughes
- l. Approval of Oral Interview Committee’s recommendation for conditional offer of appointment of Kevin McCalister and Troy Hoekstra as firefighters effective July 1, 2010 and approval of alternates and 12 month eligibility list for future vacancies.

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- m. Professional Development registrations: Council Member Perske to attend League of MN Cities annual conference & pre-conference workshop on June 23-25, 2010 at the St. Cloud Civic Center
- ~~n. Approval of resolution accepting and approving petitioned annexation of property owned by Karen McCurdy at 32642 River Vista Lane~~

Council member Peterson requested removal of consent agenda item “d” and “n” for separate discussion.

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER PETERSON APPROVING CONSENT AGENDA “A” THROUGH “M” REMOVING ITEMS “D” AND “N” FOR FURTHER DISCUSSION. THE MOTION CARRIED UNANIMOUSLY.

Consent Agenda Item “d”

May 26, 2010 Park Commission meeting notes – Acceptance

Council member Peterson noted he should be listed as present at the meeting on May 26, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER PERSKE APPROVING THE CORRECTED PARK COMMISSION NOTES FROM MAY 26, 2010. THE MOTION CARRIED UNANIMOUSLY.

Consent Agenda Item “n”

Consensus of the Council was to move this item under new business as item 7d.

PUBLIC HEARINGS

a. Ordinance amending political sign regulations to comply with revised State Law

Anita provided an overview of the new state law provisions affecting the City’s signage regulations for temporary political signs. Our reference to August 1st needs to be omitted and instead defer to whatever dates are determined and dictated by the State. The proposed amendment is recommended for approval by staff and the Joint Planning Commission.

Mayor O’Driscoll opened the hearing. No written or oral testimony was received, the hearing was closed.

Council member Hennes reviewed the Secretary of State instructions to candidates indicating the time frame that applies is 46 days before the primary to 10 days after the election.

A MOTION WAS MADE BY HENNES AND SECONDED BY LYNCH ADOPTING ORDINANCE 10-02 AMENDING CHAPTER 11, TITLE 10, SECTION 10(1) OF THE ZONING ORDINANCE FOR TEMPORARY POLITICAL SIGNS, PER THE INSTRUCTION FROM THE SECRETARY OF STATE. THE MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS

a. Assessments for West Heritage Drive public improvement – staff updates

City Engineer Jeremy Mathiasen, advised the Council of the proposed revisions to the assessments that are being recommended for single family properties which result in reductions of approximately 45% or from \$26,000 to \$28,000 down to approximately \$15,000. Administrator Gartland advised the Council that this is the extent of reduction in assessments and fees that staff can support and maintains that the reductions result in a fair, equitable and defensible assessment for the improvements received. She further noted that the property owners conveyed to Jeremy shortly before the meeting that they would not be providing written acceptance of the modified assessments with a waiver of appeal. Without the waiver, the revised assessments recommended do not include financing SAC and WAC fees as part of the assessment. Review of the assessments proposed on the Ferche properties has not been concluded yet, therefore staff is recommending that action on assessments for the Ferche properties be postponed to the next Council meeting.

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY PETERSON TO APPROVE THE RESOLUTION ADOPTING ASSESSMENTS EXCLUDING THE FERCHE PROPERTIES AND WITH THE MODIFICATIONS IN THE AMOUNT PRESENTED BY JEREMY FOR THE THREE EXISTING SINGLE FAMILY PROPERTIES. THE MOTION CARRIED UNANIMOUSLY.

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER PETERSON TO ALLOW THE SINGLE FAMILY PROPERTY OWNERS TO REQUEST INCLUSION OF THE SAC & WAC FEE WITH PAYMENT OF TAXES OVER A PERIOD OF UP TO 10 YEARS AT 6% INTEREST, SUBJECT TO THEIR WAIVING OBJECTION TO THE ASSESSMENT BY JUNE 24, 2010. THE MOTION CARRIED UNANIMOUSLY.

b. Champion Field improvements – staff updates

Finance Director, Mary Degiovanni advised the Council about progress being made in getting a well defined site plan that will then enable staff to get an improvement agreement prepared for formal approval consideration at the next Council meeting.

NEW BUSINESS

a. Site plan approval for Pro Source at CR 29 and 14th Avenue East

Anita Rasmussen, Community Development Director provided an overview of the site plan approval being requested by Strack Companies for a proposed 20,500 sq. ft. industrial/office building for ProSource on a 4.1 acre parcel at CR 29 and 14th Avenue East. Staff along with the Joint Planning Commission recommend approval subject to conditions articulated by staff. It was noted that Bob Strack is in attendance and available for questions about the project. Various details were discussed about the project.

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER PERSKE APPROVING THE SITE PLAN FOR PRO SOURCE AT CR 29 AND 14TH AVENUE EAST SUBJECT TO CONDITIONS RECOMMENDED BY STAFF. THE MOTION CARRIED UNANIMOUSLY.

b. Minor amendment to Planned Unit Development for Epic Center plat

Council member Lynch indicated he would recuse himself from participation on this matter due to his ownership interest in Sartell Partners. Anita Rasmussen provided an overview of the proposed minor amendment to the PUD standards so that the specific reference to a minimum lot size be eliminated. She indicated to the Council that there are some potential developments that are being precluded because they simply don't need and can't afford the current minimum lot size requirements. She noted all other development standards will assure no change in the amount of green space, setbacks, or other physical attributes for the development as provided for in the standards and provisions of the FAUAR and other plat and zoning provisions. Staff and the Joint Planning Commission recommend approval noting each individual site plan will still require review and approval by the Council.

A MOTION WAS MADE BY HENNES AND SECONDED BY MAYOR O'DRISCOLL APPROVING THE MINOR AMENDMENTS TO A PLANNED UNIT DEVELOPMENT FOR EPIC CENTER.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: MAYOR O'DRISCOLL, COUNCIL MEMBER HENNES

NAY: COUNCIL MEMBERS PERSKE & PETERSON

MOTION FAILED

c. Request from former operations of PJ's pub for refund of a portion of the non-refundable 2010 liquor license fee

By consensus, the Council declined to take any action to provide a refund of any amount of the fees that are defined as non-refundable in the City's liquor ordinance.

Consent Agenda Item 4-n

Approval of resolution accepting and approving petitioned annexation of property owned by Karen McCurdy at 32642 River Vista Lane

Administrator, Patti Gartland responded that this request is consistent with the policy provisions adopted by the Council in 2008 for a single lot annexation as it is located in an area where utility improvements were already installed by the City and no additional city expenditure is required. Annexation approval will activate collection of what was previously a "potential future assessment".

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER HENNES APPROVING RESOLUTION 43-10 ACCEPTING PETITION AND APPROVING ANNEXATION FOR 32642 RIVER VISTA LANE. THE MOTION CARRIED UNANIMOUSLY.

DEPARTMENT REPORTS

**a. Police Department
Semi-monthly Activity Report**

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

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Police Chief Hughes referenced assistance provided by the City of St. Joseph police reserve with the SummerFest parade.

**b. Public Works
Monthly Activity Report**

Director, Brad Borders presented his report.

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

Jeremy Mathiasen presented his memorandum and noted the wear course paving on CR 120 and CSAH 1 is starting tomorrow and alternate routes are encouraged.

d. Planning & Community Development Director

e. City Administrator

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Committee/Board Reports

Mayor O’Driscoll offered comments of appreciation to those staff that assisted with SummerFest, Memorial Day ceremony and Apple Duathlon events.

Council member Hennes referenced the positive input received at the public information meetings hosted by MTC for proposed route changes for Sartell.

Council member Lynch encouraged Council to attend the mid-year update for St. Cloud Area Economic Development Commission on Wednesday morning at the American Heritage Bank.

Council member Perske asked for an update on the status of the Dehler property purchase at the Financial Management Plan workshop on Wednesday evening.

RSVP for Area Leadership Summit on June 29, 2010 in Sauk Rapids

All responded that they will be attending the Summit.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER HENNES TO ADJOURN THE MEETING AT 8:17 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

Judy Molitor

MAYOR TIM O’DRISCOLL