

March 13, 2006

SARTELL CITY COUNCIL MEETING

MINUTES OF MARCH 13, 2006

5TH MEETING

Pursuant to due call and notice thereof, the 5th meeting of 2006 was held on March 13, 2006 in the council chambers of the Sartell City Hall. Mayor Pogatshnik called the meeting to order at 7 p.m.

COUNCIL PRESENT: Mayor Pogatshnik, Council members: Lewandowski, O'Driscoll, Orndorff, Perske
COUNCIL ABSENT: None
PRESENT: Patti Gartland, City Administrator
Mary Degiovanni, Finance Director
Judy Molitor, Administrative Secretary
Brad Borders, Public Works Director
Jim Hughes, Police Chief
Mike Nelson, City Engineer
Anita Rasmussen, Planning & Community Development Director

PLEDGE OF ALLEGIANCE

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY ODRISCOLL ADOPTING THE AGENDA AS AMENDED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

APPROVAL OF CITY COUNCIL MINUTES

- a. February 27, 2006 – Regular Meeting

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF APPROVING THE MINUTES AS CORRECTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

CONSENT AGENDA

- a. February Building Inspectors Report – Acceptance
- b. February Fire Marshal/Code Official Report – Acceptance
- c. February 28, 2006, Public Works Commission Notes – Approval
- d. Approval of 2005 Life Cycle Housing Report – Approval
- e. Equipment Building Salvage Agreement (East Water Tower) Approval
- f. Approval of Prairie Burning Quotes and Maintenance Contracts
- g. Ordering Feasibility Report on Cemetery Road
- h. Approval of Fund Transfers
- i. Resolution Approving Premises Permit for ST. Stephen American Legion #221 at Twin Rivers Conoco
- j. Resolution Approving 15 Day Extension to Response Period – EAW Citizen Petition
- k. Resolution Providing for the Sale of \$5,120,000 GO Bonds, Series 2006A
- l. Approval of Resolution Accepting Feasibility Report and Ordering Plans and Specifications – Eagle Ridge Estates

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- m. Approval of Plans and Specifications – Madison Crossing 2
- n. Approval to purchase sewer televising camera
- o. Approval of 800 MHZ radio programming professional services agreement
- p. Approval of Quit Claim Deed to International Paper to complete a 1984 and 1996 action relating to vacation of former Benton Drive property.

**A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY PERSKE APPROVING CONSENT AGENDA ITEMS A THROUGH P AS PRESENTED. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

PUBLIC HEARINGS

- a. **Zoning Ordinance Amendments to Title 10, Chapter 7 (Industrial Districts), 9 (Site Plans), and 10 (Parking and Loading Requirements)**

7:08 p.m. Mayor Pogatshnik opened the public hearing and explained how the hearing would be conducted, turning the meeting over to Sartell's Planning and Community Development Director, Anita Rasmussen for presentation.

Anita highlighted the recommended changes from the Joint Planning Commission for amendments to the zoning ordinance which are consistent with the 2003 Comprehensive Plan's goals, strategies and implementation recommendations. Anita briefed the Council on the recommended changes for Chapter 7 – Light and Heavy Industrial District, Chapter 9, Site Plans and Chapter 10, Parking and Loading Requirements.

There were no comments from the public, Mayor Pogatshnik closed the hearing at 7:18 p.m.

**A MOTION WAS MADE BY ORNDORFF ADOPTING ORDINANCE 06-09 REPEALING ALL ORDINANCES PREVIOUSLY IN EFFECT PERTAINING TO TITLE 10 CHAPTER 7, INDUSTRIAL DISTRICTS; TITLE 10, CHAPTER 9 SITE PLANS, TITLE 10 CHAPTER 10 PARKING AND LOADING REQUIREMENTS. THE MOTION WAS SECONDED BY LEWANDOWSKI.
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

OLD BUSINESS
BioScience Initiative Resolution

Council member O'Driscoll explained his request and asked for Council support of the resolution authorizing legislative efforts for increased growth of the biotechnology and health sciences industry.

Council member O'Driscoll briefly outlined the six components for support.

Component # 1 - Bioscience Zone Designation

The St. Cloud area cities, economic development agencies and the Science Initiative of Central Minnesota are seeking legislation that will enable the City of St. Cloud and other area cities to submit an application to the Department of Employment and Economic Development for biosciences zone designation. As the Twin Cities businesses outgrow their present space or look to expand their manufacturing operations, Central Minnesota is ideally positioned with higher learning institutions, an educated workforce, affordable

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land and close proximity to the Twin Cities along I94/Highway 10. The request is for legislation to enable Central Minnesota cities to make application for inclusion into Minnesota's Bioscience Zone.

Component #2 - Expansion of the I94 Business Park

The I94 Business Park, between St. Cloud and Clearwater with access via Opportunity Drive, needs to be expanded. Approximately 30 acres remain in the existing park, which is not enough land to accommodate a large industrial project. Because of the excellent access to I94, close to proximity to the Twin Cities and land and building costs that are significantly below those of the Metro area, the I94 Business Park is a significant asset to attract bioscience and manufacturing related companies to Central Minnesota. This funding request is for \$900,000 infrastructure grant to the City of St. Cloud to assist with extending public utilities to the expanded I94 Business Park.

Component #3 – Viability of Family Dairy Farms and Renewable Energy

The Minnesota Milk Producers and the Minnesota Project are working on a demonstration project to study and test the feasibility of the application of methane digester technology for the county's average-sized dairy farm (approx 80-100 cows). If feasibility is established, a digester will address manure management and odor issues as well as convert captured methane gas to electricity as a renewable energy source. The request for this component is \$100,000 grant to Stearns County for the purchase of necessary equipment to implement methane digester technology on averaged-sized dairy farms.

Component #4 – Avian Flu Detection Efficiency

The economic effect of an avian influenza introduction could be significant to Central Minnesota and the entire state. Expenses associated with the eradication of the disease, depopulation of farms and the direct loss of income would impact the local and regional community. Even bigger economic effects come from national and international trade bans. Localized quarantines and bans on the sale or movement of birds can affect farmers outside the immediate quarantined area.

Minnesota is a leading poultry producing state, ranking #1 in turkey production. Minnesota farmers also produce eggs and broilers, therefore home to many poultry farmers and major processing facilities. Minnesota turkey, broiler and egg layer producers and processors participate in voluntary monitoring programs to test birds along very stringent guidelines in order to monitor the disease, satisfy customer demands and ensure consumer confidence. The programs vary between the different commercial poultry industries, but follow national standards. Minnesota has been a leader in this area, our standards often exceed those at the national level.

The requested funds would support the cooperative effort of the state's commercial poultry industry, which would be collecting and submitting samples for testing. The funds would improve laboratory efficiency, incorporate new test technology, increase testing capacity and provide report results in a timely manner to the industry. Timing is crucial to market delivery.

The proposed funding would strengthen and compliment existing state surveillance programs. This critical step toward improving the efficiency of our poultry testing could be the catalyst to begin a much greater effort to detect and eliminate the spread of avian influenza. There is a significant opportunity for Minnesota's higher education research institutions and public health departments to make Minnesota a leader in addressing avian influenza and attracting significant federal dollars towards this effort.

The request is for \$300,000 grant to the Minnesota Poultry Testing Laboratory in Willmar, Minnesota for renovation and purchase of additional testing equipment, which will substantially improve the laboratory's efficiency and ability to meet testing requirements and effectively serve their expanding client base.

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Component #5 Instrumentation to expand Capacity and Support Biobusinesses

St. Cloud State University is an important partner in the Science Initiative of Central Minnesota. The University has a long history of working with and supporting our manufactures in unique and creative ways, helping them expand and create skilled job opportunities for our workforce. The faculty works cooperatively with St. Cloud Technical College faculty to produce the best result for our businesses.

Additional instrumentation will support faculty additions and provide technological resources for businesses already located here, and those we are pursuing to expand and grow here.

This request is for \$500,000 grant to St. Cloud State University Department of Science and Engineering to purchase a suite of instrumentation that will extend current capacity and contribute advanced technological opportunities to a wide variety of biobusinesses. This investment also creates a self-sustaining applied research center at SCSU.

Component #6 – Customized Training on Specialized Equipment

St. Cloud Technical College is a proven asset for attracting science-based industry to our area. SCTC has a record of developing successful customized training programs for businesses in Central Minnesota. Additionally, manufacturers throughout our region report a critical shortage of skilled welders, which is debilitating to their businesses. Without skilled workers seeking these positions, our manufacturing base will be put at risk.

A request is being made for \$200,000 grant to St. Cloud Technical College for specialized equipment to train workers in bioscience and advanced manufacturing processes in partnership with Central Minnesota businesses.

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY PERSKE ADOPTING RESOLUTION 49-06 SUPPORTING LEGISLATIVE EFFORTS TO INCREASE THE GROWTH OF THE BIOTECHNOLOGY AND HEALTH SCIENCES INDUSTRY IN CENTRAL MINNESOTA.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

NEW BUSINESS

a. **Oak Ridge Commons final plat and development agreement**

Anita Rasmussen presented the request on behalf of Simonson Land Company and Double B Holding. Oak Ridge Commons is approximately 45 acres located east of Pine Cone Road and south of 27 Street North. The site approval will be subject to obtaining a NPDES Phase II permit from MPCA. The plan consists of 44 lots (88 Twinhome units) and one business lot consisting of 3.8 acres.

Setbacks for the twinhomes are 30 feet front, 10 feet side yard (except corner lots, 30 feet) and 30 feet rear yards. Setback for the commercial lot is 30 feet front, side yard from R-2 = 30 feet (street=15 feet) and rear yard 50 feet.

Buildings shall not occupy more than 35% of the lot or block. There must be a 25% open space within the B-1 zone.

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The plat includes 60 feet of ROW along the easterly portion of Pine Cone Road and 40 feet along the southerly portion of 27th Street. All the interior roads are local, public roadways meet the minimum 66 foot ROW requirement. A sidewalk will be required on all south and easterly sides of the roads.

Two acres of parks/trail space is proposed. The remaining park dedication would be accommodated through a payment in lieu of the outstanding balance of dedication requirement.

The Joint Planning Commission and Staff recommended approval based on the following items being completed.

1. The twin homes will be required to go through site plan approval prior to the release of a building permit.
2. The commercial piece will be required to go through site plan approval prior to the release of a building permit.
3. The second phase would not be allowed to proceed until Pine Cone Road has been expanded and reconstructed to an urbanized roadway. This would be a consistent requirement for those developments proposed near and around this section of Pine Cone Road.
4. A Party Wall Agreement shall be recorded with each property.
5. Engineering issues are resolved.
6. That wetland sequencing flexibility be granted if it is determined that there are hydric soils on the site.
7. That a dedicated sight triangle be provided for at the intersection of Pine Cone Road and 27th Street North.

Council member Perske discussed safety of pedestrians on 27th Street and Pine Cone Road and the need for walking/bike pedestrian trails in that area. City Engineer, Mike Nelson anticipates a walkway on 27th, however will be reviewing the options as the plat proceeds.

Resolution approving final plat and development agreement

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 50-06 APPROVING FINAL PLAT AND DEVELOPMENT AGREEMENT FOR OAK RIDGE COMMONS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

b. Regional Medical Arts Campus 2, revised final plat and development agreement

Anita Rasmussen presented the revised final plat for the Regional Medical Arts Campus 2 located on 40 acres northwest of Dehler Drive and Connecticut Avenue. Access to the plat would be derived from Connecticut Avenue. Access management principles will be enforced for those lots along Connecticut Avenue. Those lots within Block 2 will be required to have access from the interior roadway with the exception of Lot 2, Block 2 which will be allowed a secondary access on to Connecticut Avenue. Any dead end roads greater than 150 feet in depth will be required to provide a temporary cul-de-sac.

The minimum lot size in this district is $\frac{3}{4}$ acre. All lots meet this minimum requirement. Future development will need to go through site plan review and approval. All buildings will need to meet the requirements of the CDZ district.

The developer is proposing a payment in lieu of park land dedication with the exception of the dedication of a .28 acre park.

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An east/west public street (Dehler Drive) has been proposed along the southerly portion of the 40 acres. The property owner has dedicated a 22 foot easement area (10 additional) along Dehler Drive. This plat also includes the appropriate right of way for extensions of previously platted roadways.

The Joint Planning Commission and Staff recommend approval of the final plat provided the following changes are made:

1. Those lots within Block 2 will be required to have access from the interior roadway, with the exception of Lot 2, Block 2, which would have a secondary access onto Connecticut Avenue
2. Any dead end roads greater than 150 feet in depth will be required to provide a temporary cul-de-sac.

A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY ORNDORFF ADOPTING RESOLUTION 51-06 APPROVING THE FINAL PLAT AND DEVELOPMENT AGREEMENT FOR THE REGIONAL MEDICAL ARTS CAMPUS 2.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

DEPARTMENT REPORTS

Building Inspection Services & Assessing

2005 Annual Report

Building Inspector, Ron Euteneuer presented his 2005 Annual Report and gave comparisons with the 2004 report. Ron highlighted the average home and lot prices as well as the seven most active builders for the city.

Fire Department

2005 Annual Report

Fire Chief, Ken Heim presented his annual report and talked about highlights of 2005, regarding the number of fire calls, mutual aid calls, amount of dollar loss and the day/time when most fires occur.

Mayor Pogatshnik thanked the fire department for the report and the great job of protecting the community.

Police Department

2005 Annual Report

Chief Hughes presented the departments annual report and highlighted areas of interest such as grants received to cover equipment, response on comment cards and the number of alarm calls received.

Mayor Pogatshnik thanked the police department for the report and the great job of keeping the community safe.

Activity Report

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY O'DRISCOLL ACCEPTING THE POLICE DEPARTMENT'S ACTIVITY REPORT.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

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Finance Department
2005 Annual Report

Finance Director, Mary Degiovanni presented her annual report and said that she will be presenting the audited financial report at the April 24th Council meeting.

City Engineer
2005 Annual Report

Engineer, Mike Nelson presented the engineer's portion of the annual report. Nelson talked about restructuring at the office after the loss of one of their key employees and future plans for leasing office space at the new maintenance garage. Nelson said he would be available if the Council has questions or concerns.

Public Works
2005 Engineer/Public Works Annual Report

Director, Brad Borders reviewed the annual report and talked about the additional streets and cul-de-sacs serviced in the city, amenities and additional parks and users of the facilities, water consumption and peak usage times as well as the number of feet the new sewer jetting machine was used.

Monthly Activity Report

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF ACCEPTING THE REPORT.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

City Engineer
Bi-Monthly Memorandum

Engineer, Mike Nelson presented his on-going projects. Council member Perske asked for an update on the progress of the permit from DNR Special Waters for the Pine Cone Regional Park Trails. Engineer Brian Davies was present and explained the permit should be here in about 2 weeks.

Planning & Community Development Director
2005 Annual Report

Anita Rasmussen presented and highlighted her annual report.

Council member O'Driscoll congratulated and thanked Anita for all her work with the Junior Achievement program.

Bi Monthly Memorandum

Anita presented her memorandum and updated the Council on the work of the Exploratory Environmental Protection Ordinance Task Force.

Council member Orndorff asked the status and discussed safety concerns of the sign along Pine Cone Road at the entrance to Grand View Estates. Anita will check.

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LEWANDOWSKI ACCEPTING THE REPORT.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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**AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

Mayor Pogatshnik thanked Anita for her work and the 2005 report.

City Administrator
Professional Development

A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY LEWANDOWSKI APPROVING THE PROFESSIONAL DEVELOPMENT CLASSES FOR THE POLICE CHIEF HUGHES TO ATTEND THE MN CHIEFS OF POLICE 2006 EXECUTIVE TRAINING INSTITUTE APRIL 24 THROUGH APRIL 27TH.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

**AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

Patti updated the Council on the Strategic Planning meeting originally scheduled for March 27th at 5:30 and the recommendation to change the date to March 20th instead.

A MOTION WAS MADE BY O'DRISCOLL SETTING A STRATEGIC PLANNING MEETING FOR MARCH 20TH AT 5:30 P.M. AND CANCEL THE MEETING ORIGINALLY SET FOR MARCH 27, 2006 AT 5:30 P.M. PRIOR TO THE CITY COUNCIL MEETING. THE MOTION WAS SECONDED BY LEWANDOWSKI.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

**AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Council member O'Driscoll discussed the need for a joint meeting with the Planning Commission, Park Commission and Economic Development Commission to discuss goals and objectives. O'Driscoll updated the Council on the resignation of the chair person of the St. Cloud Area Economic Development Partnership and the possibility that he may take on that responsibility in the future.

Council member Perske along with Chief of Police, Jim Hughes invited the Council to a visionary meeting on early childhood development at St. Francis School at 7 p.m. on April 6, 2006. Official notice will be sent.

Patti updated the Council on the process of handling complaints from Charter customers regarding rate increases. Complainants are asked to call Charter directly. Charter management plan to make a presentation to the Council and share their plan.

Mayor Pogatshnik reported on his trip to Washington DC where he visited with members of congress and met with Kenedy, Coleman and staff from Dayton's office for support of APO funding requests. Mayor Pogatshnik also talked about plans for the realignment of 50th Avenue and County Road 134. An update on DeZurik's leasing the 3rd floor of their building starting in April to Centra Care as a training facility was given by the Mayor. All three parking lots will be open to accommodate parking for the trainees and staff.

PAYMENT OF VOUCHERS

A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY ORNDORFF APPROVING THE PAYMENT OF ALL VOUCHERS.

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UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

ADJOURN

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LEWANDOWSKI TO
ADJOURN THE MEETING AT 8:48 P.M.**

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

Minutes By:

Judy Molitor
Administrative Secretary

MAYOR