

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

July 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 July 25, 2011 at 6 p.m. in the City Council Chambers.
2. A Moment of Silence was held for our men and women serving in the Armed Forces.
3. Councilmembers present: Berg, Goerger, Gohman, Hontos, Johnson, Libert, and Masters.

### SPECIAL RECOGNITION:

4. **PROCLAMATION DECLARING “NATIONAL NIGHT OUT IN THE CITY OF ST. CLOUD.”** Mayor Dave Kleis announced that Tuesday, August 2, 2011, will be the 28<sup>th</sup> annual “National Night Out.” A complete list of the residences/addresses hosting National Night Out events will be provided to the City Council by the end of the week.

### CONSENT AGENDA:

5. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
6. **APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEEETING HELD JUNE 20, 2011.** ACTION TAKEN: Approved.
7. **RESOLUTION REAPPOINTING MAYOR DAVE KLEIS TO THE ST. CLOUD METROPOLITAN TRANSIT COMMISSION FOR A TERM TO BE EFFECTIVE JULY 1, 2011, THROUGH JUNE 30, 2014.** ACTION TAKEN: Resolution adopted and assigned number 2011-7-91.
8. **APPLICATION FOR (A) AN OFF-SALE INTOXICATING LIQUOR LICENSE; AND (B) A LICENSE TO SELL TOBACCO FOR LIQUOR PIG LLC, (BRIAN FARFULIK) DBA LIQUOR PIG, 4221 CLEARWATER ROAD #108.** ACTION TAKEN: A public hearing was set for August 8, 2011.
9. **APPLICATION FOR THE EXPANSION OF THE LIQUOR SERVICE AREA FOR APPLE MINNESOTA, LLC, DBA APPLEBEES NEIGHBORHOOD GRILL AND BAR, 4190 WEST DIVISION STREET, ST. CLOUD.** ACTION TAKEN: A public hearing was set for August 8, 2011.
10. **RESOLUTION APPROVING MODIFICATIONS TO THE JOINT POWERS AGREEMENT GOVERNING THE CENTRAL MINNESOTA REGIONAL RADIO BOARD (BETWEEN THE CITY OF ST. CLOUD AND REGIONAL**

**RADIO BOARD); INCLUDING A NAME CHANGE TO THE BOARD TO CENTRAL MINNESOTA EMERGENCY SERVICES BOARD.** ACTION TAKEN: Councilmember Berg removed this item for discussion. Berg/Masters moved approval of the resolution. Information Technology Director Micah Myers spoke to the changes to the agreement, noting that the Board is comprised of 19 counties and the City of St. Cloud. The motion unanimously carried. The adopted resolution was assigned number 2011-7-92.

11. **RIVER BLUFFS REGIONAL PARK “LEGACY” IMPROVEMENT PROJECT.** ACTION TAKEN: Approved.
12. **CHANGE ORDER #3 FOR THE WATER TREATMENT FACILITY GENERATOR & REHABILITATION PROJECT.** ACTION TAKEN: Approved.
13. **CHANGE ORDER #7 FOR THE WASTEWATER TREATMENT FACILITY REHABILITATION, UPGRADE AND EXPANSION PROJECT.** ACTION TAKEN: Approved.
14. **RESOLUTION OF SUPPORT FOR THE CITY’S PARTICIPATION IN THE NATIONAL BIOSOLIDS PARTNERSHIP’S ENVIRONMENTAL MANAGEMENT SYSTEM PROGRAM.** ACTION TAKEN: Resolution adopted and assigned number 2011-7-93.
15. **(A) RESOLUTION ACCEPTING BID FOR PHASE I OF THE DUAL FORCEMAIN INTEGRITY AND ASSESSMENT PROJECT, CONTRACT 2011-16; 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 2011-16.** ACTION TAKEN: Councilmember Hontos pulled this item for discussion. Hontos/Goerger moved approval of both resolutions as submitted. Public Services Director Pat Shea reported that the City of St. Cloud will pay about 65% of the cost on this shared project. The motion unanimously carried. The adopted resolutions were assigned numbers 2011-7-94 and 2011-7-95 respectively.
16. **ORDINANCE REZONING PROPERTY LOCATED AT 407 38<sup>TH</sup> AVENUE NORTH FROM I1, LIGHT INDUSTRIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT. (LOCATION: 408 37<sup>TH</sup> AVENUE NORTH) (REZ-2011-06).** ACTION TAKEN: A reading and public hearing was set for August 8, 2011. (Proposed Ordinance 2011-18)

17. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A TOWER OPERATING AGREEMENT (TOA) BETWEEN THE FEDERAL AVIATION ADMINISTRATION (FAA) AND THE CITY OF ST. CLOUD.** ACTION TAKEN: Councilmember Johnson removed this item for discussion. Johnson/Goerger moved approval of the resolution. St. Cloud Regional Airport Director Bill Towle reported that the agreement outlines the roles and responsibilities of the FAA and the City regarding the Air Traffic Control Tower. He expects that a benefit cost ratio study will be conducted in the near future. The motion unanimously carried. The adopted resolution was assigned number 2011-7-96.

**OPEN FORUM:** No one spoke.

**PUBLIC HEARINGS:**

18. **PUBLIC HEARING ON MICROBIOLOGICS BUSINESS SUBSIDIES.**
- (A) **RESOLUTION OF THE CITY OF ST. CLOUD, MINNESOTA APPROVING A TAX INCREMENT FINANCING PLAN FOR ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF ST. CLOUD, MINNESOTA (MICROBIOLOGICS, INC. PROJECT);**
- (B) **RESOLUTON OF THE CITY OF ST. CLOUD, MINNESOTA, APPROVING AN APPLICATION, A GRANT IN THE AMOUNT OF \$199,000, AND RELATED LOAN DOCUMENTS WITH THE MINNESOTA INVESTMENT FUND (MICROBIOLOGICS, INC. PROJECT); AND**
- (C) **RESOLUTION OF THE CITY OF ST. CLOUD, MINNESOTA, APPROVING THE TERMS OF A \$151,000 REVOLVING LOAN FUND LOAN IN CONNECTION WITH THE MICROBIOLOGICS, INC. PROJECT.**

Economic Development Director Cathy Mehelich provided details regarding the three resolutions presented. She reviewed the benefits of the proposed expansion project, which includes the creation of 13 new full-time positions and the retention of 66 jobs, and noted that the EDA Board recommends approval of the City offering a TIF agreement and two loan agreements to Microbiologics. She introduced Frank Wohletz, CFO of Microbiologics, Inc., who provided a company overview and an artist's rendering of the proposed addition to the facility. Council President Libert opened the public hearing. No one spoke. The public hearing was closed. Hontos/Goerger moved approval of (A)

Resolution of the City of St. Cloud, Minnesota, approving a Tax Increment Financing Plan for Economic Development authority of the City of St. Cloud, MN. The motion unanimously carried and was assigned number 2011-7-097. Goerger/Berg moved approval of (B) Resolution of the City of St. Cloud, Minnesota, approving an application, a grant in the amount of \$199,000, and related loan documents with the Minnesota Investment Fund (Microbiologics, Inc.). The motion unanimously carried and was assigned number 2011-7-098. Berg/Masters moved approval of (C) Resolution of the City of St. Cloud, Minnesota, approving the terms of a \$151,000 Revolving Loan Fund Loan in connection with the Microbiologics, Inc. Project. The motion unanimously carried and was assigned number 2011-7-99. The Council commended the company and city staff for coordinating efforts on this project.

**OLD BUSINESS:**

19. **2011 BITUMINOUS STREET RESURFACING IMPROVEMENTS, CONTRACT 2011-13, S.A.P. 162-143-004:**

**(A) RESOLUTION ACCEPTING LOW BID (KNIFE RIVER CORPORATION) FOR 2011 BITUMINOUS STREET RESURFACING IMPROVEMENTS, CONTRACT 2011-13, S.A.P. 162-143-004.**

**(B) RESOLUTION DECLARING 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 2011-13, S.A.P. 162-143-004.**

City Engineer Steve Foss stated that bids were taken on the improvement project on Thursday, July 21, 2011. Two bids were received; the low bid in the amount of \$131,038.23 was submitted by Knife River Corporation of Sauk Rapids, and came in 15 percent under the final estimate. It was moved by Berg/Gohman to approve the two resolutions as presented. The motion carried unanimously. The adopted resolutions were assigned numbers 2011-7-100 and 2011-7-101 respectively.

**Open Discussion:**

Mayor Dave Kleis said he's been approached on the City's ordinance regulating "outdoor sidewalk cafes" and the concern that it's too restrictive. Administration will review the current ordinance and propose changes for the Downtown Council's review and for City

Council's consideration in August.

**Adjournment:** There being no further business to discuss the meeting was adjourned at 6:27 p.m.

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City Council President  
John Libert

Respectfully submitted by:

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Sandy Hilsgen  
Recording Council Secretary