

**CITY COUNCIL PROCEEDINGS**

**AGENDA ITEM**

**April 21, 2014**

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on April 21, 2014 at 6 p.m. in the City Council Chambers.
2. Moment of Silence for our men and women serving in the Armed Forces.
3. Councilmember present were Goerger, Gohman, Hontos, Johnson, Lewis, Libert, and Masters.

**Consent Agenda:**

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **A) APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD MARCH 24, 2014 AND APRIL 7, 2014.** ACTION TAKEN: Approved.
6. **APPLICATION FOR EXEMPTION FROM CITY NOISE ORDINANCE FOR LACIE AND DAVE GERHARDSON FOR AN EVENT TO BE HELD JUNE 14 AT 3508 16<sup>TH</sup> AVE. S., FROM 8:00 P.M. TO 11:00 P.M.** ACTION TAKEN: Approved.
7. **APPLICATION FOR OUTDOOR SALES OF LIQUOR FOR A TEMPORARY SPECIAL EVENT FOR HOWIE’S SPORTS BAR AND GRILL, 101 9<sup>TH</sup> AVENUE NORTH.** ACTION TAKEN: Approved.
8. **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH SEH AND THE EXECUTION OF ALL AGREEMENTS FOR THE CALVARY HILL PARK OUTDOOR PICKLEBALL IMPROVEMENTS.** ACTION TAKEN: Hontos/Masters moved approval. Councilmember Hontos introduced the discussion on the contract language. He requested (for the record) that staff adds/drafts such language (add to *Assumptions* on City Packet page 8-5) for the contract that resembles the statement that ‘SEH be held liable for errors and omissions resulting in project cost overruns.’ Matt Staehling, City Attorney, noted that he will look into adding language that covers the

concern of Councilmember Hontos. Motion for approval carried unanimously.

9. **RESOLUTION AUTHORIZING PARTICIPATION IN THE MINNESOTA DEPARTMENT OF COMMERCE MADE IN MINNESOTA SOLAR INCENTIVE PROGRAM.** ACTION TAKEN: Hontos/Masters moved approval. Pat Shea, Public Services Director, gave a brief presentation of the project. The Council had some questions on the cost and money that will be saved. Mr. Shea noted that there won't be a cost to the City and the savings will be around \$500 - \$1000 annually. Motion for approval carried unanimously. Resolution was adopted and assigned number 2014-4-35.

10. **SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA A, CONTRACT 2014-02A.**

A) **RESOLUTION ACCEPTING LOW BID FOR SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA A, CONTRACT 2014-02A.**

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 2014-02A.**

C) **LOW QUOTE FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA A, CONTRACT 2014-02A.**

ACTION TAKEN: Hontos/Johnson moved approval. Hontos expressed his concern that language be added that specifies that the project manager be responsible for errors/omissions that cause higher costs. Steve Foss noted that these contracts all include language that specifies action in regard to change orders and does include the information that Councilmember Hontos is requesting. Motion for approval carried unanimously. Item A was adopted and assigned Resolution Number 2014-4-36. Item B was adopted and assigned Resolution Number 2014-4-37.

11. **SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA B, CONTRACT 2014-02B.**

A) **RESOLUTION ACCEPTING LOW BID FOR SEBERGER NEIGHBORHOOD**

**IMPROVEMENTS – AREA B, CONTRACT 2014-02B.**

**B) RESOLUTION DECLARING THE OFFICAL INTENT OF THE CITY OF ST. CLOUD, MINNESOTA, TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY, CONTRACT 2014-02B.**

**C) LOW QUOTE FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA B, CONTRACT 2014-02B.**

ACTION TAKEN: Hontos/Gohman moved approval. Motion carried unanimously. Item A was adopted and assigned Resolution Number 2014-4-38. Item B was adopted and assigned Resolution Number 2014-4-39.

**12. SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA C, CONTRACT 2014-02C.**

**A) RESOLUTION ACCEPTING LOW BID FOR SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA C, CONTRACT 2014-02C.**

**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 2014-02C.**

**C) LOW QUOTE FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR SEBERGER NEIGHBORHOOD IMPROVEMENTS – AREA C, CONTRACT 2014-02C.**

ACTION TAKEN: Hontos/Masters moved approval. Motion carried unanimously. Item A was adopted and assigned Resolution Number 2014-4-40. Item B was adopted and assigned Resolution Number 2014-4-41.

**13. RESOLUTION AMENDING THE STONE GATE PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A NEIGHBORHOOD SWIMMING POOL AS A PRINCIPAL USE. (LOCATION: 4303 31<sup>ST</sup> STREET SOUTH). ACTION**

**TAKEN: Public hearing was set for May 5, 2014.**

14. **ORDINANCE REZONING PROPERTY LOCATED AT 3801 AND 3807 WEST ST. GERMAIN STREET FROM I1, LIGHT INDUSTRIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT.** ACTION TAKEN: Reading and public hearing were set for May 5, 2014. Assigned proposed ordinance number 2014-08.

**Open Forum:**

Harold Kamrath, Albert Lea, was in town and attended the meeting. He expressed his delight for the City of St. Cloud and enjoyment of the meeting.

**Public Hearings:**

15. **RESOLUTION AMENDING THE LENZMEIER/NORTHSTAR COLLISION PLANNED UNIT DEVELOPMENT (PUD) TO INCREASE THE TOTAL NUMBER OF DWELLING UNITS UPON THE SITE FROM 181 TO 203 UNITS. (LOCATION: 3715, 3735, AND 3755 8<sup>TH</sup> AVENUE SOUTH).**

Matt Glaesman, Community Development Director, gave a brief overview. Council President Goerger opened the public hearing. The following individual testified:

Ken Croat, applicant, addressed the Council to let them know that they didn't change the buildings, they simply took 3-bedroom units and made them 1-bedroom units.

Council President Goerger closed the public hearing. Councilmember Hontos requested the vote of the Planning Commission. Administration will provide him with this vote. Hontos/Gohman moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2014-4-42.

16. **RESOLUTION APPROVING THE CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT ACTION PLAN FOR YEAR FIVE USE OF FUNDS FOR THE CITY OF ST. CLOUD'S 2014 CDBG PROGRAM YEAR.**

Matt Glaesman, Community Development Director, presented the CDBG Action Plan. Council President Goerger opened the public hearing. The following individuals testified:

Mark Sakry, Executive Director – Boys and Girls Club. His original request was for two freezers but they are now only going to do one freezer so they only need half the amount or \$8,000.

Laura Hood, Aging Services Director, - thanked the City for the funds to fix the roof.

Connie Orth, 1205 6<sup>th</sup> Ave. S. She is the coordinator of the Crisis Nursery. She thanked City for past support. The number of homeless is increasing and the needs are increasing. They have lost some of their grants this past year.

Council President Goerger closed the public hearing. Gohman/Libert moved approval. There was some discussion about reallocation the Boys and Girls Club money. Councilmember Lewis express concern about where some of the money is being placed and feels that more should be going to other entities – such as the HRA. Councilmember Masters questioned how the HRA money will be utilized. Louise Reis, Executive Director of HRA, addressed the Council and noted that the money will be used for Single Family home rehab. Families that are eligible are given a \$20,000 loan. Hontos/Johnson moved to amend to include that any excess funds from programs be allocated to the HRA – SF Housing Rehab Program. Motion to amend carried unanimously. Original motion as amended carried unanimously. Resolution was adopted and assigned number 2014-4-43.

**Open Discussion:**

- Councilmember Hontos noted that the Sustainability Event will be taking place April 27 from 1 -5 p.m. at the River Edge Convention Center.
- Councilmember Hontos requested discussion on the issue of contracts and making sure that we have the correct language in each contract. He would like this to be added to a Study Session. Hontos/Masters moved to place this on a Study Session agenda. Motion carried unanimously.
- Councilmember Johnson brought forward concerns about the Refugee Relocation Program. Concerns included that there is very little understanding of the program, the impact on city services, and what can the city do in advance to educate the public. Mayor Kleis noted that SCSU and Create CommUnity are providing data on immigration and how it effects the community. It has either been released by SCSU or

soon will be.

**Adjournment:** There being no further business to discuss the meeting was adjourned at 7:39 p.m.

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City Council President  
Jeff Goerger

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Jennifer Burrows, Recording Council Secretary