

May 24, 2010

SARTELL CITY COUNCIL MEETING

MINUTES OF MAY 24, 2010

10th MEETING

Pursuant to due call and notice thereof, the 10th meeting of 2010 was held on May 24, 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
Dale Struffert, Deputy Police Chief

SPECIAL PRESENTATION – 2010 SUMMERFEST UPDATE

Jason Mathiasen provided an overview of the 2010 SummerFest events occurring between June 10 – 12th.

AGENDA REVIEW AND ADOPTION

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

APPROVAL OF CITY COUNCIL MINUTES

a. May 10, 2010 – Regular Council Meeting.

A MOTION WAS MADE BY MEMBER HENNES AND SECONDED BY MEMBER LYNCH APPROVING THE MEETING MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

CONSENT AGENDA

- a. Approval of voucher payments dated May 19, 2010
- b. ~~Approval of special event permits for Mayor's 5K race, parade, street dance & fireworks, events for SummerFest celebration on June 10-12, 2010~~
- c. Approval of 2011 budget process and schedule
- d. First reading and set public hearing for June 14, 2010 for a zoning ordinance amendment regulating temporary political signs as modified in State law.
- e. Approval of resolution authorizing execution of agreement for the C.R.A.S.H. public safety project
- f. ~~Approval to continue SAC & WAC rate freeze for single family residential development through 12-31-10~~
- g. Approval to continue allowing the sale of catered beer at Northside Park for the Sartell Muskies 2010 game season subject to receipt of certificate of insurance and current caterers license.

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- h. Approval of resolution certifying appraisals for acquisition of right-of-way for 50th Avenue improvement project.
- i. Acceptance of \$250 donation from Fraternal Order of Eagles Ladies Auxiliary #622 for Cookout with Cops

Council member Peterson asked to move item "f" to discuss under "Old Business" and Mayor O'Driscoll requested to remove item "b" for later discussion.

A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY MEMBER PETERSON APPROVING CONSENT AGENDA "A" THROUGH "I", REMOVING ITEM "B" FOR IMMEDIATE DISCUSSION AND DISCUSS ITEM "F" UNDER OLD BUSINESS. THE MOTION CARRIED UNANIMOUSLY.

CONSENT AGENDA ITEM "B"

Approval of special event permits for Mayor's 5K race, parade, street dance & fireworks, events for SummerFest celebration on June 10-12, 2010

Mayor O'Driscoll requested this item be removed for separate discussion because he serves on the Board of Directors.

A MOTION WAS MADE BY PETERSON AND SECONDED BY HENNES APPROVING CONSENT AGENDA ITEM "B".

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: COUNCIL MEMBERS: LYNCH, PETERSON, PERSKE, PETERSON

NAY: NONE

ABSTAIN: MAYOR O'DRISCOLL

MOTION CARRIED

PUBLIC HEARINGS

a. Assessment for 2010 west Heritage Drive public improvements

City Engineer Jeremy Mathiasen provided a power point overview of the project improvements on the western portion of Heritage Drive and the proposed assessments. Total project cost estimate is \$2,859,638 and current assessments proposed at \$978,558 based on the adopted assessment policy. Potential future assessments for properties currently located in the township is \$245,237.

Mayor O'Driscoll opened the public hearing at 7:15 p.m. The following comments were heard although comments do not reflect entire statements made:

Brian Dockendorf, representing Ferche Family Partnership, 823 6th Avenue SE, St. Stephen, raised objection to the rates proposed in the assessment because they feel the amount of the assessment exceeds the benefit received and noted other properties that will benefit but don't about the project are not being assessed.

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Jeffrey Yurczyk, 699 Heritage Drive, Sartell, raised objection to any assessment beyond \$20,000. He was not aware of the SAC and WAC charges he'll also have to pay to connect which is nearly another \$5,000, and feels he should have been made aware of those charges much earlier in the process. Yurczyk believes the assessments exceed the benefit they will realize from the improvements and also objects to the center turn lane being installed. He feels the single family homes are a very minor part of the traffic but will carry a much higher percentage of the cost and the savings from the favorable bids should be shared with the property owners being assessed.

Brian Donnay, 679 Heritage Drive, Sartell, echoed comments offered by Mr. Yurczyk in raising objection to the proposed assessment on his property and questioned why his assessment went up from the estimate provided a year ago. City Engineer Mathiasen, noted that there was a correction in the actual lineal frontage for his property. Mr. Donnay questioned if this was a petitioned improvement and what the City's funding sources are which the City Administrator, Patti Gartland and Finance Director, Mary Degiovanni provided in the overview. Mr. Donnay noted that he had a recent appraisal completed and asked that the information be used to help determine the amount of value that will be attained from these improvements. Ms. Gartland noted that the assessment policy and rates are intended to reflect the average value received from the improvements but the public hearing enables the City to learn of any uniqueness to the project and/or properties that make a deviation from the assessment policy calculations appropriate.

Craig Cash, 695 Heritage Drive, Sartell, echoed comments offered by Mr. Yurczyk and Mr. Donnay in raising objection to the proposed assessment on his property.

Mayor O'Driscoll closed the public hearing and made note of the four written objections received which were from the same property owners that offered testimony this evening.

Council member Hennes encouraged the assessments for the three single family residential properties be re-evaluated given the higher than typical traffic volumes that this particular road accommodates and the larger than average frontage of these lots.

Council member Peterson inquired about any past practice in delaying the interest accrual timeframe and also if the City has ever given the benefit of low bid results as an adjustment to the assessments. Peterson also encouraged staff to explore options for reducing the amount of assessment to the single family properties.

Council member Lynch concurs with having staff explore options for a reduction in assessments, particularly for the street portion of the improvements to the single family properties.

Mayor O'Driscoll concurred with exploring the potential adjustments to the street portion of the assessments given the collector nature of this roadway. He also noted that the cost benefit analysis of the road replacement is probably more similar to when a homeowner does a roof replacement, it has to be done but the full value isn't necessarily realized immediately after completion.

Resolution adopting assessments for 2010 west Heritage Drive improvements

Further consideration was deferred to the June 14, 2010 meeting.

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b. 2010 Stormwater Pollution Prevention Plan

Anita Rasmussen provided an overview of the 2009 NPDES report and the proposed 2010 Storm Water Pollution Prevention Plan. The report and the SWPP are required as part of a federal mandate of the Environmental Protection Agency (EPA).

Mayor O'Driscoll opened and closed the hearing, no testimony was offered.

Council member Hennes asked if there were any changes to the plan since last year. Rasmussen responded that there were not any new additions made, but only updates on what had been accomplished was added. Hennes asked about algae occurrence on ponds and whether or not there is anything that can be done to remove the algae. City Engineer, Mathiasen, noted that the algae is not harmful according to the DNR, but a chemical treatment is done by some that want the algae removed.

Resolution approving the 2010 Stormwater Pollution Prevention Plan

A MOTION IS MADE BY PETERSON AND SECONDED BY HENNES APPROVING RESOLUTION 41-2010, THE 2010 STORMWATER POLLUTION PREVENTON PLAN. THE MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS

a. Bid award for 23rd Street South public improvements

Jeremy Mathiasen provided an overview of the bid results and a recommendation to award the bid to R.L. Larson as the low bid for the base bid plus PVC watermain and concrete storm sewer pipe which was 19% below the engineer's estimate.

Resolution receiving bids and awarding contract on 2010 – 23rd Street South improvement project

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER LYNCH ADOPTING RESOLUTION 42-10 RECEIVING BIDS AND AWARDING CONTRACT ON 2010 – 23RD STREET SOUTH IMPROVEMENT PROJECT. THE MOTION CARRIED UNANIMOUSLY.

b. Sartell Partners development agreement amendment

Council Member Lynch indicated he would recues himself from participation of this matter due to his ownership interest in Sartell Partners. Finance Director, Degiovanni provided an overview of the requested modification and recommends approval.

A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY MEMBER HENNES APPROVING THE SARTELL PARTNERS DEVELOPMENT AGREEMENT AMENDMENT.

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

NAY: NONE

ABSTAIN: COUNCIL MEMBER LYNCH

MOTION CARRIES 4-0-1

c. PINECONE CENTRAL PARK IMPROVEMENTS

Update from development planning and fundraising group

Gordy Meyer provided an update on the development planning and fundraising efforts of the group he is working with to move ahead with private funding for the athletic field and facility improvements beginning in 2010 at Pinecone Central Park. A new development concept plan was presented that he believes better depicts the potential for the site and will result in better donation results. Phase I is envisioned to have construction of the 4 plex ballfield, concession stand and the rectangular fields for soccer & football with orientation north-south preferred over east/west as suggested by Council Member Perske. In response to inquiry, Gartland noted that the parking lot configuration in the new concept plan has been reviewed by staff and can be incorporated into the version of plans and specs recommended for approval this evening by the Council as a minor modification to the preliminary engineering report. Paul Hanson noted that the new concept plan is believed to be a better utilization of the existing topography and drainage of the site.

Preliminary engineering report – resolution approving engineering report and ordering preparation of plans and specifications

Jeremy provided an overview of the preliminary engineering and reviewed the scope of improvements and cost estimates for each of three options presented. Council Member Perske asked for a breakout of the trail cost and advocated a pedestrian trail separate from the parking lot also be included going to the first ballfield.

Staff is requesting that the Council identify the preferred scope of improvements and authorize the preparation of plans and specifications for consideration by the Council at its June 28th meeting. Considerable debate and discussion occurred focusing on the pros and cons for options #2 (access road 2/3's into property) and option #3 (through street connecting 13th Avenue to Pinecone Road). The need to acquire an easement to facilitate the road and trail connection to 13th Avenue was noted which could affect the cost and timeline for being able to complete construction.

A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER HENNES TO DEVELOP PLANS AND SPECS FOR OPTION #3 THAT HAS THE ABILITY TO BE SCALED BACK TO OPTION #2 IF NECESSARY, AND TO STUB WATER AND SEWER TO AVOID HAVING TO IMPACT THE ROAD IF ITS CONSTRUCTED THROUGH TO 13TH AVENUE. THE MOTION CARRIED UNANIMOUSLY.

d. Review of Public Works Commission job description (requested by Council Member Perske)

Significant discussion occurred regarding the need and desire for potential amendments to the job description for the Public Works Commission.

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**A MOTION WAS MADE BY COUNCIL MEMBER PERSKE AND SECONDED BY MEMBER PETERSON TO AMEND THE PUBLIC WORKS JOB DESCRIPTION TO INCLUDE MONTHLY MEETINGS , OR AS NEEDED. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: COUNCIL MEMBERS HENNES, PERSKE, PETERSON
NAY: MAYOR O'DRISCOLL, COUNCIL MEMBER LYNCH
MOTION CARRIED**

Consensus was that the Public Works Director and City Engineer will make the determination of the agenda for meetings based on the responsibilities articulated in the job description. Administrator Gartland noted that this arrangement can be expected to result in the same outcome as currently exists because the actual responsibilities of the Public Works Commission are not changing.

CONSENT AGENDA ITEM "f"

f. Approval to continue SAC & WAC rate freeze for single family residential development through 12-31-10

Council Member Peterson asked if the SAC and WAC freeze will place a greater financial risk on the City. Finance Director Degiovanni responded that incenting an increase in single family development with the rate freeze helps reduce assessment delinquencies.

A MOTION WAS MADE BY COUNCIL MEMBER PETERSON AND SECONDED BY MEMBER HENNES APPROVING THE CONTINUATION OF SAC & WAC RATE FREEZE FOR SINGLE FAMILY RESIDENTIAL HOMES THROUGH 12-31-10. THE MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

a. 2010 – 2012 Strategic Economic Development Plan

Community Development Director, Anita Rasmussen provided an overview of the plan as created by the Economic Development Commission to guide the efforts and actions to promote economic development in the City. This plan is an update to a prior plan that was adopted for 2007-2009. Council Member Perske advocated that the proposed Economic Development Plan be submitted to the Joint Planning Commission for their review before the Council acts on it.

**A MOTION WAS MADE BY COUNCIL MEMBER LYNCH AND SECONDED BY MEMBER HENNES APPROVING THE 2010-2012 STRATEGIC ECONOMIC DEVELOPMENT PLAN. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: MAYOR O'DRISCOLL, COUNCIL MEMBERS: HENNES, LYNCH, PETERSON
NAY: COUNCIL MEMBER PERSKE
MOTION CARRIED**

DEPARTMENT REPORTS

a. Police Department

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b. Public Works
Riverbank restoration update

Director, Brad Borders indicated that the only remaining work is the parking lot paving and landscape work. Council Member Hennes noted that the view of the river has been improved as a result of the restoration work.

c. City Engineer
Semi-Monthly Memorandum

Council Member Peterson noted a report indicating a shortage in the pigment for reflective road paint and asked if the City is anticipating an impact on any of our current or future projects.

d. Planning & Community Development Director
Semi-Monthly Memorandum

Anita Rasmussen presented her memorandum.

e. City Administrator

Gartland referenced a proposed resolution format for facilitating the approval of naming rights for the more substantial private donations received as part of the athletic facilities fundraising efforts.

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Council Member Perske offered a reminder for the Apple Duathlon events coming up this weekend. Council Member Hennes offered a reminder for Wednesday, June 9th for the public input sessions for the proposed changes to the MTC routes in Sartell. Mayor O'Driscoll encouraged attendance at the Memorial Day ceremony at Veterans Park.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER HENNES AND SECONDED BY MEMBER PETERSON TO ADJOURN THE MEETING AT 10:23 P.M. THE MOTION CARRIED UNANIMOUSLY.

Minutes By

Judy Molitor

MAYOR TIM O'DRISCOLL