

CITY COUNCIL PROCEEDINGS

AGENDA ITEM:

MAY 4, 2009

1. Following the Pledge of Allegiance, a regular meeting of the City Council of St. Cloud, Minnesota, was called to order by City Council President Bob Johnson on May 4, 2009, at 6 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. Roll Call. Members present: Garven, Hontos, Johnson, Libert, Masters and Pederson; Members absent: Berg.

SPECIAL RECOGNITION:

4. On behalf of the City of St. Cloud, Mayor Dave Kleis accepted the donation from Preferred Credit Inc. of a new Automatic External Defibrillator for use by the St. Cloud Fire Department. Representative Peter Gaetz of Preferred Credit Inc. was in attendance for the formal presentation.

CONSENT AGENDA:

5. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
6. **APPROVAL OF THE MINUTES AND SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING HELD APRIL 6, 2009.** ACTION TAKEN: Approved.
- 7A. **MAYOR'S APPOINTMENT TO THE PLANNING COMMISSION.** ACTION TAKEN: Confirmed the mayor's appointment of Jeff Goerger to the Planning Commission to a term to commence immediately and expire April 30, 2014.
- 7B. **MAYOR'S RE-APPOINTMENT TO THE HERITAGE PRESERVATION COMMISSION.** ACTION TAKEN: Confirmed the mayor's re-appointment of Bill Morgan to Heritage Preservation Commission for a term to commence immediately and expire April 30, 2012.
8. **SETTING A PUBLIC HEARING ON THE RENEWAL OF ON SALE INTOXICATING, OFF SALE INTOXICATING, SPECIAL SUNDAY AND CLUB LIQUOR LICENSES ALONG WITH WINE AND 3.2 PERCENT MALT LIQUOR COMBINATION LICENSES FOR THE PERIOD JULY 1, 2009 TO JUNE 30, 2010.** ACTION TAKEN: A public hearing was set for Monday, May 18, 2009.
9. **RESOLUTION RELATING TO \$7,015,400 GENERAL OBLIGATION DRINKING WATER REVENUE NOTE, SERIES 2009; AUTHORIZING THE ISSUANCE AND SALE, FIXING THE FORM AND DETAILS THEREOF AND PROVIDING FOR THE SECURITY THEREFOR.** ACTION TAKEN: Resolution adopted and assigned number 2009-5-48.

10. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR ARLENE MARGARET MUELLER, DOING BUSINESS AS STYLES PLUS SALON & SPA, 713 W ST. GERMAIN, ST. CLOUD MN 56303.** ACTION TAKEN: Approved.

11. **APPROVAL OF A REACH-UP, INC. LEASE AGREEMENT TO RENT THE 10-10 PARK BUILDING AND ASSOCIATED GROUNDS LOCATED AT 1114 9TH AVENUE SE.** ACTION TAKEN: Approved.

12. **ACCEPTANCE OF LOW QUOTE FOR THE COMMUNITY PROJECT AT LAKE GEORGE – PROCUREMENT OF PADDLEBOAT DOCK FROM HEWITT MACHINE & MANUFACTURING, INC.** ACTION TAKEN: Approved.

13. **ACCEPTANCE OF ALLSTEEL (THROUGH HENRICKSEN’S DEALERSHIP) AS THE SYSTEMS FURNITURE VENDOR FOR THE NEW POLICE HEADQUARTERS PROJECT.** ACTION: TAKEN Approved.

14. **ACCEPTANCE OF QUOTE FROM INDEPENDENT TESTING TECHNOLOGIES, INC. FOR CONSTRUCTION MATERIAL TESTING SERVICES FOR THE 8TH AVENUE NORTH NEIGHBORHOOD IMPROVEMENTS – PHASE 3, CONTRACT 2009-04.** ACTION TAKEN: Approved.

15A. **ACCEPTANCE OF LOW QUOTE FROM NORTHWEST ASPHALT MAINTENANCE, INC. FOR CRACK REPAIR AT THE ST. CLOUD REGIONAL AIRPORT CONTINGENT UPON RECEIVING STATE FUNDS.** ACTION TAKEN: Approved.

15B. **ADD-ON ITEM: A RESOLUTION SUPPORTING A JOINT EFFORT BETWEEN THE CITIES OF SAUK RAPIDS, SARTELL, AND ST. CLOUD IN ESTABLISHING A ST. CLOUD URBAN AREA MISSISSIPPI RIVER CORRIDOR.** ACTION TAKEN: Resolution adopted and assigned number 2009-5-49.

15C. **ADD-ON ITEM: RE-SCHEDULE THE PUBLIC HEARING DATE FOR APPROVAL TO ENTER INTO A JOINT POWERS AGREEMENT FOR A JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD.** ACTION TAKEN: Re-scheduled the public hearing date to Monday, May 18, 2009.

OPEN FORUM: No one spoke.

PUBLIC HEARINGS:

16. **RESOLUTION ORDERING WESTWOOD SCHOOL AREA SIDEWALK IMPROVEMENTS.** Public Services Director/City Engineer Steve Gaetz gave a brief overview of the proposed project. The total project cost is estimated at \$284,310. The City has \$170,300 available for use from the “Safe Routes to School” Grant; the remainder would be paid from Municipal State Aid funds. City Engineer Gaetz displayed a schematic and explained the

proposed sidewalk installation, indicating the responsibility of the property owners for sidewalk snow removal. City Council President Johnson opened the public hearing. The following people spoke:

VICTOR LAHR, 840 MAYWOOD DRIVE, mainly concerned about snow removal and stated that the County clears snow on the roads in his area and there's no room as is to pile the cleared snow.

AL VOIT, 901 GLORIA DRIVE, asked whether he could keep his retaining wall. (City Engineer will contact him.)

ARIN BROWN, 5855 RIDGEWOOD ROAD, asked whether he'd have to re-locate his mailbox and construct a new retaining wall. (City Engineer will contact him.)

PATRICK MAY, 909 JULIE DRIVE, concerned about how the improvements will affect his 8' elevation and his existing retaining wall. (City Engineer will contact him.)

There being no one else wishing to speak, the public hearing was closed. Masters/Libert moved approval of the resolution to order in Westwood School Area Sidewalk improvements. In response to Councilmember Pederson's query why the County was clearing snow in this area, City Engineer Gaetz explained there's a cooperative agreement between the City and County for road maintenance. Following discussion, the motion carried by a roll call vote of 6-0. The adopted resolution was assigned number 2009-5-50.

17. **RESOLUTION IDENTIFYING THE PREFERRED ALTERNATIVE FOR THE UNIVERSITY DRIVE CORRIDOR STUDY.**

Community Development Director Matt Glaesman provided a detailed powerpoint presentation. The University Drive Corridor Improvement project identifies a preferred route for the eventual expansion and connection from 5th Avenue South to U.S. Highway 10. The early bridge studies to four-lanes began in 1991 and two conceptual layouts have been studied--concept 1 includes roundabouts, and concept 2 includes signaled intersections. Claudia Dumont, Engineering Specialist for MnDOT, was in attendance gave a detailed update. She displayed a schematic depicting the current planned interchanges for our area. Scott Mareck, Ex. Director of the St. Cloud Area Planning Organization, also presented a brief summary of the project's history of University Bridge funding. City Council President Johnson opened the public hearing. The following people spoke:

JOAN JAYE, 1601 8TH AVENUE SE, representative of the Neighborhood University Drive Project Committee; read a statement indicating her past/and/current opposition to heavy commercial truck traffic through neighborhoods. City staff explained to her that federal funding prohibits putting any restrictions on trucks using the roads. The committee she served on concluded that they do not want arterial roads in neighborhoods.

REBECCA BIERBAUM, 941 PINERIDGE COURT, MAHTOMEDI; read a newspaper article from years ago about a park referred to as George Friedrich Park (owned by St. Cloud State University) named after her grandfather in the 1950's. She asked that the park/quarry property remain intact through this project.

MATT BIGELOW, 2666 141/2 AVENUE SE, spoke in opposition to the plan that included roundabouts, citing cost and safety issues as main concerns. He is an avid bicyclist.

NICHOLAS REUTER, 1218 ROYAL OAKS ROAD, spoke in opposition to the project dividing a park and placing major heavy traffic near an elementary school (Talahi) and the Talahi Care Center; suggested putting the bridge a few miles further south.

DENNIS DUNPHY, 101 RIVERSIDE DRIVE, suggested this project was all about money/dollars; he read an article written by Gerald Nemi and Lucinda Johnson, staff members of the University of Minnesota, on their projected forecast for conservation loss in our state.

PAT MORIN, 917 13TH AVENUE SE, a resident since 1970; felt it was a mistake to change Michigan Avenue to four-lanes 35 years ago; and that this project would also be a mistake.

MATT STONE, 1546 KILIAN BLVD, spoke in opposition to the majority of the project; he suggested traffic would increase immensely. He asked that the quarry be preserved.

NANCY STIGAARD, 1633 SE 13TH AVENUE, spoke in opposition and suggested that another bridge would be better located between University bridge area and Clearwater, or by the McStop area to divert heavy traffic.

SUZANNA JOHNSON, 1628 13TH AVENUE SE, She asked to maintain the historical east side by keeping the neighborhoods intact; she also stated her opposition to roundabouts.

MARK MUNIZ, 1609 11TH AVENUE SE, spoke to concerns regarding safety issues with the proposed roundabouts and asked whether a pedestrian survey had been conducted. He was concerned how children will access Talahi School with a four-lane roadway. He had many questions relating to the planning process and how it meets compliance with federal funding requirements and various Federal Acts that relate to environmental assessment and environmental protection review.

NOTE: (City Council President Johnson reminded the speakers that the public hearing this evening relates to identifying a "Preferred Alternative" route for the University Bridge Study. The selection of a preferred alternative would allow for many years of continued, in-depth studies and public hearings.)

JERRY LENZ, 1805 LINDA LANE, spoke to the importance of preserving the quarries.

ANN MARIE JOHNSON, 1411 9TH AVENUE SE, was concerned about the traffic impact on the neighborhood and preserving the undeveloped, natural land (east end) and the quarry. She noted that the quarry granite was used to build the wall at Selke Field. She also noted the past efforts of the Works Progress Administration (WPA) and National Youth Administration (NYA) to help plant trees in the area parks.

VAL ROGOSHESKE, 517 9TH AVENUE S., encouraged the preservation of land as intended by our forefathers.

CHARLOTTE STEPHENS, 23 PANDOLFO PLACE, said she is familiar with the wooded, natural area at the east end of the corridor and stated that there are better uses for the land then putting a four-lane roadway through. She expected and hoped that the conceptual plan would change by the year 2035 and that the woods would have more value than a four-lane road at that time.

TOM ODETTE, 1527 8TH AVENUE SE, originally from New Prague—moved to St. Cloud in 1996; asked about the widening of University Drive and how it would affect his property and his neighbors; he further asked if the City would consider buying his property. (City Engineer Steve Gaetz said the proposal at this time includes a center median including 11' wide lanes, and reminded Mr. Odette that all plans are speculative. Community Development Director Matt Glaesman gave specifics noting that the proposed plans do not enter Mr. Odette's property.)

EVE WALLINGA, 3123 ALDER LANE, spoke in opposition to the proposed four-lane project; read a statement stating that “the woods, wetlands, the quarry ponds of Friedrich Park and the acres adjacent to it are increasingly rare in urban settings...George Friedrich, in envisioning this park, wanted to give the community a place to tramp through the woods.”

GARY WALLINGA, 3123 ALDER LANE, spoke on behalf of the local Sierra Club, a group that actively works to preserve our local parks. Stated his opposition to the entire project.

ELLEN E. MORK, 1013 BORGERT AVENUE N., spoke in opposition to the project as it proposes to take land from neighborhoods and three parks; she asked what plans are in process for pedestrians to get across the proposed roundabouts.

LOWELL OLSON, 23 PANDOLFO PLACE, spoke on behalf of the National Park & Trails Coalition about the importance of planting trees and preserving natural woods and parkland. The group has advocated for the past 10 years that this area should be open to the public as a Natural Park as the best future use of this property.

TODD FERGUSON, 1608 11TH AVENUE SE, referenced the fire station at 1201 University Avenue and the current problems getting ladder trucks out onto the road with all the heavy traffic; he suggested that a four-lane roadway would be problematic for the fire station and Talahi Elementary School.

MIKE SPAUDE, 1410 UNIVERSITY DRIVE SE, noted that he didn't support either plan, as both proposals will take his mother's home (1420 University Drive SE); he had concerns about loss of his property value, having to change his mailbox/mail delivery, and his driveway access being cutoff, etc.

JANE FARK, 1621 12TH AVENUE SE, concurred with earlier comments made that opposed the four-lane roadway noting safety issues affecting Talahi School, the Fire station, Selke Field, and pedestrian crossings.

JERRY LA VOI, 1517 KILIAN BLVD SE, spoke opposition to roundabouts noting that it creates safety issues for bikers and pedestrians. He suggested there was no rationale for such a project.

LOUISE CLINTON, 1546 8TH AVENUE SE, spoke in opposition to the four-lanes going through the neighborhood and asked for the neighborhood to be preserved.

CORY JOSEPHS, 1801 8TH AVENUE SE, spoke in opposition to the four-lanes; said he specifically chose this neighborhood because of the beautiful trees, granite quarries, the parks, and the nearby school – asked to preserve the neighborhood.

JAY VORA, 1114 RIVERSIDE DRIVE SE; a SCSU professor of International Business; spoke in opposition to the four-lanes noting that all growth is not necessarily good. He encouraged the City to preserve parks and neighborhoods.

CLIFFORD TURNER, 1557 11TH AVENUE SE; spoke in opposition to the proposed roundabouts. He grew up in Oklahoma City and witnessed dangerous situations where semi-trailers had difficulty driving in roundabouts.

CAROL AGNES, 1538 8TH AVENUE SE; spoke in support of all those people who want to preserve the neighborhood and its beautiful parks, noting that she's pleased to have witnessed a migration of 15 different song birds in the area..

DONALD S. JUSTIN, 805 17 AVENUE SE; spoke about preserving the granite quarries and noted that the granite was used to build Selke Field in 1934.

DICK LEWIS, 1126 KILIAN BLVD SE; spoke in opposition to the alternatives and suggested that St. Cloud focus on its people, its parks, and neighborhoods.

RICHARD KISCH, 1700 12 AVENUE SE; suggested a four-lane bridge should have been built 15 years ago; and now it is time to start the planning process over. He suggested a ring road be built on the south side of St. Cloud starting at 33rd Street.

BERNICE REUTER, 1218 ROYAL OAKS ROAD SE; spoke in opposition to the alternatives proposed. She asked for preservation of the neighborhood.

SCOTT MARECK, ST. CLOUD AREA PLANNING ORGANIZATION, responded (for clarification purposes) to the comments received. He stated that the model forecast (15th Avenue S. over to 5th Avenue) has been updated to 2035 and it shows no change with/or/without the interchange connection; secondly, the 33rd Street S. crossing has been studied extensively, and it has been recommended as the preferred corridor connection from Highway 15 to Highway 10. The next phase of that study is to do an environmental impact statement. He also said that MnDOT has indicated that all existing crossings, including the University Drive Crossing, must be fully built-out beyond the 20-year planning. The only location feasible for the access is University Drive.

RICK STUDER, 718 15TH STREET SE, spoke in favor of the project noting his preferred alternative would be option #1 with the roundabouts.

NAOMI EDEN, 1400 KILIAN BLVD SE, moved to St. Cloud three years ago; she suggested hat the City needs to explore more options for bridge crossings.

CITY COUNCIL PRESIDENT BOB JOHNSON, announced that the opening of the new "Granite City Crossing" bridge is scheduled for November 2009.

There being no one else wishing to speak, City Council President Johnson closed the public hearing. He called for a brief recess at 8:11 p.m. City Council President Johnson reconvened the meeting at 8:18 p.m. Libert/Masters moved approval of the "Resolution Identifying the Preferred Alternative for Future Roadway and Interchange Improvements along the University Drive Corridor." The resolution provides for the following elements: expansion of the corridor to a median divided four lane section with roundabouts at 5th Avenue South, Kilian Boulevard Southeast, 15th Avenue Southeast, and 19th Avenue Southeast; access medication to local streets and private drives resulting in closure or right-in/right-out movements along the corridor; connection of University Drive to a future interchange located at Highway 10; and pedestrian facilities including and/or addressing bid lanes on road, ADA accessibility near campus, connections to parks and school, trail on north side of University Drive, east of the Mississippi Bridge, and sidewalk on south side of University Drive. Community Development Director

Matt Glaesman responded to concerns received during the public testimony. He spoke favorably of the roundabouts, noting that studies show that pedestrian movement moves better/safer, as well as being better environmentally. Many of the concerns regarding federal requirements/details would be answered during future in-depth studies. A review of the preferred route would be needed to determine that the project is environmentally palatable; the city residents must vote to approve the University Bridge expansion to four lanes; and there would be many phases for future public hearings and Council approval. Glaesman also noted that Selke Field would not be touched by the proposed expansion. City Engineer Steve Gaetz responded to the many comments about the 33rd Street South Corridor. He said that the Area Planning Organization, Stearns County, and the City have done their share to advance the bridge crossing plan, and it's now to Haven Township and Sherburne County to complete their plans. He said that there are five roundabouts scheduled for construction in future St. Cloud improvement projects, and confirmed that data shows roundabouts to be neighborhood friendly, safe and more efficient, and are recognized as significant traffic calming devices that discourage truck traffic. He also stated that the proposed University Drive project should not affect the George Friedrich Park area. Councilmember Garven said St. Cloud was recently selected as "one of the most liveable cities in the world" and was concerned we might lose that status. She hoped that the City would wait and look at other alternatives. During further Council discussion, Councilmember Libert said he made a recent visit to the George Friedrich Park and was saddened to find it to be a dying, deteriorating park. He hoped that by approving the proposed plan of the preferred route (for future studies) the community may look at restoring the park. Libert also asked about the effect of losing federal funds/earmarks. APO Ex. Director Scott Mareck responded that it would reflect poorly on our credibility both locally and in Washington DC. This led into a general discussion with staff on federal funding consideration and priority of transportation projects. Following discussion, the motion was approved by a 5-1 vote with Councilmember Garven voting against. The adopted resolution was assigned number 2009-5-51.

ADJOURNMENT: There being no further business to discuss, Council President Johnson adjourned the meeting at 9:07 p.m.

City Council President Bob Johnson

Respectfully submitted by
Sandy Hilsgen, Recording Council Secretary

