

CITY COUNCIL PROCEEDINGS

AGENDA ITEM:

April 25, 2011

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on April 25, 2011, at 6 p.m. in the City Council Chambers.
2. A Moment of Silence was observed for our men and women serving in the Armed Forces.
3. City Council members Jeff Goerger, Nancy Gohman, George Hontos, Jeff Johnson, John Libert and Dave Masters were in attendance. Sonja Berg was absent.

CONSENT AGENDA:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF THE MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR MEETING HELD MARCH 28, 2011.** ACTION TAKEN: Approved.
6. **MAYOR'S RE-APPOINTMENT TO THE POLICE CITIZEN REVIEW BOARD.** ACTION TAKEN: Confirmed the re-appointment of Assistant Police Chief Susan Stawarski to serve a second term to commence May 1, 2011 and expire April 30, 2014.
7. **APPLICATION FOR A TOBACCO LICENSE FOR SUPER SMOKES, INC. DBA SUPER SMOKES, 108 EAST ST. GERMAIN.** ACTION TAKEN: Approved.
8. **SET A PUBLIC HEARING TO CONSIDER THE RIVER BLUFFS REGIONAL PARK 'LEGACY' PARK IMPROVEMENT PROJECT.** ACTION TAKEN: A public hearing was set for May 9, 2011.
9. **2011 RIGHT OF WAY MOWING CONTRACT AWARD TO BRUCE LANDSCAPING INC.** ACTION TAKEN: Councilmember Hontos removed this item for discussion. Hontos/Goerger moved approval of awarding the contract to the low bidder, Bruce Landscaping, Inc., for \$17,534. Councilmember Hontos agreed there was a need for contracting mowing services, and said a cost analysis would be useful to show the cost comparisons of contracted mowing services versus in-house costs. Park & Rec Director Scott Zlotnik spoke to the logic of the wide cost-spread of the six RFP's received. The motion unanimously carried.
10. **RESOLUTION AUTHORIZING PARTIAL FORGIVENESS OF A 2004 CDBG AWARD TO THE HOUSING COALITION OF ST. CLOUD AREA FOR IMPROVEMENTS AT 611 8TH AVENUE SOUTH.** ACTION TAKEN: Councilmember Gohman removed this item for separate discussion. Gohman/Masters moved to begin discussion. Councilmember Gohman, who also serves on the HRA Board, noted that there were two components to this issue. The Housing Coalition already approached that HRA Board for forgiveness of \$35,000, and that request was granted with the direction that the remaining \$40,034 be repaid. She and Councilmember Goerger recommended that further debt forgiveness was not fitting. Gohman/Masters then moved to accept City staff's Option #2, which was to require full repayment of the \$40,034 award. Masters inquired about the current status of

the Housing Coalition. Community Development Director Matt Glaesman confirmed that the disposal of the property would be the final step in dissolving the agency. The motion unanimously carried. (No resolution adopted.)

11. ORDINANCE REZONING PROPERTY LOCATED AT 622 EAST ST. GERMAIN STREET FROM I2, GENERAL INDUSTRIAL DISTRICT TO C5, HIGHWAY COMMERCIAL DISTRICT.(LOCATION: 622 EAST ST. GERMAIN STREET) (REZ-2011-04) ACTION TAKEN: A reading and public hearing was set for May 9, 2011.

12. A.) ORDINANCE VACATING 42ND AVENUE SOUTH, EAST OF 41ST AVENUE SOUTH AND 25TH STREET SOUTH, SOUTH OF 42ND AVENUE SOUTH, ADJACENT TO OUTLOT A SUN VILLA ESTATES AND LOT 1, BLOCK 2, BURNS ESTATES. (VAC-2011-01); and

B.) PRELIMINARY AND FINAL PLAT OF SUN VILLA PLAT THREE. ACTION TAKEN: A reading and public hearing was set for May 9, 2011.

13. SETTING A PUBLIC HEARING ON A RESOLUTION APPROVING BUSINESS SUBSIDY CRITERIA. ACTION TAKEN: A reading and public hearing was set for May 9, 2011.

14. ST. CLOUD STORMWATER RETROFIT PROJECT, CONTRACT 2011-03:

A. RESOLUTION ACCEPTING LOW BID FOR ST. CLOUD STORMWATER RETROFIT PROJECT, CONTRACT 2011-03.; and

B. RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ST. CLOUD, MINNESOTA, TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY, CONTRACT 2011-03.

ACTION TAKEN: Resolutions adopted and assigned numbers 2011-4-45 and 2011-4-46 respectively.

15. 41ST AVENUE SOUTH IMPROVEMENTS, CONTRACT 2011-08:

A. RESOLUTION ACCEPTING LOW BID FOR 41ST AVENUE SOUTH IMPROVEMENTS, CONTRACT 2011-08; and

B. RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ST. CLOUD, MINNESOTA, TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY, CONTRACT 2011-08. ACTION

TAKEN: Resolutions adopted and assigned number 2011-4-47 and 2011-4-48 respectively.

16. LOW QUOTE FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR UNIVERSITY DRIVE AND 5TH AVENUE SOUTH IMPROVEMENTS, CONTRACT 2011-07. ACTION TAKEN: Approved.

17. RESOLUTION APPROVING A COOPERATIVE CONSTRUCTION AGREEMENT WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF THE PEDESTRIAN BRIDGE ON TRUNK HIGHWAY 23 BETWEEN WILSON AVENUE AND BNSF BRIDGE. ACTION TAKEN: Resolution adopted and assigned number 2011-4-49.

18. RESOLUTION REVOKING MUNICIPAL STATE AID STREETS. ACTION TAKEN: Resolution adopted and assigned number 2011-4-50.

19. LOW QUOTE FROM INDEPENDENT TESTING TECHNOLOGIES, INC. FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR 10TH AVENUE NORTH AREA NEIGHBORHOOD IMPROVEMENTS – PHASE 2 AND 14TH STREET NORTH SANITARY SEWER AND WATER MAIN IMPROVEMENTS, CONTRACT 2011-01. ACTION TAKEN: Approved.

20. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT FOR STATE FINANCIAL ASSISTANCE FOR MISCELLANEOUS CRACK REPAIR FOR THE ST. CLOUD REGIONAL AIRPORT – MN DOT AGREEMENT NO. 98546. ACTION TAKEN: Resolution adopted and assigned number 2011-4-51.

Open Forum:

1) Nathan Geislinger, 710 13th Street, #2; a current SCSU Aviation student and former NDSU student, requested the City Council's support in efforts to reinstate the SCSU Aviation program. *(NOTE: Council President Libert confirmed that the City Council adopted a document in support of the St. Cloud State University Aviation Program. [Said document on file as City Resolution No. 2011-3-32 adopted March 14, 2011])*

2) Jessica Miller, 525 1st Avenue; a current SCSU Aviation student who serves as President of Aviation Ambassadors, Vice President of Aero Club, and a Flight Team Captain. She chose SCSU because of its top-notch aviation program and stressed the importance of keeping the program active in order to maintain a competitive education system.

3) Barry Kirchoff, Housing Coalition Board Chair and local business consultant, asked the City to entertain the option of buying the last property of the Housing Coalition, which is located at 611 8th Avenue South. Without the sale of the property, the Housing Coalition would not be able to clear its debts to local vendors.

4) Marise Oyouba, 418 5th Avenue S. a SCSU international student who is an Aviation major; she is pleased that the SCSU Aviation Program is an accredited international program and spoke to the importance of keeping the aviation program open.

5) Christopher Spaulding, 1635 16th Street SE, #4; a SCSU student, who is working on his Aviation Airport Management degree. He advised that the SCSU Aviation department has received a free donation from Fedex of a Boeing 727 commercial jet airliner. The plane was to be used for hands-on ground training purposes for aviation students, as well as for K-16 students from 30 different school districts in a 50-mile radius. He was upset that this is now a lost educational opportunity.

6) Shajine Jeganathan, 624 15th Street S., #204; a SCSU international student who serves as Vice President of American Association of Airport Executives on SCSU campus, spoke to his passion for aviation and the national importance of the aviation industry.

PUBLIC HEARINGS:

21. **RESOLUTION APPROVING THE TERMS OF HOUSING REVENUE REFUNDING BONDS, SERIES 2011 (CITY OF ST. CLOUD, MINNESOTA GENERAL OBLIGATION), APPROVING A JOINT POWERS AGREEMENT WITH RESPECT THERETO AND AUTHORIZING GENERAL OBLIGATION PLEDGE THEREFOR.**

Finance Director John Norman explained that this is the St. Cloud HRA's two housing bonds. The HRA has an opportunity to refund its bonds and take advantage of favorable interest rates and benefit in debt service savings. In order to receive the best interest rates, the HRA must obtain the backing of City's General Obligation Pledge. The resolution approves the terms of the Housing Revenue Refunding Bonds, and also approves a Joint Powers Agreement with respect to the City's General Obligation. Council President Libert opened the public hearing. No one spoke. The public hearing was closed. Hontos/Goerger moved approval of the resolution. The motion unanimously carried. The adopted resolution was assigned number 2011-4-52.

22. **APPLICATION FOR SEASONAL OUTDOOR SALES OF LIQUOR FOR HOWIE'S BAR, 101 - 9TH AVENUE NORTH, FOR 18 DATES DURING THE SUMMER OF 2011.**

City Clerk Gregg Engdahl gave a brief overview on the application from Howie's Sports Bar & Grill for outdoor sales of liquor. It was reviewed by the Police, Health, Fire, Planning and Legal offices and recommended for approval. Engdahl noted that the applicant must furnish a certificate of insurance designating the outdoor space as a portion of its insured premises prior to the license being issued. The outdoor liquor sales will be held on 18 Saturdays from May-October when the business will conduct bean bag tournaments and utilize its outdoor area for these games. City Council President Libert opened the public hearing. No one spoke. The public hearing was closed. Goerger/Gohman moved approval of the application for seasonal outdoor sales of liquor as submitted. The motion unanimously carried.

OPEN DISCUSSION & ANNOUNCEMENTS:

Council President Libert asked administration to schedule a 10-minute period at the May 2 Study Session for Council members to give committee updates.

Councilmember Hontos announced the upcoming first annual Sustainability Event scheduled to be held on Saturday, April 30, 2011, from 9 a.m. – 1 p.m. at the Lake George Municipal Complex. The event is free and open to the public.

Mayor Kleis encouraged the public to speak to local legislators in the next four weeks on the importance of completing the expansion of the River's Edge Convention Center and securing LGA, along with important regional issues. The 2011 Legislative Session wraps up at the end of May.

ADJOURNMENT: There being no further business to discuss, the meeting was adjourned at 6:28 p.m.

City Council President John Libert

Respectfully submitted by

Sandy Hilsgen
Recording Council Secretary