

May 10, 2010

SARTELL CITY COUNCIL MEETING

MINUTES OF MAY 10 , 2010

9th MEETING

Pursuant to due call and notice thereof, the 9th meeting of 2010 was held on May 10, 2010 in the council chambers of the Sartell City Hall. Mayor O'Driscoll called the meeting to order at 7:00 p.m and invited attendees to participate in the Pledge of Allegiance.

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

SPECIAL PRESENTATION FROM MTC

Tom Cruikshank and Dave Tripp of the MTC provided a power point overview of changes made to the MTC services provided to Sartell effective in August 2010 including adding service to the new Epic Center and expanding the number of hours of service provided in Sartell. (+1700 hours annually with evening and weekend service hours.)

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY LYNCH AND SECONDED BY HENNES APPROVING THE REVISED AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF CITY COUNCIL MINUTES

- a. April 26, 2010 – Regular Meeting

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

CONSENT AGENDA

- a. April Building Permit Activity Report – Acceptance
- b. April Inspections Activity Report – Acceptance
- c. April Finance Directors Report – Acceptance
- d. April 28, 2010 Park Commission meeting notes - Acceptance
- e. Approval of voucher payments dated May 5, 2010
- f. Approval of Fire Department's recommendation acquisition of the Safe House training and public education equipment currently owned by the Central MN Mutual Aid Association
- g. Acceptance of fishing pier donation from Sartell Rotary Club for Sartell Riverside Park
- h. Approval of completion of site survey & field topography at Northside Park/Champion Field

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- i. Approval of insurance policy renewals through the League of MN Cities Insurance Trust
- j. Acceptance of multiple donations for acquisition of supplies from the Child Safety Council
- k. Approval of special event permit for Apple Duathlon race event on May 29, 2010
- l. Approval of special event permit for Sartell Lions Club race event on May 15, 2010

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER PETERSON APPROVING CONSENT AGENDA "A" THROUGH "L". THE MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS

Mayor announced that the public hearings will be conducted concurrently for the setback variances, drainage and utility easement vacation along 2nd Street South and the preliminary plat for Great River Bowl expansion and the City's public facilities campus property. Anita provided an overview of the various requests to facilitate a proposed 11,000 square foot expansion to the northerly part of the existing building. Anita noted that changes made to the City's zoning standards in 2005 for setbacks now preclude the intended expansion that dates back to 2000 and 2004 when prior expansions to the facility were approved by the City. Staff and the Joint Planning Commission recommend approval of the requested variances. Council member Hennes disclosed that Mr. Mathiasen is his immediate supervisor in employment with the City of St. Cloud but has been advised by staff that this does not represent a legal conflict of interest. Mayor O'Driscoll opened the public hearing.

Lyle Mathiasen indicated he will be available for questions. No oral testimony was offered. One piece of written testimony was noted for the record from an abutting property owner (D. Omann). Mayor closed the public hearing.

Council member David Peterson asked if there was adequate area left in the easement/right-of-way area to add lighting and/or a bike path along 2nd Street. City Engineer, Jeremy Mathiasen responded that adequate area remains to accommodate street lights and sidewalk although it would more likely be that a trail would be added to the north side of 2nd Street as an extension of the existing trail system. Council member Steve Hennes suggested channelized left out/right out and a single lane in at the driveway. Mathiasen noted adequate space should be available. Lyle Mathiasen noted that this driveway access is shared with the neighboring property owner. Lyle also noted that as a result of an exchange of land with the City in 2004, the opportunity to expand to the south was precluded.

a. Front Yard and Side Yard setback variances – Great River Bowl expansion

Resolution approving findings of fact supporting approval (or denial) of front yard setback variance

A MOTION WAS MADE BY MEMBER HENNES AND SECONDED BY MEMBER LYNCH APPROVING RESOLUTION 30-10 ADOPTING FINDINGS OF FACT SUPPORTING A VARIANCE TO THE MINIMUM FRONT YARD SETBACK REQUIREMENTS. THE MOTION CARRIED UNANIMOUSLY.

Resolution approving front yard setback variance

A MOTION WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PERSKE ADOPTING RESOLUTION 31-10 APPROVING THE ISSUANCE OF A FRONT YARD VARIANCE AND DECLARING TERMS OF SAME. THE MOTION CARRIED UNANIMOUSLY.

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Resolution approving findings of fact supporting approval of (or denial) side yard setback variance

A MOTION WAS MADE BY MEMBER PETERSON AND SECONDED BY MEMBER HENNES APPROVING RESOLUTION 32-10 ADOPTING FINDINGS OF FACT SUPPORTING A VARIANCE TO THE MINIMUM SIDE YARD SETBACK REQUIREMENTS. THE MOTION CARRIED UNANIMOUSLY.

Resolution approving side yard setback variance

A MOTION WAS MADE BY PERSKE AND SECONDED BY LYNCH ADOPTING RESOLUTION 33-10 APPROVING THE ISSUANCE OF A SIDE YARD VARIANCE AND DECLARING TERMS OF SAME. THE MOTION CARRIED UNANIMOUSLY.

b. **Drainage & Utility easement vacations – Great River Bowl expansion**

Resolution approving partial drainage& utility easement vacation

A MOTION WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER HENNES ADOPTING RESOLUTION 34-10 VACATING A PORTION OF A DRAINAGE AND UTILITY EASEMENT. THE MOTION CARRIED UNANIMOUSLY.

c. **Preliminary plat – Great River Bowl and City Public Services campus**

Resolution approving preliminary plat for GRB Two

A MOTION WAS MADE BY PERSKE AND SECONDED BY PETERSON ADOPTING RESOLUTION 35-10 APPROVING THE PRELIMINARY PLAT OF GREAT RIVER BOWL TWO. THE MOTION CARRIED UNANIMOUSLY.

Resolution approving final plat for GRB Two (related action not subject to public hearing)

A MOTION WAS MADE BY MEMBER PETERSON AND SECONDED BY MEMBER PERSKE ADOPTING RESOLUTION 36-10 APPROVING THE FINAL PLAT OF GREAT RIVER BOWL TWO. THE MOTION CARRIED UNANIMOUSLY.

Site plan for GRB expansion (related action not subject to public hearing)

City Planner, Rasmussen reviewed the features of the proposed expansion and noted the recommendation for approval by staff and the (4-1 vote) Joint Planning Commission. Member Perske inquired about the pylon sign changes. Lyle Mathiasen indicated that there are no short term plans to change the pylon sign but eventually they will and understand that a permit is required.

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER HENNES APPROVING THE SITE PLAN FOR GREAT RIVER BOWL EXPANSION. THE MOTION CARRIED UNANIMOUSLY.

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Approval of ingress/egress easement for emergency response vehicles (related action not subject to public hearing)

Approval of ingress/egress easement from Sartell-LeSauk Government Center parcel (Lot 3, Block 1, Great River Bowl Two) to 4th Avenue South (related action not subject to public hearing).

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER LYNCH APPROVING BOTH THE INGRESS AND EGRESS EASEMENTS FOR EMERGENCY VEHICLES. THE MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS

a. Resolution approving Epic Center 2nd Addition final plat

Council member Lynch announced his ownership interest as a partner in Sartell Partners and that he would recuse himself from participation in this matter as a member of the Council. Anita Rasmussen provided an overview of the proposed four lot plat for Epic Center. Staff and the Joint Planning Commission recommended approval subject to conditions identified in the staff memorandum.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY PERSKE APPROVING THE FINAL PLAT OF EPIC CENTER 2ND ADDITION. MOTION CARRIED 4-0.

Council member Lynch rejoined the Council.

b. Tobacco license violation

Police Chief Hughes noted that tobacco compliance checks were conducted and two businesses failed, Walgreens, as their first violation and Benton Drive Mini Serv as their second violation. Public hearings were not requested by either party. Recommendation was made to impose the civil penalty of \$75.00 and \$200.00 respectively as provided for in ordinance, due on or before June 9, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER PETERSON APPROVING THE RECOMMENDED PENALTIES. THE MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

a. Legal services contract with Jan Petersen

City Administrator, Patti Gartland provided an overview of the proposed contract for legal services with Jan Petersen.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER LYNCH APPROVING LEGAL SERVICES WITH JAN PETERSEN. THE MOTION CARRIED UNANIMOUSLY.

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b. Athletic Sign Plan Approval for Sartell/St. Stephen School District

Anita Rasmussen provided an overview of the proposed athletic sign score board for the soccer fields along 7th St. South. Staff along with the Joint Planning Commission recommend approval. Ken Heim was available for questions.

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER PETERSON APPROVING THE ATHLETIC SIGN FOR SARTELL/ST. STEPHEN SCHOOL DISTRICT. THE MOTION CARRIED UNANIMOUSLY.

DEPARTMENT REPORTS

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

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

b. Public Works

Public Works Director, Brad Borders presented his report and noted the river bank restoration has been initiated.

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

Jeremy Mathiasen presented his memorandum.

**d. Planning & Community Development Director
Semi-Monthly Memorandum**

Director, Anita Rasmussen presented her memorandum.

e. City Administrator

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Council member Joe Perske asked about the possibility of skate park improvements to the outdoor rink at Pinecone Regional Park.

Mayor O’Driscoll noted his trip to DC and visits to members of congress regarding the pending VA cooperation needed for implementation of the West Metro Corridor improvements.

Park Commission Liaison appointment (action deferred from April 28, 2010 meeting)

Council member David Peterson offered to serve as a non-voting liaison to the Park Commission.

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A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY MEMBER HENNES APPOINTING DAVID PETERSON AS COUNCIL'S LIAISON TO THE PARK COMMISSION. THE MOTION CARRIED UNANIMOUSLY.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER LYNCH TO ADJOURN THE MEETING AT 8:36 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

Judy Molitor

MAYOR TIM O'DRISCOLL