

CITY COUNCIL PROCEEDINGS

AGENDA ITEM:

OCTOBER 6, 2014

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on October 6, 2014, at 6:00 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. Council members Goerger, Hontos, Johnson, Lewis, Libert and Masters were present.

RESIGNATION: City Council President Goerger read a letter dated October 6, 2014, from Councilmember Nancy Gohman resigning her position as City Council Ward 2 representative effective immediately (said letter on file with City Clerk).

SPECIAL RECOGNITION:

4. Mark Bragelmann, President/CEO of Liberty Savings Bank, announced that Liberty Savings Bank is donating the cost and construction of a monument to be built this coming spring on the current Lady Slipper parking lot. The Liberty Block Party, in its 27th year, will return downtown to the lot on June 26, 2015. The new monument will serve as a gateway to downtown and the lot will be renamed Liberty Square. On behalf of the Council, President Goerger expressed appreciation for the donation.

CONSENT AGENDA:

5. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.

6. **APPROVAL OF THE MEETING MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 8, 2014.** ACTION TAKEN: Approved.

7. **MAYOR'S REAPPOINTMENT TO THE ST. CLOUD LIBRARY BOARD.** ACTION TAKEN: Confirmed the Mayor's reappointment of Constance Crane to her third term to commence immediately and expire December 31, 2015.

8. **APPLICATION FOR TRANSFER OF MC'S DUGOUT ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSE FROM MC'S OF ST. CLOUD, INC. (STRADTMAN/LARSON) TO MC'S OF ST. CLOUD, INC. (LARSON/FRITZ). MC'S DUGOUT IS LOCATED AT 501 WEST ST. GERMAIN.** ACTION TAKEN: A Public hearing was set for October 20, 2014.

9. **REQUEST TO SET SPECIAL MEETING OF THE COUNCIL FOR 5:30 PM, MONDAY, NOVEMBER 10, 2014, TO CANVASS THE RESULTS OF THE NOVEMBER 4, 2014 GENERAL ELECTION.** ACTION TAKEN: Approved.

10. RESOLUTION APPOINTING ADDITIONAL JUDGES FOR THE NOVEMBER 4, 2014 GENERAL ELECTION. ACTION TAKEN: Resolution adopted and assigned number 2014-10-126.

11. RESOLUTION AUTHORIZING A CHARITABLE GAMBLING PREMISES PERMIT FOR THE CENTRAL MINNESOTA NOON OPTIMIST CLUB FOR ACTIVITIES TO BE CONDUCTED AT THE BLUE LINE SPORTS BAR AND GRILL SOUTH, 1004 SUNRIDGE DRIVE. ACTION TAKEN: Resolution adopted and assigned number 2014-10-127.

12. APPLICATION FOR A VALET PARKING LICENSE FOR PRESTIGE PARKING AND VALET FOR THE PERIOD 10/7/14 TO 12/31/14. ACTION TAKEN: Approved.

13. AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE ONE AGREEMENT AND ONE CONTRACT WITH STEARNS COUNTY FOR (A) FOOD, LODGING AND PUBLIC SWIMMING POOLS INSPECTION AGREEMENT, TERM OF THE AGREEMENT IS FROM JANUARY 1, 2015 TO DEC. 31, 2017; AND (B) CONTRACT FOR PROVIDING INTERIM, EMERGENCY ENVIRONMENTAL HEALTH SERVICES, TERM OF THE AGREEMENT IS FROM JANUARY 1, 2015 TO DECEMBER 31, 2017 ACTION TAKEN: Councilmember Lewis pulled this item for a separate discussion. It was moved by Councilmember Lewis, seconded by Councilmember Masters, to approve both items A & B as presented. In response to Councilmember Lewis's query, Health Director Lisa Schreifels said that Sherburne and Benton counties have service agreements with the Minnesota Department of Health office. The motion unanimously carried.

14. RESOLUTION AUTHORIZING ISSUANCE, AWARDED SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF GENERAL OBLIGATION INFRASTRUCTURE MANAGEMENT FUND BONDS, SERIES 2014A. ACTION TAKEN: Councilmember Libert pulled this item for a separate discussion. It was moved by Councilmember Libert, seconded by Councilmember Johnson, to adopt the resolution. Finance Director John Norman gave a brief overview. Due to our City's high credit rating, Standard & Poor's rating for City of St. Cloud (since 2009) remains at AA+. Springsted Financial Advisor Terri Heaton addressed the Council regarding the award and sale of the bonds on today's date. Seven bids were received and the bid was awarded to Piper Jaffray & Co. J.J. B. Hilliard, W. L. Lyons LLC. She noted that subsequent to the bid opening, the issue size decreased from \$9,920,000 to \$9,280,000. The motion unanimously carried. The adopted resolution was assigned number 2014-10-128.

15. RESOLUTION AUTHORIZING A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES WITH W. GOHMAN CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE AQUATICS CENTER. ACTION TAKEN: Councilmember Lewis pulled this item for separate discussion. It was moved by Councilmember Lewis, seconded by Councilmember Masters, to adopt the resolution. Councilmember Lewis indicated her hesitancy to support the resolution citing concern for public perception. Greg Gack, Executive Director at the YMCA, addressed the Council. He advised that the selection committee was comprised of YMCA Board member Wendy Hulsbus, CentraCare Health Director of Facilities Management David Larson, City staff members Michael Williams, Matt Glaesman, and Scott Zlotnik, and himself. Ten bids were received. The YMCA Board, at its September 29th meeting, unanimously approved the lowest bid from local W. Gohman Construction Company. City Administrator Mike Williams spoke to the Construction

Manager At-Risk as being a hybrid of the Construction Management agency and general contractor. Council discussion ensued. Councilmember Johnson noted his concern and cited Home Rule Charter Section 14.3 and the City's Boards & Commission application with regard to ethical conduct for public officials. City Attorney Matthew Staehling assured the Council that he has been involved with the process from the beginning. He reported that no ethical violations directly or indirectly were made throughout the process. With the resignation of Councilmember Gohman, the vote to approve would require only a simple majority vote. Mayor Kleis endorsed the selection process, noting that the committee members are professionals and of high integrity. Following discussion, the resolution was adopted by a 4-2 vote with Lewis and Johnson voting against. The adopted resolution was assigned number 2014-10-129.

16. RESOLUTION APPROVING MAINTENANCE AGREEMENT WITH STEARNS COUNTY FOR THE STORM WATER HOLDING POND LOCATED AT CSAH 75 AND 33RD STREET SOUTH. ACTION TAKEN: Councilmember Lewis pulled this item for separate discussion. It was moved by Councilmember Lewis, seconded by Councilmember Johnson, to approve the resolution. City Engineer Foss confirmed that the City would be responsible for maintenance and repair of the storm water holding pond per agreement. The motion unanimously carried. The adopted resolution was assigned number 2014-10-130.

17. MEMORANDUM OF AGREEMENT BETWEEN THE FEDERAL AVIATION ADMINISTRATION AND THE CITY OF ST. CLOUD RELATED TO REPORTING NOTICES TO AIRMEN (NOTAMS) AT THE ST CLOUD REGIONAL AIRPORT. ACTION TAKEN: Approved.

OPEN FORUM: No one spoke.

PUBLIC HEARINGS:

18. RESOLUTION AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS HEALTH CARE REVENUE REFUNDING BONDS, SERIES 2014B (CENTRACARE HEALTH SYSTEM); AUTHORIZING EXECUTION OF AN INDENTURE OF TRUST, A LOAN AGREEMENT AND A BOND PURCHASE AGREEMENT, ALL RELATING TO SUCH BONDS; AND AUTHORIZING OTHER ACTION TO BE TAKEN WITH RESPECT TO THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS. Finance Director John Norman gave a brief overview by explaining that as done in the past, Centracare will use the City's bonding authority to refinance its bonds. This does not obligate the City in any manner. He announced that Tami Koosmann, Director of Treasury for Centracare Health, was in attendance at the meeting. Council President Goerger opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmember Hontos, seconded by Councilmember Masters, to adopt the resolution as presented. The motion unanimously carried. The adopted resolution was assigned number 2014-10-131.

19. **RESOLUTION APPROVING THE CITY OF ST. CLOUD COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2013 CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT ANNUAL EVALUATION REPORT (CAPER).** Community Development Director Matt Glaesman gave a brief summary of the 85-page CAPER Executive Summary that was provided in the Council packet. Council President Goerger opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmember Libert, seconded by Councilmember Johnson, to adopt the resolution as presented. Councilmember Lewis suggested the Council have more input in future CDBG allocations to assure being more in-line/focused on City goals. Hontos cited language on page 19-15 of the Council packet and asked about supporting data regarding public housing. Glaesman said the printed text was subjective opinion heard during the housing study, and more specific data regarding public housing needs will be forthcoming. Following discussion, the motion carried unanimously. The adopted resolution was assigned number 2014-10-32.

20. **RESOLUTION APPROVING SUBSTANTIAL AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLAN FOR CDBG PROGRAM YEAR 2012 AND 2013 FOR 9TH AVENUE NORTH ADA ACCESSIBILITY IMPROVEMENTS.** Community Development Director Glaesman gave a brief overview of HUD's decision to require repayment of the City's CDBG allocated funds during program years 2012 and 2013 for the Human Rights Office. Glaesman noted that the City must re-allocate those funds to a "low-to-moderate income persons category" qualified project during that same time period, which is the 9th Avenue North ADA Accessibility Improvements project. With the compromise reached, the City will not lose any entitlement funds. Council President Goerger opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmember Hontos, seconded by Councilmember Johnson, to approve the resolution as presented. Masters asked about the Human Rights office funding going forward. Mayor Kleis confirmed there are sufficient funds for year 2015 to sustain the Regional Human Rights office. The City of St. Cloud has budgeted \$50,000 in the 2015 City Budget. However, beyond 2015 he prefers the office serve as a satellite office totally funded by the state. The motion unanimously carried. The adopted resolution was assigned number 2014-10-33.

OLD BUSINESS:

21. **ORDINANCE AMENDING SECTION 576 OF THE 2007 CODE OF ORDINANCES ESTABLISHING AN ALLEY SECURITY LIGHTING RATE.** It was moved by Councilmember Lewis, seconded by Councilmember Masters, to remove this item from the table. Note: A motion for approval made by Masters, seconded by Libert, as amended, was on the floor from the September 22nd meeting. City Engineer Steve Foss referred back to the public hearing held on September 22, 2014, when the Council approved South Side/SCSU Neighborhood Safety Lighting, but tabled discussion regarding establishing an Alley Security Lighting Rate. At the September 22nd meeting staff recommended the rate of \$1.00 per parcel/lighting unit area and still maintains the \$1.00 recommendation as a fair and equitable rate. Masters reported that there are lights that are currently out on the south side. His constituents have indicated that they have notified the city about the outages, but the lights remain out. Mayor Kleis encouraged residents to call or email the Public Works office (320-650-2900 or email streetlight@ci.stcloud.mn.us) to report street light outages. Engineer Foss noted that he will have staff conduct an inspection of the area. Masters also asked that the alleys alongside the River be included in the lighting area, extending the geographical area from 1st Avenue to 9th Avenue, to include more of the SCSU campus area. Engineer Foss explained that approval at the September 22nd meeting included a specific boundary area from 5th Avenue to 9th Avenue as a Phase I project. As with all improvement projects, more areas can be phased-in if needed. However, the issue at this evening's meeting would be to establish a rate only. Councilmember Hontos felt the fee should be reduced. The area involved is unique and has become a safety issue for the campus area. Hontos moved to amend the motion to include a reduced rate of 75-cents, rather than \$1.00. The motion died for a lack of a second. The original motion, as amended, then carried by a 5-1 vote with Hontos voting against. The adopted ordinance was assigned number 2600.

OPEN DISCUSSION & ANNOUNCEMENTS:

Mayor Kleis announced that he will be conducting three Town Hall/Local Sales Tax informational meetings on the following dates and locations: Saturday, October 11, at 1:00 p.m. at the Public Library; Thursday, October 16, 2014, at 10:00 a.m. at the Whitney

Senior Center; and Tuesday, October 28, 2014 at 4:00 p.m. at the St. Cloud Regional Airport.

ADJOURNMENT:

There being no further business to discuss, Council President Goerger adjourned the meeting at 7:36 p.m.

City Council President Jeff Goerger

Respectfully submitted by

Sandy Hilsgen
Recording Council Secretary