

May 8, 2006

SARTELL CITY COUNCIL MEETING

MINUTES OF MAY 8, 2006

9TH MEETING

Pursuant to due call and notice thereof, the 9th meeting of 2006 was held on May 8, 2006 in the council chambers of the Sartell City Hall. Mayor Pogatshnik called the meeting to order at 7:05 p.m.

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

PLEDGE OF ALLEGIANCE

OATH OF OFFICE – OFFICERS ROB LYON AND JILL LEUHMANN

Chief Jim Hughes introduced the two newly hired patrol officers and administered their Oath of Office.

PRESENTATION OF MN CHIEF'S OF POLICE ASSOCIATION MERITORIOUS SERVICE AWARD TO PATROL OFFICER DAN WHITSON

Chief Hughes presented the Minnesota Chief's of Police Association Meritorious Service Award to Officer Dan Whitson. Chief Hughes read a letter submitted on behalf of the accomplishments of Officer Whitson as well as the response and congratulations for being selected as the recipient of the award. Officer Whitson thanked the Mayor and the City Council for their support over the years. On behalf of the City Council, Mayor Pogatshnik extended special thanks to Officer Whitson for his years of service to the City and especially to his work with the youth in the community and schools.

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF ADOPTING THE AGENDA AS PRESENTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

APPROVAL OF CITY COUNCIL MINUTES

A MOTION WAS MADE BY PERSKI AND SECONDED BY ORNDORFF APPROVING THE MINUTES OF THE APRIL 24, 2006 REGULAR AND SPECIAL MEETING AND THE APRIL 11, 2006 SARTELL/BENTON COUNTY BOARD OF EQUALIZATION MEETING.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

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CONSENT AGENDA

- a. April Building Inspectors Report – Acceptance
- b. April Fire Marshal/code Official Report – Acceptance
- c. April Finance Directors Report – Acceptance
- d. Approve Public Works Commission meeting notes for April 25, 2006
- e. Set public hearing for preliminary plat for Creekside for May 22, 2006
- f. First reading and set public hearing for amendments to Title 2, Chapter 4 of the Code of Ordinances concerning the Board of Health for May 22, 2006
- g. Set public hearing for 2006 Storm Water Pollution Prevention Plan report on June 12, 2006
- h. Approval to purchase new benches for Watab Pool area using \$2500 donation from Sartell Jaycees
- i. Approval to purchase backstop, ag-lime and bases for Val Smith Park ball field using up to \$6,500 of park dedication funds and donated labor from the Sartell Baseball Association
- j. Approval of a joint resolution approving the detachment of a parcel of property previously annexed in error
- k. Approval of a noise exemption permit for Sartell-St. Stephen High School for an outdoor movie event on May 22, 2006
- l. Approval of resolution supporting the HUD financial assistance application from National Handicap Housing Institute and letter of commitment for certain fee reductions for a proposed affordable housing facility for qualifying adults with physical disabilities.
- m. First readings and set a public hearing for proposed amendments to the right-of-way ordinance and fee schedule ordinance for May 22, 2006
- n. Acceptance of \$500 donation from Rotary and expenditure of up to \$1,200 for landscape improvements for Public Services campus identification improvements

A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY LEWANDOWSKI APPROVING CONSENT AGENDA ITEMS A-N AS PRESENTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

PUBLIC HEARINGS

2006 Street Improvements Projects

“A” 5th Street North reconstruction from 7th Avenue North to Riverside Avenue

7:19 p.m. Mayor Pogatshnik gave a brief outline of how he would conduct the following seven public hearings and asked the City Engineer, Mike Nelson, to explain the projects.

Engineer, Mike Nelson explained the first section of roadway slated for repairs in 2006 on 5th Street North from 7th Avenue North to Riverside Avenue. Nelson reviewed the associated cost to the project and explained how the assessment provides for a portion of the replacement costs to be paid by the homeowner. In his power point presentation, Nelson pointed out the need for the street repairs to control storm water run-off, to bring the streets to a standard 36' with curb and gutter along with the continuation of the bike/pedestrian path and storm sewer improvements. The total estimated construction cost for the project is \$441,650.63, estimated assessment proceeds \$338,868.35 and the estimated cost to the city at \$102,782.28.

The following comments were heard from the public although the minutes do not reflect the *entire* statements made:

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Mike Biendara, 501 1st Avenue North, Sartell, said that four out of the eight people on his street are retired and he is one of them, and being retired cannot afford the extra expense. Mike said he will have to move out if the project is approved and feels the Council is prejudice against him. There is only 5 people at the most who use the street, therefore he doesn't think the project is worth the money, the street can still be patched. Biendara thinks this is a waste of taxpayers money, taxes are already ridiculously high. It is time to stop spending money. He complained a long time ago about water sitting on the street and nothing was done about it. He doesn't see the need for sidewalk, curb and gutter.

Mayor Pogatschnik stated that there is assistance available for people who need help paying assessments.

Mike Nelson explained how the residents can have these assessments added to their taxes and pay for them over a 10 year period at an interest rate yet to be determined, however is estimated to be around 6%.

Mike Biendara, 501 1st Avenue North, Sartell, said that because only about five people would use a sidewalk he doesn't feel the need is there. Money is tight and spending needs to stop.

Engineer, Mike Nelson explained the reason for the sidewalk was to enhance the transportation plan and connect the pathways.

Al Regnier, 500 2nd Avenue North, Sartell, concerned about snow storage and how he, as a homeowner, will be able to keep the snow off the sidewalk. Al also talked about an approximate 4' offset from the paths lining up at the intersection and asked how that will be handled.

Mike Nelson will review when the plans are drawn, if the project moves forward. Nelson also discussed the possibility of constructing a 5' sidewalk.

Al Regnier, 500 2nd Avenue North, Sartell, cannot support a sidewalk in this older part of town where the lots are narrow and trees are located too close to where the sidewalk is proposed. He is concerned the tree roots are too close to where the sidewalk is proposed and if a sidewalk is constructed, his trees may die.

Steve Weyer, 410 2nd Avenue North, Sartell, asked why he is assessed for two lots when he only owns one lot on the east/west street. Engineer, Nelson will check.

Gordon Weihrauch, 412 5th Avenue North, Sartell is part of an association and at the time the development was built 10 years ago, the developer paid for the storm sewer, curb & gutter. Gordon asked why they have to pay again? Also the assessment notice was sent to only 4 property owners who's property borders the street, however all the homeowners in the association would share equally (24 units) in the assessment charge.

Mike Nelson explained that because the property is relatively new they will try to save the curb where they can. Overall reconstruction is for additional catch basins and road repairs. Mailings of assessment notices will be provided for all the members in the association.

Mayor Pogatschnik verified that all the property owners in Cottage Heights will share equally in the assessments costs.

Tim Kantos, 508 5th Street North, Sartell, asked if there will be curb and gutter ahead of his property? With his steep driveway, he is concerned of all the storm water running into his garage. Right now the water is disbursed onto yards rather than on the street, however he feels that the addition of curb and gutter could worsen the situation and cause the water to run into his garage.

Mayor Pogatschnik explained that with the design of the road and catch basins, water should not run into his garage, even with curb and gutter addition.

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Doug Tanner, Director of Church Properties for Messiah Lutheran Church was curious why they paid a storm sewer assessment in 1997 for \$25,000 and less than 10 years later, another \$21,000, why does it have to be done again?

Mike Nelson explained that this is part of a reconstruction project and because the church owns a large piece of property the assessment cost is higher. The Church is only being charged 35 % of the construction costs because, according to city policy, this is a reconstruction project consisting of additional catch basins, storm sewer laterals and increased pipe sizing.

Bob Trobec, 700 4th Street North, Sartell – agrees the catch basin and curb/gutter is a good idea, do it right so that no problems arise in the future.

Cliff Tieglund, 415 Riverside Avenue, Sartell talked about the direction of water flow down 5th Street and possible pooling issues on the corner on Riverside Avenue, he wanted to be sure the storm drains can handle excessive water and not have flooding issues in the future. Tieglund was concerned about the school portion of his real estate taxes increasing if the assessments for the school property increases, especially with the amount of land the school owns.

Steve Wruck, Business Manager with Sartell-St. Stephen School explained that this project will not increase the portion of school taxes on residents' real estate tax bills because this assessment payment will come from the school's budget, not from residents real estate taxes. Wruck also talked about the amount of land the school has and the minimum amount of land required by the Department of Education to build a school.

Laura Solt, 622 5th Street North, Sartell, suggested the City send out notices earlier notifying residents of an upcoming assessment payment. They received their notice only a week ago and she doesn't feel that if this project is approved and construction starts this summer, there is not enough time to save up the amount of money needed to pay the assessments.

Herb Blonigen, 402 5th Avenue North, Sartell, asked to have the Engineer's office check into if the developer paid for these costs when the association was started. Mike Nelson suggested the possibility of doing a reconstruction without replacing the curb/gutter area and Mike said he will also be sure the assessment rate is set the same for all the residents of Cottage Heights.

Jim Stoffel, is in the process of buying a home on the corner of 5th Street and 5th Avenue and said there is a single car garage in the backyard with a solid curb in front of it and he was wondering, if he buys the property, could he get a curb cut to allow access into this garage? Mike Nelson will check into this.

Doug Tanner, Director of Church Properties for Messiah Lutheran Church compared the assessment for the church to the school property. Mike Nelson explained that the school has the use of holding ponds for some of their run off whereas the Church property drains into the storm system. Tanner asked if it would be possible for the Church to put in a holding pond on their property? Mike said that is not possible.

Mike Biendara, 501 1st Avenue North, Sartell asked if the project was going to move forward even if the residents are against it? Mayor Pogatschnik said the Council will hear all the testimony and then vote.

Tim Kantos, 508 5th Street North, Sartell asked if the City Engineer will stop by his house before the project begins to look at his yard? Mike Nelson said he would have a neighborhood meeting on-site with the affected properties and review and discuss each homeowner's specific concerns.

Council member O'Driscoll encouraged anyone that has concerns regarding the property to contact the City Engineer. Nelson and his crew take great pride in working with neighbors during projects such as this one and they will consider all options regarding the homeowners concerns.

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Jill Sieben, 317 7th Avenue North, Sartell, asked how much the cost of the project could go up if they would wait for another year or so? Mike Nelson said, on average, he would estimate 3-4%.

Cliff Tieglund, 415 Riverside Avenue, Sartell, asked when the project would commence? Engineer Nelson said, if approved, it would be designed and constructed this year, possibly in July or August.

On behalf of Clelia Handeland, 103 5th Street North, Mayor Pogatshnik asked if Mrs. Handeland will be able to keep her large maple tree and shrubbery. Mike will review the property.

Kala Windahl, 602 5th Street North, Sartell, asked how far the path will go up the hill? Suggested the path proceed the entire length of 5th Street.

8:40 P.M. Mayor Pogatshnik closed the hearing

Council member O'Driscoll asked if there was any written testimony for or against the projects? None were received.

Council member Lewandowski favors the additions of either bituminous paths or concrete sidewalks within the project.

Council member Perske also favors path – safer route for everyone.

Mayor Pogatshnik asked Mike Nelson to explain street width options for consideration, parking on one side or both sides of the street as well as path widths.

Council member O'Driscoll talked about the area from 2nd Avenue to Riverside, being a tight area to install bituminous path as well as the need and reason for a concrete sidewalk instead.

Council member Orndorff said that it is obvious we need to improve this section of roadway and need to be sure the design includes plenty of catch basins along the way to control storm water and not have any problems in the future. Orndorff said he understands the disagreements with the project however someone has to pay and it is a fair system to have the neighborhood pay a portion of the project in their neighborhood, not fair to tax the entire city residents. Orndorff agrees with the path connection on Riverside Avenue and keeping the cost as low as possible.

Council member Lewandowski agrees with member Orndorff and doing the project to correct water issues and she also pointed out that the City is picking up part of the cost on all of the projects considered tonight.

Council member O'Driscoll offered the city web site address to those residents who want to keep in touch with on-going city projects.

Council member Perske suggested that there is help out there for residents needing help paying assessments.

City Administrator Patti Gartland said she would be happy to work with property owners on deferred assessment issues.

Resolution ordering improvements and preparing of plans and specifications

A MOTION WAS MADE BY O'DRISCOLL ADOPTING RESOLUTION 85-06 ORDERING IMPROVEMENTS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS FOR 2006 IMPROVEMENTS – SECTION "A" 5TH STREET NORTH (FROM 7TH AVENUE NORTH TO RIVERSIDE AVENUE NORTH) RECONSTRUCTION. THE MOTION WAS SECONDED BY ORNDORFF.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

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NAY: NONE
MOTION CARRIED

“B” 7TH Avenue North reconstruction from 3RD to 5TH Street North

8:55 p.m. Mayor Pogatshnik opened the public hearing and City Engineer, Mike Nelson presented the 2006 Street Improvement Project to reconstruct 3rd Street North to 5th Street North. The project consists of curb and gutter, installation of storm sewer and resurface the roadway. The estimated construction cost is \$396,260.67, assessments will be \$94,889.58 with the estimated cost to the city at \$301,371.09.

The following comments were heard from the public although the minutes do not reflect the *entire* statements made:

Bob Trobec, 700 4th Street North, Sartell, asked if he could get a map from the engineer for the project. Mike said that the maps are available on the web site.

John Kitzmiller 412 7th Avenue North, Sartell, discussed water issues in his back yard as a result of the runoff from the yards of the homes in Bluebird Court that were built higher than their lot.

Todd Edstrom, rental property owner at 201 4th Avenue North, Sartell, asked how old the roads are that are being discussed for reconstruction? Engineer Nelson said an estimation is approximately 22 – 27 years.

Doug Sold, 622 5th Street North, Sartell, made a suggestion to stub a line into the property with a catch basin to help with the problem in Kitzmiller’s yard. Engineer Nelson talked about looking at the design of the road and the possibility of creating a lower section in the road for yard drainage into the right-of-way line. Nelson also discussed the homeowners expense of the line when/if it would be brought onto private property and the need for easements if the improvement extends outside the project area.

Bob Trobec, 700 4th Street North, Sartell, asked when the road was re-done was it resurfaced or reconstructed? Engineer Nelson said it was reconstructed.

Jill Sieben, 317 7th Avenue North, Sartell, questioned removing the curb in their area because it is in perfect shape. Nelson explained that he will be reviewing the site prior to construction and where it is possible to save the curb, they will definitely save it and just cut out sections where additional catch basins are needed. Nelson also said that depending on how many repairs need to be made to the curb after cuts, it is sometimes just as economical to replace the entire curb.

Doug Stockinger, 313 7th Avenue North, Sartell, asked the City Engineer to explain the drainage of water and how deep the pipes will be at 5th Street. Mike explained.

Mike Lang, 726 3rd Street North, Sartell, asked were the sewer starts on the intersection of Martin Court and why do the people on Martin Court have to pay when the project doesn’t affect their cul-de-sac street? Nelson said that the storm water comes out of Martin Court and contributes to the catch basins therefore the residents in Martin Court are benefactors to the system and are part of the reconstruction project.

Dave Lang, 308 7th Avenue North, Sartell, asked Mike Nelson how the assessments payment process works.

Bob Trobec, 700 4th Street North, Sartell talked about storm sewer pipes and where they are located in the street.

Doug Stockinger, 313 7th Avenue North, Sartell asked about the interest rate on the loan for assessments.

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John Kitzmiller 412 7th Avenue North, Sartell, in talking about the water run-off in his backyard, feels it is a City problem because the City allowed the homes in Bluebird Court to be built higher, therefore causing the excess water to run into their backyard. He doesn't feel they should be penalized for what the City did.

Mayor Pogatshnik explained that at the time Bluebird Court was developed, the City did the best they could with the elevation of the homes because of the granite ledge the homes are sitting on. Engineer Nelson will meet with the neighbors to try and improve the drainage issues.

Doug Stockinger, 313 7th Avenue North, Sartell, asked who pays for the increased costs? Nelson explained that the residents are locked in and that additional costs will be borne by the City.

9:35 p.m. Mayor Pogatshnik closed the hearing.

Council member Orndorff assured the City Engineer that this project needs to be done properly, need design and drainage so there is no standing water in backyards and not try to retrofit the project. Might cost the city more now, but is the best for the future.

Resolution ordering improvements and preparing of plans and specifications

A MOTION WAS MADE BY ORNDORFF ADOPTING RESOLUTION 86-06 ORDERING IMPROVEMENTS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS FOR 2006 IMPROVEMENTS – SECTION “B” 7TH AVENUE NORTH (FROM 3RD STREET NORTH TO 5TH STREET NORTH) RECONSTRUCTION. THE MOTION WAS SECONDED BY PERSKE.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

“C” 5th Avenue North reconstruction from 9th to 10th Streets North

9:40 p.m. Mayor opened the public hearing.

City Engineer, Mike Nelson explained the road improvements needed from 9th to 10th Street North to correct deteriorated bituminous roads as well as the need for storm sewer improvements. The total estimated cost of the project is \$302,955.78, estimated assessment proceeds is \$71,474.93, leaving an estimated city cost at \$231,480.85.

The following comments were heard from the public although the minutes do not reflect the *entire* statements made:

Becky Minnerath, 922 5th Avenue North, Sartell, talked about problems with drainage coming from outside this section of repair and her fear of having to re-do the area in the future if only a small section is fixed now.

9:50 p.m. Mayor closed the hearing.

Resolution ordering improvements and preparing of plans and specifications

A MOTION WAS MADE BY LEWANDOWSKI ADOPTING RESOLUTION 87-06 ORDERING IMPROVEMENTS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS 2006 IMPROVEMENTS SECTION “C” 5TH AVENUE NORTH (FROM 9TH STREET NORTH TO 10TH STREET NORTH) RECONSTRUCTION. THE MOTION WAS SECONDED BY O'DRISCOLL.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

"D" 5th AVENUE NORTH OVERLAY AND RECONSTRUCTION FROM 2 ½ STREET NORTH TO BROOKWOOD LANE.

9:50 p.m. Mayor opened the public hearing.

City Engineer, Mike Nelson presented the proposed project to repair deteriorated bituminous, bring the City street up to 36' standard width, overlay alley, install curb and gutter and a five foot sidewalk. Estimated construction cost is \$76,057.37, assessment proceeds is \$22,683.42 with a total estimated cost to the city of \$53,373.95.

The following comments were heard from the public although the minutes do not reflect the *entire* statements made:

Todd Edstrom, rental property owner at 201 4th Avenue North, Sartell, asked how many homeowners are affected by this assessment? Mike Nelson said there are three property owners. Mr. Edstrom asked the Council to consider eliminating the sidewalk along the cemetery side.

10:00 p.m. Mayor closed the hearing.

Council members discussed if there was a need for a sidewalk along the cemetery side of this road since the sidewalk would not be connecting to any other walkway or path. Consensus of the Council was to eliminate the sidewalk in this project.

Resolution ordering improvements and preparing of plans and specifications

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY O'DRISCOLL ADOPTING RESOLUTION 88-06 ORDERING IMPROVEMENTS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS 2006 IMPROVEMENTS SECTION "D" 5TH AVENUE NORTH (FROM 2 ½ STREET NORTH TO BROOKWOOD LANE) OVERLAY AND RECONSTRUCTION ELIMINATING THE SIDEWALK .

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

"E" 4th Avenue North reconstruction from 1st to 2 ½ Street North

10:10 p.m. Mayor opened the public hearing.

City Engineer, Mike Nelson explained the project to install curb & gutter, widen the street to a 36' width, install storm sewer and sidewalk. The total estimated cost for this project is \$277,024,98, assessment proceeds is \$102,324,54 with an estimated cost to the city of \$174,700.44.

The following comments were heard from the public although the minutes do not reflect the *entire* statements made:

Bill Smoley, 103 4th Avenue North, Sartell, spoke on behalf of his mother. Mr. Smoley said he didn't see any pictures in the presentation where there is improvements needed on Brookwood Lane. His mother has been a low maintenance citizen and has been paying taxes for over 55 years and he doesn't see the need to do any repairs from Brookwood Lane to 2 ½ street. Mr. Smoley appreciates the fact that the City is

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picking up some of the costs, however feels the residents paying assessments should receive a benefit from the project as well. Smoley objects to the project.

Debbie Niemeier, rental property owner at 201 4th Avenue North, Sartell, talked about the amount of green space left after the sidewalk is installed. Niemeier objects to the project because it will take away green space in front of their rental unit, which was a concern of the City when their project was constructed.

Mike Nelson explained how this sidewalk will tie into other areas of walking paths for the city.

Todd Edstrom, rental property owner at 201 4th Avenue North, Sartell said that he expected to come to this public hearing and get information on the project, not have a decision being made. When they built their rental property the city had concerns about enough green space and safety issues and now they are being forced to have a sidewalk ahead of their property now, which takes away the green space. Mr. Edstrom does not favor the sidewalk.

Tom Offerdahl representing St. Francis church on 4th Avenue and 1st Street suggested following the existing sidewalk and staying the same width as the existing walk.

Bill Smoley, 103 4th Avenue North, Sartell, asked if the width of the road would be changing? Mike Nelson said the road width would only change slightly.

10:45 p.m. Mayor Pogatshnik closed the hearing.

Council member Orndorff mentioned that this road is a major traveled area and the curb will help define the road, he agrees with finishing both sides.

Council member O'Driscoll asked the City Engineer if there is a need to combine the whole area around Brookwood Lane?

Resolution ordering improvements and preparing of plans and specifications

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LEWANDOWSKI APPROVING RESOLUTION 89-06 ORDERING IMPROVEMETNS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS 2006 IMPROVMEENTS – SECTION E 4TH AVENUE NORTH (FROM 1ST STREET NORTH TO 2 ½ STREET NORTH) RECONSTRUCTION.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

“F” 4TH Street North reconstruction from 1st Avenue North to Riverside Avenue

10:55 Mayor Pogatshnik opened the public hearing. City Engineer, Mike Nelson outlined the project and explained the need for installation of curb & gutter, bringing the street up to City standards of 36” and installation of 6’ sidewalk. Total estimated cost for this project is \$105,689.80, assessment proceeds \$14,072.05 with an estimated cost to the city of \$91,617.75.

The following comments were heard from the public although the minutes do not reflect the *entire* statements made:

Don Shaw, 401 Riverside Avenue North, Sartell, asked where the walkway will go and why they changed the walk from one side of the road to the other. Engineer, Nelson explained that there is not enough room on the south side of the street for a sidewalk

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Mary Jo Femrite, 400 1st Avenue North, Sartell, asked why not do the entire street rather than just one block? Engineer Nelson had identified the most problem area for reconstruction.

Sandra Platz, 325 Riverside Avenue North, Sartell, agrees with reconstructing the entire street, since storm water comes from the top of the hill, it makes sense to reconstruct the entire street. Ms. Platz doesn't feel there is a need for a sidewalk.

Mary Jo Femrite, 400 1st Avenue North, Sartell, seems silly to her to put the walking path on the opposite side of the street. Mary Jo talked about the gravel alley by the church and how the gravel comes down the road from the Church alley.

11:16 p.m. Mayor closed the hearing.

Resolution ordering improvements and preparing of plans and specifications

**A MOTION WAS MADE BY O'DRISCOLL TO TABLE ACTION ON RESOLUTION 90-06 ORDERING IMPROVEMENTS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS 2006 IMPROVEMENTS – SECTION "F" 4TH STREET NORTH (FROM 1ST AVENUE NORTH TO RIVERSIDE AVENUE NORTH) RECONSTRUCTION, REFER THE PROJECT BACK TO THE PUBLIC WORKS COMMISSION TO CONSIDER INPUT TO ADD ONE MORE BLOCK TO THE WEST OF THE PROJECT AS WELL AS DISCUSSION OF ALLEY REPAIR. THE MOTION WAS SECONDED BY ORNDORFF. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

"G" Ridge Road reconstruction from West Highview Drive to 400 feet southwest of High Drive

11:20 p.m. Mayor opened the public hearing. City Engineer, Mike Nelson explained the project which is west of High Drive to 400 feet southwest of High Drive. The project consists of blacktopping the only gravel road in the City, bringing the road width up to the standard 36' with curb and gutter and installation of storm sewer improvements for improved drainage. Total cost of the project is \$147,422.78, assessment proceeds at \$37,442.89 with an estimated cost to the city of \$109,979.89.

The following comments were heard from the public although the minutes do not reflect the *entire* statements made:

Nancy Lynch, 400 Ridge Road, Sartell, not in favor of the project because the road doesn't go anywhere and because there is only 4 property owners on this stretch of road, she doesn't feel they need a 36 ft. road.

Engineer, Mike Nelson confirmed that there are 5 property owners affected by this reconstruction.

Rob Pearson, 305 Ridge Road, Sartell, asked who the 5th property owner is? Ted Merickel is the 5th property owner.

Don Burgraff, 308 Ridge Road, Sartell, said the road is of no benefit to him, he will loose land, there will be faster traffic with a bituminous road and he will have a \$11,000 assessment.

Rob Pearson, 305 Ridge Road, Sartell, objects to the project.

Ken Storm, 306 Ridge Road, Sartell, talked about the reason to upgrade the cul-de-sac?

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Nancy Lynch, 400 Ridge Road, Sartell, said it appears they will loose about 20 feet.

Bob Lynch, 400 Ridge Road, Sartell, asked the City Engineer to explain the design of the new proposed road in comparison to the existing gravel road.

Don Burgraff, 308 Ridge Road, Sartell, has a cluster of trees on the corner of his property and is concerned of loosing them if the road is widened with curb and gutter. Burgraff would have to pay over \$11,000 in assessments and doesn't use the road, he would be better off the road didn't exist.

11:45 p.m. Mayor closed the hearing.

Mayor Pogatshnik asked if there was a merit to the street reduction in width. City Engineer Nelson said it is important to stay with the city standard of widths at 36'.

Resolution ordering improvements and preparing of plans and specifications

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LEWANDOWSKI APPROVING RESOLUTION 91-06 ORDERING IMPROVEMENTS AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS 2006 IMPROVEMETS – SECTION “G” RIDGE ROAD (FROM WEST HIGHTVIEW DRIVE TO 400' SW OF HIGH DRIVE) RECONSTRUCTION.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

OLD BUSINESS

a. Consideration of Assessor Service proposals

City Administrator, Patti Gartland reported on the responses received for Assessor Services and staff's recommendation to approve a contract with Steve Behrenbrinker at a cost of \$7.50 per parcel. Mr. Behrenbrinker has been providing the assessing services to the City for \$7.00 per parcel since 1994. It would be staff's intent to revise the assessing relationship next spring to assess if any alternative arrangement should be explored.

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF APPROVING THE CONTRACTED ASSESSING SERVICES OF STEVE BEHRENBRINKER AT \$7.50 PER PARCEL.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

Councilmember Orndorff left the dais at 12:11

NEW BUSINESS

a. Site Plan approval for Wurm Dental Office

Anita presented the site plan for Wurm Dental office consisting of 5,860 sq. ft. in the Regional Medical Arts Campus. Approval is recommended subject to the conditions identified by staff and the Planning Commission.

A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY LEWANDOWSKI APPROVING THE SITE PLAN FOR WURM DENTAL OFFICE.

May 8, 2006

**UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, PERSKE
NAY: NONE
MOTION CARRIED**

Council member Orndorff return to the dais at 12:15

Amendment recommendation to the Life Cycle Housing Joint Powers Agreement

Anita recommended approval for two amendments to the Life Cycle Housing Joint Powers Agreement as proposed by the LCH Board and Advisory Committee the City Planning Commission and staff to reduce the 15% goal for new housing units constructed to be affordable to 5% and to add a provision that commits the participating cities to work cooperatively to identify incentives for ownership of existing dwellings.

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY PERSKE APPROVING THE AMENDMENT RECOMMENDATION TO THE LIFE CYCLE HOUSING JOINT POWERS AGREEMENT.

**UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY PERSKE APPROVING RESOLUTION 92-06 OF THE SARTELL CITY COUNCIL APPROVING AMENDMENTS TO THE FIVE CITY JOINT POWERS AGREEMENT RELATING TO LIFE CYCLE HOUSING.

**UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

DEPARTMENT REPORTS

**Police Department
Monthly Activity Report**

Chief Hughes presented his department's memorandum.

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

**UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

**Public Works
Monthly Activity Report**

Assistant Public Works Director, John Kothenbeutel presented the Public Works monthly activity report.

A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY LEWANDOWSKI ACCEPTING THE PUBLIC WORKS ACTIVITY REPORT.

**UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

May 8, 2006

City Engineer
Bi-Monthly Memorandum

Engineer, Mike Nelson presented his bi-monthly memorandum.

Planning & Community Development Director
Bi-monthly Memorandum

Director, Anita Rasmussen presented her bi-monthly memorandum.

**A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF ACCEPTING THE PLANNING & COMMUNITY DEVELOPMENT DIRECTOR'S REPORT. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

City Administrator
Professional Development

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LEWANDOWSKI APPROVING THE PROFESSIONAL DEVELOPMENT CLASSES AS RECOMMENDED. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

Centennial Celebration update – display of commemorative quilt donation

Patti Gartland presented the request from Karen Atkinson, our Fund Raising Task Force Chairperson to display a centennial themed quilt which is proposed to be donated to the City from local quilters. Suggestion was made to display the quilt on the wall behind the Council dais. Consensus of the Council was favorable.

Community entrance identification monument design service proposals

Administrator Gartland updated the Council on the design services for a community entrance sign. Patti then asked if any Council member would be interested in volunteering to serve on this selection committee. Council member Orndorff volunteered. The meeting will be held on Monday, May 15th at 4:30 p.m.

Patti asked to schedule a tour of the New Public Works Facility. The tour will be held on May 22nd at 5 p.m., 6:30 p.m. Board of Review and 7 p.m. Council meeting.

Because of the late hour, Patti will update the Council on the AUAR for the Highway 15 project at the next Council meeting.

Friday, May 19, 2006, 7-8:30 am the Council will meet to review the draft survey questions with SCSU Survey Institute regarding sales tax questions.

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

May 8, 2006

Council member O'Driscoll updated the Council on his comments for an upcoming newspaper article. Mayor Pogatshnik thanked Council member O'Driscoll for volunteering for the Board Of Review meeting.

PAYMENT OF VOUCHERS

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

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 O'DRISCOLL TO ADJOURN THE MEETING AT 1:04 A.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