

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

April 20, 2015

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on April 20, 2015 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, Johnson, Lewis, Libert, and Masters. Councilmember Hontos was absent.

### Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 23, 2015.** ACTION TAKEN: Approved.
6. **APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 6, 2015.** ACTION TAKEN: Approved.
7. **WHITNEY REGIONAL PARK – SAUK RIVER DAM REMOVAL AND STREAMBANK RESTORATION PROJECT.** ACTION TAKEN: Lewis/Masters moved approval. Motion carried unanimously.
8. **2015 PARK BUILDING LEASE AGREEMENT WITH THE PROMISE NEIGHBORHOOD OF CENTRAL MINNESOTA.** ACTION TAKEN: Gohman/Johnson moved approval. Motion carried unanimously.
9. **PROFESSIONAL SERVICES AGREEMENT FOR THE MAIN LIFTSTATION REHABILITATION PROJECT.** ACTION TAKEN: Approved.
10. **UPDATED JOB DESCRIPTION – INFRASTRUCTURE SERVICES SPECIALIST.** ACTION TAKEN: Approved.

11. **ORDINANCE REZONING PROPERTY LOCATED AT 601 11<sup>TH</sup> AVENUE SE FROM C5, HIGHWAY COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW CONSTRUCTION OF TWO TANKS FOR THE STORAGE OF USED MOTOR OIL AT 626 LINCOLN AVENUE SE. (LOCATION: 601 11<sup>TH</sup> AVENUE SE) ACTION TAKEN:** Reading and public hearing were set for May 4, 2015. Assigned proposed ordinance 2015-10.
12. **RESOLUTION AMENDING THE GENERAL DEVELOPMENT PLAN OF THE BLUE MOON PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A 4,000 SQ. FT. BUILDING ADDITION AND A POTENTIAL FUTURE BUILDING ADDITION OF 7,300 SQ. FT. (LOCATION: 3995 COUNTY ROAD 74). ACTION TAKEN:** Public hearing was set for May 4, 2015.
13. **APPROVAL OF FINAL PLAT OF I94 BUSINESS PARK PLAT 12. ACTION TAKEN:** Approved.
14. **AN ORDINANCE AMENDING SECTION 576 OF THE 2007 CODE OF ORDINANCES INCREASING STREET LIGHT UTILITY RATES. ACTION TAKEN:** Reading and public hearing were set for May 4, 2015. Assigned proposed ordinance 2015-11.
15. **RAYMOND AVENUE N.E. AREA NEIGHBORHOOD IMPROVEMENTS – AREA B, CONTRACT 2015-02B.**
  - A) **RESOLUTION ACCEPTING LOW BID FOR RAYMOND AVENUE N.E. AREA NEIGHBORHOOD IMPROVEMENTS – AREA B, CONTRACT 2015-02B. ACTION TAKEN:** Approved. Resolution was adopted and assigned number 2015-4-43.
  - 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 2015-02B. ACTION TAKEN:** Approved. Resolution was adopted and assigned number 2015-4-44.
  - C) **LOW QUOTE FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR RAYMOND AVENUE N.E. AREA NEIGHBORHOOD IMPROVEMENTS – AREA B, CONTRACT 2015-02B. ACTION TAKEN:** Approved.
16. **LOW QUOTE FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR RAYMOND AVENUE N.E. AREA NEIGHBORHOOD IMPROVEMENTS – AREA A, CONTRACT 2015-02A.**

ACTION TAKEN: Approved.

17. **22<sup>ND</sup> STREET SOUTH IMPROVEMENTS, CONTRACT 2015-01, S.A.P. 162-153-002.**  
A) **RESOLUTION ACCEPTING LOW BID FOR 22<sup>ND</sup> STREET WOUTH IMPROVEMENTS, CONTRACT 2015-01, S.A.P. 162-153-002.**  
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 2015-01, S.A.P. 162-153-002.**

ACTION TAKEN: Item withdrawn by Administration.

18. **AWARD BID FOR THE 2015 GRAND CENTRAL PARKING FACILITY GENERAL MAINTENANCE AND REPAIRS.** ACTION TAKEN: Approved.

**Open Forum:**

No one testified.

**Public Hearings:**

19. **A) ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING.**  
**B) COMMUNITY DEVELOPMENT BLOCK GRANT 2015-2019 CONSOLIDATED PLAN.**  
Matt Glaesman, Community Development Director, presented the items and noted that the Planning Commission recommended approval of the 2015-2019 CDBG Consolidated Plan and Analysis of Impediments to Fair Housing. Council President Goerger opened the public hearing. The following individual testified:

Bruce Johnson                      3335 W. St. Germain St., #108; Spoke on behalf  
of Habitat for Humanity in support.

Council President Goerger closed the public hearing. Masters Gohman moved approval. Motion carried unanimously.

20. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR 2015 ANNUAL ACTION PLAN.**

Matt Glaesman, Community Development Director, presented the program. He

presented the City staff Recommendation – CDBG PY 2015 Funding. He also noted the Planning Commission’s recommendation which differed from City staff’s recommendation. Council President Goerger opened the public hearing. The following individuals testified:

Louise Reis                      St. Cloud HRA; Mr. Reis represented the HRA and spoke of the two programs that the HRA applied for: 1) HRA – Acquisition/Demolition Program and 2) HRA – SF Housing Rehab. She reviewed their importance to the community.

Conni Orth                      1205 6<sup>th</sup> Ave. S.; Ms. Orth represented the Lutheran Social Services Crisis Nursery. She requested funding for her agency.

Laura Hood                      Whitney Senior Center; Ms. Hood reviewed the need for funding for Kitchen Services at the Whitney Senior Center. The cooler and the freezer both need upgrades and will not work much longer. The cost is approximately \$20,000 each unit.

Ruth Hunstiger                157 Roosevelt Road; Ms. Hunstiger represented Catholic Charities – Meals on Wheels. They have been in partnership with the Whitney Senior Center since 1978 and she expressed the need for funding.

Scott Anderson                203 N. Cooper Ave; Mr. Anderson is the Executive Director for the Youth of Christ. The need is to replace two roofs. They asked for \$50,000. Currently he is working with 220 at-risk youth from the community.

Megan Carr                      366 S. 10<sup>th</sup> Ave., Waite Park; Ms. Carr represented the Sand Companies. They requested funding for Affordable Housing Initiatives – VA Housing.

Bruce Johnson                3335 W. St. Germain St. #108; Mr. Johnson spoke on behalf of Habitat for Humanity and requested funding.

Council President Goerger closed the public hearing. There was discussion among the City Council, in particular, the need to fund the Whitney Senior Center’s cooler/freezer issue. The Council discussed the difficult decision of funding since there is more need than funds available. Libert/Gohman moved approval of staff recommendations. Goerger/Gohman moved to amend to deduct approximately \$15,000 from the HRA – SF Housing Rehab and the \$10,035 from the Lutheran Social Services Crisis Nursery and add the \$25,000 to the Whitney Senior Center – Kitchen Upgrade. Motion to

amend carried 5-1; Councilmember Lewis voted against. The original motion to approve carried 5-1; Councilmember Lewis voted against. Resolution was adopted and assigned number 2015-4-45.

21. **CONSIDERATION OF AN ALLEGED CABLE TELEVISION FRANCHISE VIOLATION REGARDING CHARTER COMMUNICATIONS RELOCATION OF PUBLIC, EDUCATIONAL AND GOVERNMENTAL (PEG) CHANNELS.**

Matt Staehling, City Attorney, presented the item. Johnson/Libert moved to set the public hearing for May 4, 2015. Motion carried unanimously.

**Old Business:**

22. **SET A PUBLIC HEARING FOR MAY 4, 2015 ON:**

- A) AN ORDINANCE GRANTING A FRANCHISE TO CC VII OPERATING, LLC, L/K/A CHARTER COMMUNICATIONS (“GRANTEE”) TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE SYSTEM IN THE CITY OF ST. CLOUD, MINNESOTA (“CITY”); SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND
- B) RESOLUTION APPROVING AN AGREEMENT WITH CHARTER COMMUNICATIONS REGARDING THE REMOVAL OF ABANDONED PLANT AND CABLE FACILITIES; AND
- C) RESOLUTION GRANTING CHARTER COMMUNICATIONS A WAIVER FROM ITS FRANCHISE REQUIREMENT AND ALLOWING CHARTER TO RELOCATE LOCAL COMMUNITY PROGRAMMING TO NEW CHANNEL NUMBER LOCATIONS; AND
- D) AN AGREEMENT GOVERNING CHARTER BUSINESS SERVICES.

Matt Staehling, City Attorney, presented the items. Libert/Johnson moved to set public hearing for May 4, 2015 on the above items. Motion carried unanimously. Item A was assigned Proposed Ordinance Number 2015-12.

23. **CITY LAND EXCHANGE WITH ST. CLOUD STATE UNIVERSITY TO OBTAIN FRIEDRICH PARK.**

Mayor Kleis presented a brief presentation on Friedrich Park. Libert/Masters moved

approval of the land exchange. Motion carried unanimously.

**Open Discussion:**

Matt Glaesman, Community Development Director, noted that the Sustainability Expo/St. Cloud City Listening Day, is being held Saturday, April 25, 2015 at the River's Edge Convention Center.

**Adjournment:** There being no further business to discuss the meeting was adjourned 7:55 p.m.

Respectfully Submitted,  
Jennifer Burrows  
Recording Council Secretary

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City Council President  
Jeff Goerger