

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

NOVEMBER 23, 2009

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on November 23, 2009, at 6 p.m. in the City Council Chambers.
2. A Moment of Silence was held for our men and women serving in the Armed Forces.
3. All City Council Members were present: Sonja Berg, Carolyn Garven, George Hontos, President Bob Johnson, Vice President John Libert, Dave Masters, and John Pederson.

SPECIAL RECOGNITION:

4. Mayor Dave Kleis presented Public Works Equipment Operator-I Mark Weyer with the 2nd place award from the 2009 Minnesota Fall Maintenance Expo "Roadeo" competition held in St. Cloud on October 7 and 8, 2009. It was noted that this was the second time that Mark Weyer achieved the 2nd place award. He has been employed with the City of St. Cloud for the past five years.

CONSENT AGENDA:

5. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved with the addition of an Open Discussion item requested by Councilmember Garven regarding the City's Recreation Department.
6. **APPROVAL OF THE MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON NOVEMBER 9, 2009.** ACTION TAKEN: Approved.
7. **APPROVAL OF THE 2010 CITY COUNCIL MEETING SCHEDULE.** ACTION TAKEN: Approved.
8. **RESOLUTION SETTING DECEMBER 7, 2009, FOR THE PUBLIC HEARING ON THE 2010 ENTERPRISE FUNDS BUDGET.** ACTION TAKEN: Resolution adopted and assigned number 2009-11-181.
9. **RESOLUTION AUTHORIZING ISSUANCE, AWARDING SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF GENERAL OBLIGATION INFRASTRUCTURE MANAGEMENT FUND REFUNDING BONDS, SERIES 2009D.** ACTION TAKEN: Councilmember Pederson pulled this item for discussion. Finance Director John Norman gave a brief introduction regarding refunding the variable rate bonds. Terri Heaton, Financial Advisor from Springsted, addressed the Council on the bid tabulations and announced that Piper Jaffray & Company was awarded the bid/sale on November 23, 2009. She acknowledged the continued good work of Finance Director John Norman and his

staff. The bonds were refunded at the fixed interest rate of 1.5863%. Pederson/Berg moved approval of the resolution. The adopted Resolution was assigned number 2009-11-182.

10. **APPROVAL OF CHANGE ORDER #4 FOR THE WATER TREATMENT FACILITY FILTER AND CLARIFIER REHABILITATION PROJECT.** ACTION TAKEN: Approved as submitted in the Project Manager Memorandum dated November 9, 2009, in the total amount of \$17,568.75.

11. **2010 PUBLIC UTILITIES CHEMICAL PROPOSALS.** ACTION TAKEN: Approved.

12. **APPROVAL OF GROUP ELEVEN CHANGE ORDERS AND BIDS FOR POLICE HEADQUARTERS AND TECHNOLOGY CHANGE A (VIDEO SIGNAGE APPLICATION), CHANGE B (VIDEO SERVER/STORAGE AND DVD BURNING STATION), AND CHANGE C (NETWORK SWITCHES).** ACTION TAKEN: Approved.

13. **AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH BONESTROO FOR INTERSECTION IMPROVEMENTS AT UNIVERSITY DRIVE AND 5TH AVENUE SOUTH.** ACTION TAKEN: Approved.

14. **RECOMMENDED CHANGES TO MUNICIPAL STATE AID STREET SYSTEM: (A) RESOLUTION REVOKING MUNICIPAL STATE AID STREETS; and (B) RESOLUTION ESTABLISHING MUNICIPAL STATE AID STREETS.** ACTION TAKEN: Resolutions adopted and assigned numbers 2009-11-183 and 2009-11-184 respectively.

15. **APPROVAL OF PRELIMINARY AND FINAL PLAT OF RUBALD ADDITION (LOCATION: 33RD STREET AND 1ST STREET NORTH)** ACTION TAKEN: Approved.

OPEN FORUM: No one spoke.

PUBLIC HEARINGS:

16. **RESOLUTION GIVING PRELIMINARY APPROVAL TO A FINANCING ON BEHALF OF ST. CLOUD HOSPITAL AND ITS AFFILIATES UNDER MINNESOTA STATUTES, CHAPTER 462C AND SECTIONS 469.152 THROUGH 469.165, AS AMENDED.**

(City Council President Johnson announced he would recuse himself due to his employment with CentaCare.) Vice President John Libert presided and opened the public hearing. The following individual spoke:

TOM MATHEWS, Attorney for St. Cloud Hospital; legal office located at 110 6th Avenue S.; explained that the Hospital is attempting to lower its interest costs and generate savings by refunding existing bonds that were placed in 2000 to construct the CentraCare Health Plaza facility and improvements at facilities in Long Prairie, Melrose and Monticello. Each city will pass a resolution to allow St. Cloud to host the refunding. The existing bonds are not variable rate. The hospital is hoping to refund at a lower fixed rate and all final documents will return to the City Council for final execution by mid-January.

There being no one else wishing to speak, the public hearing was closed. Berg/Masters moved approval of the resolution. The motion carried by a 6-0 vote with Council President Johnson abstaining. The adopted resolution was assigned number 2009-11-185.

17. **RESOLUTION ORDERING CIVIC CENTER EXPANSION UTILITY AND ROADWAY IMPROVEMENTS.** Assistant City Engineer Steve Foss displayed schematics of the streetscape design on the overhead and presented an update on the proposed roadway and utility improvements. The 4th and 5th Avenues will be constructed as two-lane roadways with left-turn lanes and parallel parking. The St. Germain Street will have two traffic lanes, but with no parking. Streetscape features include a decorative delineator of paver stones or colored concrete separating an 8 ft. wide sidewalk from the curb, ornamental street lights, and irrigated planting areas. The total cost of the project is \$1,986,930, with funding as follows: Assessments- \$339,024; Civic Center-\$1,000,000; and MSA funding of \$647,906. Council President Johnson opened the public hearing. The following individual spoke:

LEE STEVENS, 6429 Savanna Court; Property Manager for INH Companies; spoke on behalf of IRET Properties, and the tenants PrimeVest Financial and the Condominium Association-QTS Investments, Wells Fargo Center, 400 First St. S. He noted that he attended the informational meeting for the proposed improvements and complimented Assistant Engineer Foss for his clear and thorough explanation of the planned improvements. However, he asked whether the improvements could be delayed due to the current economic conditions and the projected assessment costs.

There being no one else wishing to speak, the public hearing was closed. Hontos/Masters moved approval of the resolution as presented. Assistant City Engineer Foss responded to questions and concerns, noting that the 90-year old infrastructure replacement/improvements are warranted at this time. He suggested that it would benefit the City to get the process started. If approved, the next step would be for staff to prepare the detailed plans and specifications to go out for bids, with Council consideration and action in late January 2010. Public Services Director Steve Gaetz added that this work must be done (relocating utilities away from 4th Avenue) in order to clear the site for the Civic Center expansion, whether the expansion project proceeds now or at a later date. Council discussion ensued. Councilmember Pederson asked about allowing the three concerned businesses more time to budget for the assessments by loaning/using City reserves to pay pending assessments in 2010. Both City Engineers Gaetz and Foss spoke to the standard 20-year assessment payment schedule and noted that if construction took place in 2010, the

assessments would not be levied until January 2011, and would not show up on the property tax roll until 2012. The timeframe for removing the stoplights and the one block of 4th Avenue (between 1st Street N. and St. Germain) would be during the summer of 2010. Following discussion, the motion unanimously carried by roll call vote. The adopted resolution was assigned number 2009-11-186.

NEW BUSINESS:

18. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH AFSCME LOCAL 748.** City Attorney Jan Petersen gave a brief overview of the proposed two-year contract with the AFSCME Employee Local 748 (Union group) for years 2009 and 2010. Following a brief discussion, Garven/Libert moved approval of the resolution. The motion unanimously carried. The adopted resolution was assigned number 2009-11-187.

OPEN DISCUSSION & ANNOUNCEMENTS:

The City Council will conduct a Special meeting at 5 p.m. on Thursday, December 3, 2009, in CR#1, for the purpose of discussing the City budget. Following that meeting, Mayor Dave Kleis will host an Interactive Town Hall meeting in the City Council Chambers beginning at 6:30 p.m. to offer the opportunity for the public to weigh in on the 2010 City budget before the City Council takes final action in December. The meeting will be televised and streamlined on the web. The public can contact the City by email at budget@ci.stcloud.mn.us or by calling 650-3152.

Councilmember Garven commented on the Recreation Department's wonderful children's event, "Gobble Up Goodies," held at the Lake George Complex on Sunday, November 22, 2009, from 1- 3 p.m. The event was free and open to the public.

Council President Johnson congratulated Mayor Kleis for participating in the 5K Jingle Run and achieving a better time than our neighboring Sartell mayor.

ADJOURNMENT: There being no one else wishing to speak, Council President Johnson adjourned the meeting at 6:48 p.m.

City Council President Bob Johnson

Respectfully submitted by
Sandy Hilsgen, Recording Council Secretary