

June 28, 2010

SARTELL CITY COUNCIL MEETING

MINUTES OF JUNE 28 , 2010

12th MEETING

Pursuant to due call and notice thereof, the 12th meeting of 2010 was held on June 28, 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 COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER HENNES APPROVING THE AMENDED AGENDA. THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF CITY COUNCIL MINUTES

- a. June 14, 2010 – Regular Council Meeting
- b. June 26, 2010 Council Workshop – Financial Management Plan

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER PERSKE APPROVING THE MEETING MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

CONSENT AGENDA

- a. Approval of voucher payments dated June 23, 2010
- b. Acceptance of Public Works Commission meeting notes for June 9, 2010
- c. Professional Development: Public Works Director to attend MN Wastewater Operators Association conference in Grand Rapids on July 27-30, 2010
- d. Approval of resolution setting a public hearing for August 9, 2010, for TIF District No. 5-4
- e. Approval of resolution setting a public hearing for August 9, 2010 on Cypress Circle
- ~~f. Approval to purchase playground equipment for Rolling Meadows East, Creekview Preserve and Pine Tree Pond parks~~
- g. Approval of resolution appointing election judges for primary election of August 10, 2010
- h. Approval of outdoor event and street closure and temporary on-sale liquor license for the Sartell Chamber of Commerce Rock and Block party on August 21, 2010
- i. Approval of GLT quote for Champion Field services

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER PETERSON APPROVING CONSENT AGENDA “A” THROUGH “I” . WITH THE AMENDED AGENDA, ITEM “F” WAS MOVED UNDER NEW BUSINESS. THE MOTION CARRIED UNANIMOUSLY.

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PUBLIC HEARINGS

a. Interim Use Permit request for patio restaurant and liquor service at Little Fiesta

Anita Rasmussen provided an overview of the request from Little Fiesta Mexican Restaurant to allow outdoor seating for up to 4 tables and 20 people for restaurant and liquor service. Staff and the Joint Planning Commission recommend approval subject to specific conditions regarding time of operation, lighting and ornamental perimeter fencing. The permit is valid for 5 years subject to compliance with applicable conditions.

A representative for the applicant, Dave Reimer of Urban Associates, was in attendance to answer questions.

Mayor O'Driscoll opened and closed the hearing. No written or oral testimony was offered.

Resolution adopting findings of fact relating to a request for an Interim Use Permit to Little Fiesta Mexican Restaurant for outdoor patio dining with liquor service.

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER LYNCH APPROVING RESOLUTION 47-10, FINDINGS OF FACT RELATING TO A REQUEST FOR AN INTERIM USE PERMIT FOR THE PURPOSES OF HAVING A SEASONAL OUTDOOR DINING PATIO FOR LITTLE FIESTA MEXICAN RESTAURANT. THE MOTION CARRIED UNANIMOUSLY.

Resolution approving Interim Use Permit – Little Fiesta Mexican Restaurant

A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY MEMBER LYNCH APPROVING RESOLUTION 48-10, AN INTERIM USE PERMIT FOR THE PURPOSES OF HAVING A SEASONAL OUTDOOR DINING PATIO AT LITTLE FIESTA MEXICAN RESTAURANT. THE MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS

**a. Pinecone Central Park Improvements
Update from development planning & fundraising group (Gordy Meyer)**

Paul Hanson, a member of the private fundraising group provided an update on the development planning and fundraising for Pinecone Central Park athletic facilities project. He noted that \$150,000 has been received to date and a final marketable version of the development plan was completed on June 21st and placed on the City's website on June 25th which sets the stage for aggressive marketing and fundraising efforts to achieve the \$500,000 goal and commitment. Phase 1 is intended to complete the soccer fields and 4-plex ball fields and perhaps two larger ball fields. Placement of the fields is intended to accommodate trails along the west edge of the site. Relocation of trees as possible is also intended. He noted that the same people that are leading the fundraising efforts have also been coaching in a busy season with lots of make-up games which will effectively end on July 8th enabling full effort to be turned to fundraising. Therefore, they fully intend to reach the \$500,000 in private funds by August 9th, the day intended for award of bid for the project.

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Resolution approving plans and specs for roadway, trail & parking lot improvements and authorizing bid.

City Engineer, Jeremy Mathiasen provided an overview of the plans and specs for the proposed roadway, trail and parking lot improvements focusing on changes that have been made since completion of the preliminary plans and specs. Bids would be structured to allow road and trail to be constructed through to 13th Avenue subject to receipt of the needed easement to the west of the park property or for two-thirds of the construction to occur. Routing of utility installation may be altered if it is determined that the concession stand should be moved further north as being contemplated by the park development group, which would also reduce the cost for utility installation. Bid solicitation would also include the option for installing a right turn lane on Pinecone Road at 1st Street North into Pinecone Regional Park.

Council member Lynch expressed concern with moving forward with soliciting bids prior to reaching the \$500,000 fundraising unless the Council is willing to reject the bids if the fundraising goal isn't reached by August 9th.

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY HENNES ADOPTING RESOLUTION 49-10 APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS PROJECT #901-10104-0 PINECONE CENTRAL PARK IMPROVEMENTS. THE MOTION CARRIED UNANIMOUSLY.

b. Minor PUD Amendment to Epic Center Plat (request by Council Member Peterson to reconsider prior action)

Council Member Lynch indicated he would recuse himself from participation on this matter due to his ownership interest in Sartell Partners. Anita provided an update to the Council indicating the applicant's ability to accept a reduction in minimum lot size versus the original request to eliminate a minimum lot size requirement. She also provided graphic examples of the type of development that can be accommodated with a reduction in minimum lot size requirement. Recommendation from staff is to approve an amendment to the PUD that sets a minimum lot size of .30 acres and noted that all of the prospects being contemplated at this time can be accommodated with a .30 lot size.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER PERSKE TO RECONSIDER ACTION ON RESOLUTION ON THIS MATTER ACTED ON AT THE JUNE 14, 2010 MEETING. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: HENNES, PERSKE, PETERSON

NAY: NONE

MOTION CARRIED

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER HENNES APPROVING THE RESOLUTION OF JUNE 14, 2010 WITH A CHANGE TO THE MINIMUM LOT SIZE SET AT .30 ACRES FOR EPIC CENTER PLAT.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: HENNES, PERSKE, PETERSON

NAY: NONE

MOTION CARRIED

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NEW BUSINESS

- a. **Little Fiesta Mexican Restaurant Liquor License – imposition of penalty for alcohol compliance check failure.**

Police Chief, Jim Hughes noted that this is a first violation and staff is recommending that the civil penalty for a first offense as set by ordinance be imposed at \$250 payable on or before 4 p.m. on July 28, 2010. The license holder did not request a hearing for this matter.

A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY MEMBER LYNCH APPROVING THE TERMS OF THE PENALTY FOR LITTLE FIESTA MEXICAN RESTAURANT AS RECOMMENDED BY THE POLICE CHIEF. THE MOTION CARRIED UNANIMOUSLY.

- b. **Approval to purchase playground equipment for Rolling Meadows East, Creekview Preserve and Pine Tree Pond parks**

Public Works Director, Brad Borders provided the results of quotes received from Game Time, (includes a 40% grant/discount) and from Earl F. Anderson (EFA) for playground equipment installations for Pine Tree Pond to replace an existing structure, for Rolling Meadows to replace a swing set, and Creekview Preserve to add a new play center. Approval of low quote from Earl F. Anderson is recommended by staff and the Park Commission using funds from Park District #4 (\$20,000) and from Park Fund #211 (\$31,249) noting that this was identified in the capital improvement plan for 2011.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER HENNES APPROVING THE PURCHASE OF PLAYGROUND EQUIPMENT AS RECOMMENDED. THE MOTION CARRIED UNANIMOUSLY.

- c. **Approval of Benton County Community Garden Fund grant agreement (\$1,000) for establishment of a community garden in the Benton County portion of the city.**

Public Works Director Borders, advised the Council of a grant opportunity that staff learned of about 10 days ago to pay for fencing to create a community garden on the Benton County side of the city. Notice of approval of a \$1,000 grant was received today with an acceptance deadline of July 2nd. Council member Hennes advocated exploring a public-private partnership with Country Manor in establishing a community garden on the east side of Sartell.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER PERSKE APPROVING A BENTON COUNTY COMMUNITY GARDEN FUND GRANT AGREEMENT FOR ESTABLISHING A COMMUNITY GARDEN IN THE BENTON COUNTY PORTION OF SARTELL. THE MOTION CARRIED UNANIMOUSLY.

DEPARTMENT REPORTS

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

Police Chief Hughes noted that about 250 seniors attended the Cookout with Cops event last week which is about 100 more than attended last year.

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b. Public Works

c. City Engineer
Semi-Monthly Memorandum

Jeremy Mathiasen presented his memorandum.

d. Planning & Community Development Director

Anita Rasmussen presented her memorandum.

e. City Administrator

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

MTC Commissioner representative appointment for July 1, 2010 – June 30, 2013

Council member Steve Hennes noted his willingness to continue on the MTC Board through the end of his Council tenure and he continues to advocate the appointment be held by an elected official.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER LYNCH APPROVING RESOLUTION 50-10 APPOINTING STEVE HENNES AS AN ADDITIONAL MEMBER TO THE MTC COMMISSION THROUGH JUNE 30, 2013. THE MOTION CARRIED UNANIMOUSLY.

Council member Perske offered reflections on sessions he attended at the LMC Conference.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER LYNCH TO ADJOURN THE MEETING AT 8:47 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

Judy Molitor

MAYOR TIM O'DRISCOLL