

SARTELL CITY COUNCIL MEETING

MINUTES OF APRIL 24, 2006

8TH MEETING

Pursuant to due call and notice thereof, the 8th meeting of 2006 was held on April 24, 2006 in the council chambers of the Sartell City Hall. Acting Mayor O'Driscoll called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: Council members: Lewandowski, Orndorff, O'Driscoll, ,Perske
COUNCIL ABSENT: Mayor Pogatshnik
PRESENT: Patti Gartland, City Administrator
Mary Degiovanni, Finance Director
Judy Molitor, Administrative Secretary
Brad Borders, Public Works Director
Dale Struffert, Deputy 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 PERSKE ADOPTING THE AGENDA AS PRESENTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

SPECIAL PRESENTATION

Acting Mayor, O'Driscoll presented an appreciation plaque to Jim Illies, Sr. in recognition for his service to the community and particularly for the years 1994 to 2005 when he served on the Economic Development Commission. Congratulations and thanks were extended to Mr. Illies by the Council.

APPROVAL OF CITY COUNCIL MINUTES

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF APPROVING THE MINUTES OF APRIL 10, 2006 AS PRESENTED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

CONSENT AGENDA

- a. April 11, 2006, Public Works Commission Notes – Approval
- b. Resolution receiving the preliminary report and calling a public hearing for May 8, 2006, for the 2006 Street Improvements Projects
- c. Resolution approving a premises permit application for St. Stephen American Legion #221 at Twin Rivers Conoco
- d. Approval to purchase budgeted flower planter replacements for Pine Cone Road median and bridge approach locations
- e. Approval of budgeted crack seal quote for portions of Pine Cone Road & other roadway sections
- f. Resolution approving the updated feasibility report City Hall/Pine Cone Regional Park Trails improvements project

- g. Resolution receiving bids and awarding contract for City Hall/Pine Cone Regional Park Trails Improvements project
- h. Resolution approving the plans and specifications and ordering advertisement for bids for Oak Ridge Commons public improvements
- i. Approval to submit state grant application for \$1,000 for liquor compliance checks
- j. Approval to submit Safe & Sober grant application for \$10,000
- k. Approval to purchase 2 additional tasers with criminal forfeiture funds
- l. Resolution authorizing a grant application submission for polling place accessibility improvements

Council member Preske requested consent agenda items “f” and “g” be removed from the consent agenda and placed under the City Engineer’s business for discussion and vote.

A MOTION WAS MADE BY ORNDORFF APPROVING CONSENT AGENDA ITEMS A -E AND H – L, REMOVING ITEMS “F” AND “G” TO DISCUSS UNDER THE CITY ENGINEER’S BUSINESS.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: LEWANDOWSKI, O’DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

PUBLIC HEARINGS

a. Interim Use Permit for outdoor seasonal product sales at the Coborn’s Superstore

7:10 p.m. Acting Mayor O’Driscoll opened the public hearing and explained how the hearing would be conducted.

Community Development Director, Anita Rasmussen explained the request on behalf of Coborn’s Superstore for an interim use permit to allow for seasonal sales to occur on Pine Cone Road South. The proposed location of the tent is on the most westerly side of the open parking lot. Approximately 16 parking stalls will be considered non-functional due to the seasonal sales area. The site would require a total of 427 parking spaces and contains 701 so the temporary elimination of 16 stalls will not negatively impact the commercial site.

The 5-year permit proposal includes an annual greenhouse in April, an annual produce tent sale and an annual fireworks tent sale in June and July. There would be a one-day event in August, which would accommodate a customer appreciation sale.

The proposed hours will be from 7 am to 9 pm. No additional outdoor lighting is proposed. A sign is proposed on the tent.

The Planning Commission and Staff recommend approval of the interim use provided the following conditions are met:

- 1. That signage outside of the tent would be considered temporary and is therefore prohibited according to the sign ordinance. Indoor signage would be excluded from the prohibition.
- 2. That the fireworks display adheres to the Fireworks Regulation Ordinance.

There were no comments from the public and O’Driscoll closed the hearing at 7:14 p.m.

Council member Lewandowski asked if the 5 years is standard for an interim use permit? Anita said the time varies and if there is an issue, the Council can take it up for consideration at any time.

Council member Perske talked about the dangers of fireworks sales, risk of theft and the proximity to the gas pumps.

Deputy Police Chief, Dale Struffert, said the area is well lit and patrolled and he didn't see the gas pumps in the area as a problem. The Fire inspector will also be conducting inspections.

Council member Orndorff asked when the tent would be taken down for the season? Anita said the tent will be down by the end of July.

Resolution approving interim use permit

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LEWANDOWSKI ADOPTING RESOLUTION 80-06 APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT FOR THE PURPOSE OF HAVING A SEASONAL SALES AREA.
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

Resolution approving findings of fact for an interim use permit for Coborns

**A MOTION WAS MADE BY ORNDORFF AND SECONDED BY LEWANDOWSKI APPROVING RESOLUTION 79-06 ADOPTING FINDINGS OF FACT RELATING TO AN INTERIM USE PERMIT FOR THE PURPOSE OF HAVING A SEASONAL SALES AREA.
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

b. Ordinance for first amendment to Cable Television Franchise Ordinances

7:20 p.m. O'Driscoll opened the Public Hearing to consider an amendment to the cable franchise ordinance.

City Administrator, Patti Gartland explained the request for approval of the ordinance amendment which is required to update our ordinance based on what was previously approved in the cable television transfer agreement. The ordinance amendment is simply a formality to bring it up-to-date with the terms of the transfer agreement which has received FCC approval.

There were no comments from the public. O'Driscoll closed the hearing at 7:22 p.m.

**A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF ADOPTING ORDINANCE 06-10 APPROVING THE FIRST AMENDMENT TO THE CABLE TELEVISION FRANCHISE ORDINANCES.
UPON VOTE BEING TAKEN THE FOLLOWING VOTED:
AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE
NAY: NONE
MOTION CARRIED**

DEPARTMENT REPORTS

**Police Department
Monthly Activity Report**

Dale Struffert, Deputy Police Chief was on hand to answer questions regarding the report.

Council member Lewandowski talked about the “no parking” signs which have been attached to the light post on 2 ½ street and her dissatisfaction with them being attached to the decorative light posts. Council member Orndorff also expressed dissatisfaction with the location of the “no parking” signs and suggested the signs be moved to T-posts.

City Engineer, Mike Nelson indicated that the signs were placed on the light posts at the request of the state aid engineer, however the Council’s concerns can be discussed at the Public Works Commission meeting tomorrow and a recommendation can be brought back to the City Council.

Public Works

No report

City Engineer

Mike Nelson presented his memorandum containing the list of on-going city projects. Council member Orndorff discussed issues with grading, screening and planting of trees in the Tiffany Meadows development. No building permits will be issued until the developer is in compliance with all requirements.

Consent Agenda

f. Resolution approving the updated feasibility report City Hall/Pine Cone Regional Park Trails improvement project

g. Resolution receiving bids and awarding contract for City Hall/Pine Cone Regional Park Trails improvements project.

At the request of Council member Perske, consent agenda items “f” and “g” were removed to be discussed with the City Engineer. Council member Perske asked to go on record opposing the project. Perske said the project is off base and he does not believe this project is in the best interest of the city. Using the ½ cent sales tax money for this project would not be his number one priority. Perske believes other projects within the city should have a higher priority such as flush toilets at Champion Field, (Muskie Field), improvements to the ball fields at Val Smith Park (between \$1,000 - \$2,000), a trail system connecting the east to the west side of the City, to the post office and the west side trail system. Perske suggested this item be tabled and consider other priorities in the City.

Council member O’Driscoll talked about the County project scheduled to reconstruct County Road 33 which involves 1st Street Northeast, possibly in 2007 at which time the bike path construction would be done at the same time. O’Driscoll said this item has been referred to the Public Works Commission for a recommendation to the Council. The Council agrees the road does need repair, and favors a path connection however is also trying to coordinate with the County to avoid multiple reconstructions.

City Engineer, Mike Nelson discussed the city projects which could be involved with the restoration of County Road 33 and 1st Street Northeast specifically replacing city’s clay tile water main. Suggestion was made to wait with a path connection until after the county road reconstruction project is complete.

Council member Orndorff referred to consent agenda items “f” and “g” confirming this project will enable the residents access to the Watab River and also tie the trail with the city trail system. Orndorff feels it is important for the city to utilize the area for the residents and move forward with the project.

Council member Lewandowski agrees with other projects needed in the City as member Perske stated, however she did point out that the Council agreed to move forward with this project awhile ago, and feels it is time to approve the project going out for bids.

Council member O'Driscoll talked about how this is the missing link to tie the trail system together throughout the city and that this has also been the recommendation from various commissions to have the City Council approve the bidding process.

Council member Perske agrees this is a good project, however just not an appropriate time.

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY ORNDORFF APPROVING CONSENT AGENDA ITEMS "F" AND "G".

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF

NAY: PERSKE

MOTION CARRIED

Planning & Community Development Director

Director, Anita Rasmussen presented her bi-memorandum.

City Administrator

Professional Development for Mayor & City Administrator to attend the League of MN Cities annual conference in St. Cloud on June 28-30, 2006.

A MOTION WAS MADE BY LEWANDOWSKI AND SECONDED BY PERSKE APPROVING THE PROFESSIONAL DEVELOPMENT AS RECOMMENDED.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

Sales Tax Survey Update

Administrator Gartland reported that the SCSU survey institute staff is reviewing some draft questions that were prepared by staff. As soon as we receive their review comments and any suggested changes in wording, the Council will be provided a copy so that additional comments and suggestions can be considered.

Patti Gartland asked if any council member or a representative from the City Engineer's office could attend a West Metro committee meeting on Wednesday at 9:30 am in her and the Mayor's absence. Patti discussed the on-going projects and the importance of a member of the City to attend. City Engineer, Mike Nelson and/or Council member Lewandowski will attend.

City Administrator, Patti Gartland updated the Council on the accident that happened at the Grand View Apartments today when a temporary construction stairway collapsed. Dale Struffert, Deputy Police Chief updated the Council on the medical condition of the people who were taken to the hospital as a result of the accident.

CITY COUNCIL UPDATE – MISCELLANEOUS BUSINESS

Council member Perske talked about upgrades to Val Smith Park. Brad will be taking an approximate \$5,000 - \$6,000 upgrade recommendation to the Park Commission at their next meeting for improvements to Val Smith ball field. Perske also discussed moving forward with the purchase of land for a sports arena/athletic complex. Developers opting for payment in lieu rather than land for park land dedication was discussed and Patti reaffirmed that the City can require developers either option depending on the City's needs.

Council member O'Driscoll suggested a meeting to consider options for sales tax funds and it was the consensus of the Council to hold such a meeting prior to a regular council meeting.

Council member Orndorff encouraged staff to meet with property owners again regarding the purchase of land for a sports facility.

PAY ALL VOUCHERS

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

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

ADJOURN

A MOTION WAS MADE BY PERSKE AND SECONDED BY ORNDORFF TO ADJOURN THE MEETING AT 8:22 P.M.

UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: LEWANDOWSKI, O'DRISCOLL, ORNDORFF, PERSKE

NAY: NONE

MOTION CARRIED

Minutes By:

Judy Molitor
Administrative Secretary

MAYOR