

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

September 22, 2014

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on September 22, 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. **APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON AUGUST 11, 2014.** ACTION TAKEN: Approved.
6. **APPROVAL OF THE MINUTES OF THE SPECIAL MEETING HELD ON AUGUST 15, 2014.** ACTION TAKEN: Approved.
7. **APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING HELD AUGUST 25, 2014.** ACTION TAKEN: Approved.
8. **CONFIRM MAYOR'S APPOINTMENT AND REAPPOINTMENT OT THE PARK & RECREATION ADVISORY BOARD.** ACTION TAKEN: Confirmed the appointment of Jennifer Noble to her first term to commence immediately and expire June 30, 2017 and the reappointment of Buddy King to his second term to commence immediately and expire June 30, 2017.
9. **CONFIRM MAYOR'S APPOINTMENTS TO THE ARTS COMMISSION.** ACTION TAKEN: Approved the appointments of Amanda Motschke and Margaret Patridge to terms to commence October 1, 2014 and expire September 30, 2017.

10. **CONFIRM MAYOR'S APPOINTMENT AND REAPPOINTMENTS TO THE ST. CLOUD LIBRARY BOARD.** ACTION TAKEN: Confirmed the appointment of James Morrighan to his first term to commence immediately and expire December 16, 2016 and the reappointments of Ann Romanowsky and Shan Wang to their second terms to commence immediately and expire December 31, 2016.
11. **RESOLUTION AUTHORIZING THE RENEWAL OF THE CITY'S PROPERTY, CASUALTY, AUTOMOBILE AND WORKERS' COMPENSATION INSURANCE PROGRAM FOR THE PERIOD OF OCTOBER 1, 2014 TO SEPTMBER 30, 2015.** ACTION TAKEN: Johnson/Lewis moved approval. There were a couple of questions that were addressed by Bob Mahowald, Mahowald Insurance Agency. Motion for approval carried unanimously. Resolution was adopted and assigned number 2014-9-119.
12. **RESOLUTION DECLARING THE CITY'S INTENT TO ACCEPT THE MINNESOTA DEPARTMENT OF HUMAN SERVICES GRANT AWARD FOR REMAINING FY2014/2015.** ACTION TAKEN: Hontos/Gohman moved approval. Councilmember Hontos question how the money was being spent. Laura Hood, Whitney Senior Center Director gave a brief overview. Motion for approval carried unanimously. Resolution was adopted and assigned number 2014-9-120.
13. **APPLICATION FOR A SPECIAL PARKING ZONE PERMIT AT 1106 13TH AVENUE SOUTH.** ACTION TAKEN: Approved.
14. **RESOLUTION AUTHORIZING THE GRANT AGREEMENT BETWEEN THE MINNESOTA DEPARTMENT OF TRANSPORTATION OFFICE OF AERONAUTICS AND THE CITY OF ST. CLOUD FOR CRACK REPAIR AT THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2014-9-121.

Open Forum:

No one testified.

Public Hearings:

15. **CONSIDER RESOLUTION APPROVING A MODIFICATION OF THE REDEVELOPMENT PLAN FOR MUNICIPAL REDEVELOPMENT PROJECT NO. 3 AND THE CREATION OF A TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 11 (PARK INDUSTRIES II).**

Cathy Mehelich, Economic Development Director, gave a brief overview of the expansion and Tax Increment Financing District No. 11 and included such information that Park Industries exceeded TIF requirements, State application was approved, and the relationship to city goals. She noted that the Planning Commission reviewed and approved the TIF Plan at the Planning Commission meeting held September 9, 2014. Council President Goerger opened the public hearing. No one testified. Council President Goerger closed the public hearing. Following a couple of questions Libert/Masters moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2014-9-122.

16. **A) CONSIDERATION OF RESOLUTION ORDERING SOUTH SIDE/SCSU NEIGHBORHOOD SAFETY LIGHTING.**
B) CONSIDERATION OF ORDINANCE AMENDING SECTION 576 OF THE 2007 CODE OF ORDINANCES ESTABLISHING AN ALLEY SECURITY LIGHTING RATE.

Steve Foss, City Engineer, presented the items and gave a brief overview of both A and B. He noted that a general consensus of property owners is that they are in favor of the lighting. Council President Goerger opened the public hearing on both items A and B. The following individuals testified:

Steve Mechavich, 301 7th Ave. S. – Mr. Mechavich doesn't have an alley so he feels that he should not have to pay.

Jan Zylla, 525 6th Ave. S. – Ms. Zylla currently has motion lights on her property and they have not kept individuals from damaging her property. She doesn't see the advantage of having additional lighting.

Doug Bening, 1005 8th Ave. S. – Mr. Bening feels that there are a lot of problems in his neighborhood, however, he feels that there is already adequate lighting except in a couple specific locations.

Dan Hollenhorst, 513 – 7th Ave. S. – Mr. Hollenhorst thanked the City for work that they have done for ‘Core Neighborhoods’. He feels that there are isolated areas that need additional lighting. He had questions on what this project entails, such as how many lights per alley, the color of lights, etc.

Dan Borgert, Owner of BK Foley Land Development – Mr. Borgert owns approximately 40 properties and he stated that there are many lights in the alley that he is paying for. He spoke in favor of the additional lighting ordinance.

Brian Murphy, 1913 Temple Rd. – Mr. Murphy spoke in favor of the ordinance and thinks additional lighting in alleys will have a positive impact.

Matt Graf, 818 8th St. S. – Mr. Graf does not have an alley so he feels that he should not have to pay. He questioned why this wasn’t spread across the whole City.

Council President Goerger closed the public hearing. Steve Foss began the discussion by stating that if you do not have an alley you will not be assessed any cost. He noted that there will be two lights placed in each alley 1/3 of the way into the alley on each end. In addition, consideration will be given to main streets for any additional lighting. Masters/Johnson moved approval of item A – *Consideration of Resolution Ordering South Side/SCSU Neighborhood Safety Lighting*. Motion carried unanimously. Resolution was adopted and assigned number 2014-9-123. Discussion was then held on Item B – *Consideration of Ordinance Amending Section 576 of the 2007 Code of Ordinances Establishing an Alley Security Lighting Rate*. There was much discussion among the City Council around the assessment of cost. Steve Foss noted that the \$1.00 per month fee per unit was the rate generated for this type of improvement throughout the City using the same guidelines that are used in generating any improvement rate – such as rate per foot for road or rate per foot for sewer. All areas in the City pay the same assessment. Councilmember Hontos expressed his concern that this fee doesn’t seem fair to the neighborhood. Hontos/Gohman moved to amend item B with a concept that the Administration reexamine the alley security lighting ordinance and assess a rate that demonstrates that the revenue of the assessment is more reflective of, or closer to, the cost of the

project in this neighborhood. Motion to amend carried 4-3; Councilmembers Goerger, Libert, and Masters voted against. Councilmembers Masters/Libert moved approval of Item B as amended. After some discussion, Lewis/Libert moved to table. Motion to table carried 6-1; Councilmember Hontos voted against. Motion was tabled to the October 6, 2014 City Council meeting.

Old Business:

17. **CONSIDERATION OF RESOLUTION CERTIFYING DELINQUENT WATER, SEWER AND REFUSE ACCOUNTS TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2015.**

Gregg Engdahl, City Clerk, presented an updated list of delinquent accounts. Gohman/Goerger moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2014-9-124.

18. **RESOLUTION GRANTING CHARTER COMMUNICATIONS, INC. A FRANCHISE EXTENSION TO DECEMBER 31, 2014.**

Matt Staehling, City Attorney, presented that item and noted that there were two actions in front of the City Council. The first is a Resolution granting Charter Communication a franchise extension and the second is to amend Resolution 2014-9-118 adopted on September 8, 2014 in regard to Peg Channel Location to extend the period of enforcement to November 30, 2014. Mr. Staehling noted that the City has seen substantial progress in its meetings with Charter and is planning to bring back a full agreement by the end of the year. Councilmember Hontos expressed his disappointment with Charter Communications and feels that the City Council should continue to have a strong push and won't support the amendment. Libert/Lewis moved approval of the *Resolution granting Charter Communications, Inc. a Franchise Extension to December 31, 2014*. Motion carried 6-1; Councilmember Hontos voted against. Masters/Lewis moved to amend previous resolution 2014-9-118 *Tolling the Period for Franchise Enforcement of Peg Channel Location to November 30, 2014*. Motion carried 6-1: Councilmember Hontos voted against.

Open Discussion

- Mayor Kleis gave a brief overview of air service and the federal grant that was received and how the match was provided.

Adjournment: There being no further business to discuss the meeting was 8:24 p.m.

Respectfully Submitted,
Jennifer Burrows
Recording Council Secretary

City Council President
Jeff Goerger