

CITY COUNCIL PROCEEDINGS

AGENDA ITEM:

JANUARY 25, 2010

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 January 25, 2010, 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: All members were present: Berg, Garven, Hontos, Johnson, Libert, Masters, and Pederson.

SPECIAL RECOGNITION:

On behalf of the citizens of St. Cloud, Mayor Dave Kleis paid homage to two of St. Cloud's past Civic leaders. Gerald Donlin passed away on December 28, 2009. He served on the St. Cloud City Council for 13 years. Former mayor Robert J. "Sam" Huston passed away on January 13, 2010. He served as St. Cloud's mayor from 1980-1989.

CONSENT AGENDA:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved with the inclusion of Open Discussion items.
5. **APPLICATION FOR AN EXEMPTION FROM THE CITY'S NOISE ORDINANCE FOR A WEDDING EVENT TO BE HELD AT THE RIVERSIDE PARK SHELTER ON APRIL 17, 2010 FROM 4:00 P.M.-10:00 PM.** ACTION TAKEN: Approved.
6. **RESOLUTION REQUESTING FUNDING ASSISTANCE FROM THE MNDNR UNDER THE 2010 FEDERAL RECREATIONAL TRAIL GRANT PROGRAM.** ACTION TAKEN: Resolution adopted and assigned number 2010-1-13.
7. **RESOLUTION REQUESTING FUNDING ASSISTANCE FROM THE ST. CLOUD HOUSING AND REDEVELOPMENT AUTHORITY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.** ACTION TAKEN: Hontos/Garven moved approval of the resolution supporting CDBG funding for eligible park projects in a geographic area considered to be low and moderate income (LMI). Councilmember Hontos noted his concern for other underdeveloped parks not in the LMI, with hope that funding could be committed to them. Council President Johnson spoke to how priorities for CDBG funding will change as our economy changes. Park Director Scott Zlotnik and Community Development Director Matt Glaesman spoke to our current and projected funding options. The motion unanimously carried. Resolution adopted and assigned number 2010-1-14.
8. **DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) ENERGY**

EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG). ACTION TAKEN: Pederson/Berg moved approval of the recommendation of Design Tree Engineering for the design and construction administration services for the five projects that were listed in the memo. Councilmember Pederson spoke to recent news articles reporting safety issues and the lack of effectiveness of LED lighting in cold weather areas. Public Services Director Steve Gaetz reported those incidents occurred with LED Traffic signals. Our proposed project includes LED Street Lighting. The LED Street lamps will be more efficient by providing better lighting and visibility through use of less energy. The lights should generate enough heat to melt off any snow or ice that would possibly adhere to them. A sample/demo street light lamp was on display in the Chambers. The motion unanimously carried.

9. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN EASEMENT WITH THE STEARNS COUNTY RAIL AUTHORITY. ACTION TAKEN: Resolution adopted and assigned number 2010-1-15.

10. RESOLUTION OF SUPPORT FOR SAFETY AND CAPACITY IMPROVEMENTS ON HIGHWAY 15. ACTION TAKEN: Resolution adopted and assigned number 2010-1-16.

11. (A) LENZMEIER ADDITION PRELIMINARY AND FINAL PLAT; AND (B) LENZMEIER SUBDIVISION AGREEMENT. ACTION TAKEN: Approved.

12. (A) STONE GATE PLAZA PRELIMINARY AND FINAL PLAT; AND (B) STONE GATE PLAZA SUBDIVISION AGREEMENT. ACTION TAKEN: Approved.

13. RESOLUTION AMENDING THE WEST PRAIRIE POINT PLANNED UNIT DEVELOPMENT (PUD) GENERAL DEVELOPMENT PLAN TO PERMIT A GREATER VARIETY OF HOME STYLES ALONG NORTHWOOD LANE. (LOCATION: 6738, 6740, 6748, 6750, 6756, 6758, 6802, 6806, 6813, 6814, 6817, 6818, 6903, 6904, 6907, 6908, 6922, 6923, 6926, 6927, 7002, 7006, 7009, 7013, 7020, 7024, 7102, 7106, 7114, AND 7118 NORTHWOOD LANE) (DPA-2010-01) REQUESTED ACTION: A public hearing was set for February 8, 2010.

OPEN FORUM: No one spoke.

PUBLIC HEARING:

14. ORDINANCE AMENDING SECTION 520:10 OF THE 2007 ST. CLOUD CODE OF ORDINANCES BY ESTABLISHING STORAGE FEES RELATING TO MOTOR VEHICLE FORFEITURES. Assistant City Attorney Matt Staehling presented information regarding the proposed ordinance that would establish a \$25 per day storage fee for seized vehicles. The total amount would not exceed \$400; and pursuant to Minnesota forfeiture laws, a vehicle would not be released until the storage fees are paid in full. The fee reflects the costs

incurred to the city to prepare the vehicle for storage, storing the vehicle, and preparing the vehicle for release. Council President Johnson opened the public hearing. The following people spoke:

Dennis Dunphy, 101 Riverside Drive SE, Apt. 113; asked for clarification on when the ordinance would apply. (Council President Johnson explained that it would apply to those stored, seized vehicles that were involved in a DUI or drug crime.)

There being no one else wishing to speak, the public hearing was closed. Libert/Masters moved approval of the ordinance. After a brief discussion regarding how the city currently utilizes and sells forfeited vehicles, the motion carried unanimously. The adopted ordinance was assigned number 2451.

OLD BUSINESS:

15. COMMUNITY PROJECT AT LAKE GEORGE- 2010 PHASE #2 IMPROVEMENTS.

Park Director Scott Zlotnik provided an informative presentation including the history and proposed designs and concept drawings for the Community project at Lake George - Phase #2 improvements. Following a brief discussion regarding various features in the concept plans, Berg/Masters moved to (1) approve the concept design for the Community Project at Lake George Phase #2 improvements; (2) amend the approved funding commitment to allow for the 2011 proposed projects to be constructed in 2010, totaling \$147,000; and (3) authorize the Community Project at Lake George to move forward to be completed in 2010. The motion unanimously carried.

NEW BUSINESS:

16. SITE SELECTION FOR SKATE PLAZA IMPROVEMENTS - HERITAGE PARK.

Park Director Scott Zlotnik presented a power point presentation giving an overview of the background and history of the Skate Plaza and spoke to the several sites considered throughout the process. He then presented the Heritage Park concept plan. Following his presentation, Council discussion ensued. Councilmember Hontos indicated that the public has concern regarding the process and asked administration to provide specific rationale for eliminating other park sites. Hontos/Garven then moved that the City Council set a public hearing date of Monday, February 8, 2010, to consider Site Selection for Skate Plaza Improvements - Heritage Park. Councilmember Libert asked administration to respond to the concerns that were brought forward at the Planning Commission's public hearing held January 12, 2010. He also asked for

staff to research whether the land was donated for a specific use as indicated in a letter from Mary Weyrens Tasto that was recently sent to the Council. Further clarification and requests were made for detailed designs, cost estimates, plans for maintenance of restrooms, plans for future expansion, the fundamental criteria used to determine site selection, the justification of sidewalk along 2nd Street, etc. Following discussion, the motion unanimously carried.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Pederson announced that precinct caucus meetings will take place February 2, 2010, at 7 p.m. at various locations throughout our city and encouraged the public to participate. These meetings are an important part of our political process, where attendees can discuss issues and share ideas, choose delegates and express candidate preferences. Caucus locations will be listed in the local newspaper and available by calling the county auditor's office.

Councilmember Garven asked for a future report to the Council on sales tax usage to date.

Councilmember Johnson asked for an update on the St. Cloud Regional Airport and future commercial air service. Mayor Kleis said the budget shortfall will be addressed at a future meeting. He confirmed that administration sent a letter to our Minnesota Congressional delegation to request their appeal to Delta Airlines to delay their departure from the St. Cloud Airport. The request was denied.

ADJOURNMENT:

There being no further business to discuss, Council President Johnson adjourned the meeting at 7:24 p.m.

City Council President Bob Johnson

Respectfully submitted by

Sandy Hilsgen
Recording Council Secretary