

SARTELL CITY COUNCIL MEETING

MINUTES OF NOVEMBER 13, 2006

21ST MEETING

Pursuant to due call and notice thereof, the 21st meeting of 2006 was held on November 13, 2006 in the council chambers of the Sartell City Hall. Mayor Pogatshnik called the meeting to order at 7:00 p.m.

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

PLEDGE OF ALLEGIANCE

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY O'DRISCOLL ADOPTING THE AGENDA AS PRESENTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

SPECIAL PRESENTATION BY MISSISSIPPI RIVER RENAISSANCE GROUP ON ENVIRONMENTAL INVENTORY PROJECT.

Mark Hauck, Community Assistant for the DNR was on hand to raise awareness of the tremendous resources of the Mississippi River and express thanks to the City of Sartell for planning and taking the next steps to approving a natural resource ordinance. Hauck said it is the intention of the DNR to bring information and public awareness of the river and its resources to cities and townships along the river from south of St. Cloud and north to Blanchert dam in Morrison County. A group of St. Cloud State Students are presently involved in laboratory and field study work on a range of projects involving the Mississippi River in an attempt to put on paper what is on the land and in the water along the river. More educational opportunities will follow this winter and next summer.

APPROVAL OF THE CITY COUNCIL MINUTES

A MOTION WAS MADE BY BEUTEL AND SECONDED BY ORNDORFF APPROVING THE MINUTES OF THE OCTOBER 23, 2006 REGULAR MEETING.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

CONSENT AGENDA

- a. October Building Inspectors Report – Acceptance
- b. October Fire Marshal/Code Official Report – Acceptance
- c. October Finance Directors Report – Acceptance

- d. Public Works Commission meeting notes for October 24, 2006 – Acceptance
- e. Approval of CIC plat for Winkelman
- f. ~~Approval of a resolution supporting the St. Cloud Area Wastewater Treatment Facility 2006- Facilities Plan completed by Black & Veatch Corporation~~
- g. Approval of a resolution approving a partnership agreement with State of MN for the provision of oil used in street maintenance operations
- h. Approval of the expenditure of Beautification Funds for purchase of holiday lights
- i. Approval of low quote for budgeted installation of shower facilities at the Public Utilities building.
- j. Approval of resolution approving the feasibility study for Magnolia pond restoration
- k. Canvass 2006 General Election results
- l. Approval of payment to City of St. Cloud for video production services
- m. Approval of schedule of City Council meetings for November 2006 – December 2007
- n. Approval of resolution accepting and approving annexation petition for Molly Renslow property at 1326 Riverside Avenue North
- o. Approval to purchase four additional self watering flower planters with funds raised by the Sartell Garden Club Art and Garden Crawl event
- p. Approval to purchase color printer from available budgeted contingency funds
- q. Approval to set public hearing for November 27, 2006, for an ordinance adopting a sales and use tax for the City of Sartell (pertains to extension of local option sales tax as approved by voters in the November 7, 2006 general election)

A MOTION WAS MADE BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A – E AND G – Q, REMOVING ITEM “F” TO DISCUSS UNDER THE CITY ADMINISTRATOR’S BUSINESS. THE MOTION WAS SECONDED BY PERSKE.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: POGATSHNIK, BEUTEL, O’DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

PUBLIC HEARINGS

a. Newport Plat 2 utility and drainage easement vacation request

7:20 p.m. Mayor Pogatshnik opened the public hearing and explained the order of business for the hearing.

On behalf of Heritage Homes, Anita Rasmussen explained the request for the vacation of a portion of a public drainage and utility easement in the northerly portion of the Newport 2 residential plat.

Heritage Homes is proposing to re-locate the existing storm sewer line which lies within the 20 foot drainage and utility easement located on the northerly property line of lot 1, block 2 of Newport Plat 2. In relocating the sewer line, the developer would be able to create a wider, buildable area for a single family residential unit.

Because the utility is in place, the developer is required to record a new drainage and utility easement and pay for all costs associated in the relocation of the storm sewer. The easement and the relocation work has not yet occurred.

Heritage Homes has submitted a request to table the public hearing and consideration by the Council on the vacation request to December 11, 2007.

A MOTION WAS MADE BY O’DRISCOLL AND SECONDED BY BEUTEL TO TABLE ACTION ON THE UTILITY AND DRAINAGE VACATION REQUEST FROM HERITAGE HOMES IN NEWPORT PLAT 2, TO THE DECEMBER 11, 2006 CITY COUNCIL MEETING.

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

b. Five-year Capital Improvement Plan for 2007-2011

Finance Director, Mary Degiovanni highlighted some of the major purchases on the City's 5-year Capital Improvement Plan as presented and discussed earlier at the budget meeting.

City Engineer, Brian Davies highlighted the Street Repairs Capital Improvement Projects from 2005 and those projected projects through 2011. The projected project maps will be posted on the City website for the public.

There were no comments from the public.

Mayor Pogatshnik closed the hearing at 7:30 p.m.

As recommended by staff, this item will be brought back at the December 11, 2006 meeting for action by the City Council.

c. 2007 fee schedule – Ordinance amending the City's fee schedule ordinance

Mayor Pogatshnik opened the hearing at 7:30 p.m. and explained that he will take public input at this meeting however action will be deferred to the December 11th City Council meeting.

Finance Director, Mary Degiovanni listed the items from the 2007 fee schedule proposed for increase.

The following comments were heard, although the minutes do not reflect the entire statement made:

Jane DeAustin with Central Minnesota Builders Association was not prepared to comment, however asked to work directly with Mary Degiovanni regarding concerns of development fees. Jane invited the Mayor and Council members to a meeting on December 5 at the CMBA office to hear an economist give results of their findings on future development issues/impacts.

Mayor Pogatshnik closed the hearing at 7:40 p.m.

After recommendations from staff, consensus of the Council was to defer action on the ordinance amending the fee schedule until the December 11, 2006 meeting.

NEW BUSINESS

a. Sartell Elder Housing site plan

Anita Rasmussen presented the site plan for Sartell Elder Housing for the applicant, Accessible Space, Inc. to construct a senior apartment building at 22nd Street South and Wyoming Court.

The site plan proposes 35-one bedroom units @ 540 sq. ft. units, 8-one bedroom accessible units @ 540 sq. ft. units and 1-two bedroom unit with 776 sq. ft. for a total of 44 units. Proposed set backs are: front 188 feet, side 25 feet and rear 40 feet. The plan is proposing 54 trees and 104 shrubbery and a prairie grass mixture along a portion of the exterior of the property. Berming and vegetation requirement for the parking spaces along a roadway have been met. Both a lighting and signage plan has been submitted for review.

The following recommendations have been made by staff:

1. A Dama Key Box will be required on each building and exterior storage areas including garages for emergency access per location of the local Fire Marshal. The approved location will be near the main entrance.
2. Hydrants will be placed along all public streets with a maximum spacing of 500'. Additional hydrants may be required. Hydrant locations and FDC locations will be approved by the local Fire Marshal.
3. Apartment buildings will require full NFPA 13 sprinkler system and fire alarm NFPA 72 system.
4. Chapter 14 of the MSFC will govern fire safety during construction
5. Plans showing building construction, fire suppression and fire detection systems need to be submitted to the State Fire Marshals Office and local Fire Marshal.
6. A Land Disturbance Permit application will need to be submitted for approval prior to issuance of a building permit. Orange silt fencing is preferred.
7. The entrance to and exit width will need to be no greater than 30 feet.

Council member Orndorff addressed the prairie grass issue and some of the complaint calls he has received from neighborhoods surrounding other prairies in the City. Orndorff talked about maintaining the grassland which consists of burning the prairie periodically and how burning in a residential areas affects neighboring property. Orndorff also talked about, in some instances, where a prairie is planted next to a wetland or wooded area, how that fits into the landscape, however in this area he would definitely prefer sod, especially since the property on either side of the prairie will be manicured sod.

As the Developer with Accessible Space, Ken Berry indicated that changing the designated area from prairie grass to sod would not be a problem.

Council member Perske discussed the need for a connection to the walking path from the apartment building.

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY BEUTEL ADDING #8 AND #9 TO THE ABOVE LISTED RECOMMENDATIONS BY STAFF AS FOLLOWS:

8. **Include sod rather than prairie grass on the site plan.**
9. **Add a stop sign to the ingress/egress on 22nd Street**

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

DEPARTMENT REPORTS

Police Department

Monthly Activity Report

Chief Jim Hughes presented his memorandum.

A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY ORNDORFF ACCEPTING THE POLICE DEPARTMENT MEMORANDUM.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

Presentation of proposed protocol for traffic related complaints

Police Chief Hughes along with Brian Johnson, traffic engineer from BWK talked about meetings that were held in an attempt to develop a consistent way to handle traffic complaints. Hughes and Johnson included a flow chart in the Council packet identifying the proper authority to be notified for either a traffic volume/signage or speeding violation. The chart shows the necessary steps and personnel (either police or BWK engineer) who will be handling the complaint. It was suggested that a page be added to the City web site on frequently asked questions regarding either speeding vehicles or the need for traffic control signs.

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY BEUTEL APPROVING THE RECOMMENDED TRAFFIC COMPLAINT PROTOCOL FLOW CHART AND HOW THE POLICE DEPARTMENT RESPONDS TO CALLS AS SUGGESTED BY CHIEF HUGHES. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, BEUTEL, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

Public Works
Monthly Activity Reports

Director, Brad Borders presented his maintenance report and talked about the bioxide treatment they started on lift station #1. The maintenance department will be testing for odor and gradually opening hatches at this lift station.

**A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY ORNDORFF ACCEPTING THE PUBLIC WORKS REPORT. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, BEUTEL, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

Mayor Pogatshnik asked Brad to check on the current construction project area and clear the debris out of the gutters before it snows or freezes down. City Engineer, Brian Davies said that would be the responsibility of the contractors and their deadline is November 15th, however Brian will follow-up with them.

City Engineer
Bi-Monthly Memorandum

Brian Davies presented his memorandum and updated the Council on the progress of the installation of a traffic signal light on County Road 120 and Pine Cone Road. Installation is scheduled for completion on November 27, 2006.

Mayor Pogatshnik talked about the uneven wear course on Riverside Avenue at the ends of the construction project and asked if the City Engineer could talk to the contractors regarding this. Pogatshnik is concerned about the rough driving surface and snow plows possibly removing chunks of bituminous during plowing.

Planning & Community Development Director
Bi-Monthly Memorandum

Anita presented her memorandum and updated the Council on the progress of Winners Bar.

Anita talked about the seats available on the Economic Development Commission (Pat Lynch, Mike Markman , and Jim Mullenbach) and the Park Commission (Barb Meyer and Lorna Nestel). Anita asked for a time frame to take applications and set up interviews. Council members O'Driscoll, Perske, Beutel and Orndorff are available on either Dec. 5th or 6th at 5:15 for interviews. Mayor Pogatshnik will be out of town.

Patti talked about the two Park Commission members who are willing to serve another term and if the Council would like to re-appoint them or open those positions up to the residents.

Both Council members O'Driscoll and Orndorff suggested advertising for the positions available to give everyone who is interested to serve a fair chance to apply.

**A MOTION WAS MADE BY BEUTEL AND SECONDED BY O'DRISCOLL TO SET AN INTERVIEW TIME FOR 5 P.M. ON DECEMBER 5TH FOR CANDIDATES TO FILL VACANT POSITIONS ON THE EDC AND PARK COMMISSIONS.
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, BEUTEL, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

Anita will give lists of questions to all Council members before the interviews.

City Administrator
Information meeting for LeSauk Township residents on November 16

Patti updated the Council on the meeting held at the LeSauk Township hall regarding septic replacements, and the City's 5-year capital improvement plan and possible extension of services.

Patti also briefed the Council on where staff is at in the application/interview process for the Fire Marshal and Building Official position.

Patti mentioned that SEH will be making a presentation at the November 27, 2006 City Council meeting regarding a feasibility study creating a railroad quiet zone near the City of Sartell.

Consent Agenda "f"
Approval of a resolution supporting the St. Cloud Area Wastewater Treatment Facility 2006 Facilities Plan completed by Black & Veatch Corporation

In reviewing the costs of Sartell to share in the St. Cloud Area Wastewater Treatment Facility plan, Council member Perske questioned Sartell's dollar amount, which is based on growth rate. Perske asked if we still have the cost even if Sartell doesn't experience the projected growth rate? Patti Gartland then explained the need for adequate supply to meet our future needs and the penalty/process to buy additional capacity if there is a future need.

Council member O'Driscoll talked about reasons for the needed future capacity especially with projected growth in medical and commercial facilities.

**A MOTION WAS MADE BY O'DRISCOLL AND SECONDED BY ORNDORFF APPROVING RESOLUTION 193-06 - CONSENT AGENDA ITEM "F".
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: POGATSHNIK, BEUTEL, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Council member Orndorff reported that he won't be at the regularly scheduled Public Works Commission meeting on November 28th and wondered if it would be possible to move it to a later date? Orndorff also talked about statistics on future growth/development and low projections for 2007-2008. Orndorff suggested this may be a good market time to purchasing green space.

Council member O'Driscoll will not be attending the meeting on Nov. 16 due to a prior meeting commitment.

Mayor Pogatshnik will be at the City-Township meeting on Nov. 16th.

Council member Beutel recognized Patti, staff and especially thanked Peggy Schupp for a great job on handling the elections.

Council member Perske questioned if Dancing Ponds will be developed? Anita explained the developers intention is to continue with the project in 2007. Right now the developer is working on easement acquisition as well as private finances for infrastructure.

Mayor Pogatshnik complimented Peggy Schupp on her great job handling the elections.

PAY ALL VOUCHERS

A MOTION WAS MADE BY ORNDORFF AND SECONDED BY BEUTEL APPROVING THE PAYMENT OF ALL VOUCHERS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

ADJOURN

A MOTION WAS MADE BY O'DRISCOLL TO ADJOURN THE MEETING AT 9:27 P.M. THE MOTION WAS SECONDED BY ORNDORFF.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

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

NAY: NONE

MOTION CARRIED

Judy Molitor
Administrative Secretary

MAYOR

November 13, 2006