

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

AUGUST 23, 2010

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on Monday, August 23, 2010, 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. Councilmembers Berg, Garven, Hontos, Libert, Johnson, Masters and Pederson were present.

CONSENT AGENDA:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF THE CITY COUNCIL PROCEEDINGS OF THE SPECIAL MEETING HELD AUGUST 13, 2010.** ACTION TAKEN: Approved.
6. **AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE A LEASE AGREEMENT WITH THE STATE OF MINNESOTA FOR THE PROVISION FOR OFFICE SPACE IN CITY HALL FOR THE LOCATION OF THE REGIONAL HUMAN RIGHTS OFFICE.** ACTION TAKEN: Approved.
7. ~~**APPROVING AN ENABLING RESOLUTION CREATING AN ECONOMIC DEVELOPMENT AUTHORITY (EDA) IN THE CITY OF ST. CLOUD.**~~ ACTION TAKEN: Item withdrawn by Administration.
8. ~~**APPROVING THE ASSOCIATED PLAN FOR THE DIVISION OF ASSETS BETWEEN THE CURRENT HOUSING AND REDEVELOPMENT AUTHORITY AND THE NEW EDA.**~~ ACTION TAKEN: Item withdrawn by Administration.
9. ~~**MAYOR'S APPOINTMENTS TO THE EDA BOARD OF DIRECTORS AND THE HRA BOARD.**~~ ACTION TAKEN: Item withdrawn by Administration.
- 9A. **Add-On: RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2010, ON AN ENABLING RESOLUTION CREATING AN ECONOMIC DEVELOPMENT AUTHORITY (EDA) IN THE CITY OF ST. CLOUD.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-141.
10. **RESOLUTION RELATING TO \$7,736,790 GENERAL OBLIGATION DRINKING WATER REVENUE NOTE, SERIES 2010; AUTHORIZING THE ISSUANCE AND SALE, FIXING THE FORM AND DETAILS THEREOF AND PROVIDING FOR THE SECURITY THEREFOR.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-142.
11. **RESOLUTION AUTHORIZING ISSUANCE AND SALE OF \$2,055,000 GENERAL OBLIGATION WASTEWATER REVENUE BONDS, SERIES 2010A.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-143.
12. **RESOLUTION AUTHORIZING ISSUANCE AND SALE OF GENERAL OBLIGATION TAX ABATEMENT BONDS, SERIES 2010B.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-144.
13. **RESOLUTION CALLING FOR A PUBLIC HEARING ON SEPTEMBER 13, 2010, OF THE PROPOSAL TO GRANT PROPERTY TAX ABATEMENTS ON CERTAIN DESIGNATED PROPERTIES.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-145.
14. **TECHNOLOGY ADDITIONS TO POLICE HEADQUARTERS.** ACTION TAKEN: Approved.

15. **RESOLUTION AUTHORIZING A TAX LEVY FOR THE HOUSING AND REDEVELOPMENT AUTHORITY FOR PAYMENT IN 2011.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-146.

16. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH ST. CLOUD FIREFIGHTER'S ASSOCIATION, LOCAL 1712.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-147.

17. **ACCEPTANCE OF 2009 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT.** ACTION TAKEN: Councilmember Pederson removed this agenda item for discussion. Chief Bill Mund addressed the Council and confirmed that the four positions were for two years of employment with the City of St. Cloud as provided for by the grant. The four individuals were informed in writing that the positions were for a period of two years. Pederson/Berg moved approval of accepting the 2009 SAFER grant. The motion unanimously carried.

18. **RESOLUTION SETTING PUBLIC HEARING TO CONSIDER CERTIFICATION OF DELINQUENT SNOW REMOVAL CHARGES TO THE COUNTIES FOR COLLECTION.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-148.

19. **RESOLUTION SETTING PUBLIC HEARING TO CONSIDER CERTIFICATION OF DELINQUENT TREE REMOVAL CHARGES TO THE COUNTIES FOR COLLECTION.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-149.

20. **RESOLUTION SETTING A PUBLIC HEARING ON THE CERTIFICATION OF DELINQUENT UTILITY BILLS TO THE COUNTY FOR COLLECTION WITH TAXES PAYABLE IN 2010.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-150.

21. **RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER RESOLUTION TO CERTIFY DELINQUENT ADMINISTRATIVE CITATION CHARGES TO THE COUNTIES FOR COLLECTION.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-151.

22. **RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER CERTIFICATION OF DELINQUENT WEED REMOVAL/GRASS MOWING CHARGES TO THE COUNTIES FOR COLLECTION.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-152.

23. **RESOLUTION SETTING PUBLIC HEARING TO CONSIDER CERTIFICATION OF DELINQUENT NUISANCE ABATEMENT CHARGES TO THE COUNTIES FOR COLLECTION.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-153.

24. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR JILL LYNN HERCHENHAHN DOING BUSINESS AS BODY KINETICS, 224 7TH AVE. S., ST. CLOUD MN 56301.** ACTION TAKEN: Approved.

25. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR KIRSTEN ROSE PACKERT DOING BUSINESS AS RELAXING TOUCH 224 7TH AVE. S., ST. CLOUD MN 56301.** ACTION TAKEN: Approved.

26. **SETTING A PUBLIC HEARING TO AMEND SECTION 365 OF THE 2007 CODE OF ORDINANCES STORMWATER SYSTEM USE CODE TO STANDARDIZE FEES FOR UNDEVELOPED PARCELS AND UNSEWERED AGRICULTURAL AND RURAL RESIDENTIAL PARCELS.** ACTION TAKEN: Reading and public hearing set for September 13, 2010 (Proposed Ordinance 2010-25).

27. **RESOLUTION OF INITIAL SUPPORT FOR THE MISSISSIPPI RIVER TRAIL BICYCLE ROUTE.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-154.

28. **RESOLUTION AUTHORIZING THE PURCHASE OF REFUSE BAGS FROM COLE PAPER COMPANY AND YARD WASTE BAGS FROM CENTRAL POLY CORPORATION.** ACTION TAKEN: Resolution adopted and assigned number 2010-8-155.

29. **SANITARY SEWER LIFT STATION #4 REPLACEMENT PROJECT, CONTRACT 2010-18:**

A. RESOLUTION ACCEPTING LOW BID FOR SANITARY SEWER LIFT STATION #4 REPLACEMENT PROJECT, CONTRACT 2010-18. ACTION TAKEN: Resolution adopted and assigned number 2010-8-156.

B. RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ST. CLOUD, MINNESOTA, TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY, CONTRACT 2010-18. ACTION TAKEN: Resolution adopted and assigned number 2010-8-157.

30. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR VETERANS GOLF COURSE IMPROVEMENTS.** ACTION TAKEN: Councilmember Hontos removed this agenda item for discussion. Hontos/Masters moved approval. The motion unanimously carried. Resolution adopted and assigned number 2010-8-158.

31. **APPROVAL OF KNIFE RIVER PURCHASE AGREEMENT FOR LAND ACQUISITION AT THE ST. CLOUD REGIONAL AIRPORT LOCATED IN THE FUTURE AIRPORT DEVELOPMENT AREA.** ACTION TAKEN: Approved.

OPEN FORUM:

PAT MORIN, 917 13TH AVENUE, expressed concern about excessive use of city services with regard to residents living at River Crest Place. She cited specific incident dates of July 21, July 23, and August 5, 2010. Councilmember Hontos asked for administration to provide a “cost of city services report” with its response to this matter.

JEFF JOHNSON, 3347 DEER CREEK TRAIL, encouraged the City to be supportive to St. Cloud State University as it goes through its reorganizational process.

OLD BUSINESS:

32. **RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 2438 - 1ST STREET SOUTH, ST. CLOUD, WHICH IS NEEDED TO BE ACQUIRED TO COMPLETE THE PROPOSED 25TH AVENUE IMPROVEMENTS.** Assistant City Attorney Gary Gustafson spoke to the process of used to determine the real estate appraisal value of the property located at 2438 1st Street South. The minimum compensation value has been set at \$143,700. Hontos/Libert moved approval of the resolution determining the value of the property. The motion unanimously carried. The adopted resolution was assigned number 2010-8-159.

33. **RESOLUTION ACCEPTING BIDS AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CONSTRUCTION CONTRACTS IN THE TOTAL AMOUNT OF \$12,599,257 FOR THE ST. CLOUD CIVIC CENTER EXPANSION - BID PACKAGE #2.** Community Services and Facilities Director Lyle Mathiasen spoke to the bid results. He cited a correction to the revised memo indicating that the Civic Center Expansion Bid Package #2 – Construction Contracts dollar amount of \$12,599,257 is the correct amount. Over 20 sealed Bids were received on August 4 and 5, 2010. The bid specifications included 44 different line item bid sections. The resolution includes a summary of all construction contracts recommended for approval at

this time. The Council revised memo distributed at the meeting included information stating that the expected Hard Cost Budget total is \$1,519,017. The Projected Base Bid total for those hard costs is \$13,717,298, leaving a difference of \$3,801,719. The favorable difference allows the City to add the Alternates to the Base Bid to the project in the amount of \$2,093,371 and still retain \$1,708,348 for Other Deferred Items to be added back. In addition to these totals, the project budget continues to include a Contingency Fund line item of \$1,500,000. During discussion, Bob Strack, project construction manager, and Murray Mack, architect, responded to questions and concerns regarding accepting alternates for the project. Councilmember Hontos strongly urged reserving those funds for a parking ramp. Following discussion, the motion to approve the revised resolution accepting bids and authorizing the mayor and city clerk to execute St. Cloud Civic Center Expansion Bid Package #2 Construction Contracts in the total contract amount of \$12,599,257 carried by a vote of 6-1 with Councilmember Hontos voting against. The adopted resolution was assigned number 3010-8-160.

OPEN DISCUSSION & ANNOUNCEMENTS:

34. **A REPORT BY YOUTH SPEAKERS BUREAU REGARDING UNDERAGE DRINKING.** Mark Sakry, Director of the Boys & Girls Club of Central Minnesota and a member of Stearns County Board of Commissioners, provided the Council with a copy of the statistics of a Minnesota Student survey recently completed by the University of Minnesota regarding PARTNERS in HOPE/Underage Drinking. Five female high school students involved in the Youth Speakers Bureau of the Boys & Girls Club were in attendance and addressed the City Council on their perspective of local youth and the effects of underage drinking. (Informational item only; no action taken.)

Council President Johnson announced that the Governmental Fund Budget meeting scheduled for Wednesday, August 25, at 4:30 p.m. was cancelled. He also noted that there will be no City Council meeting on Monday, August 30, or Monday, September 6. The next scheduled City Council Meeting is Monday, September 13, 2010.

ADJOURNMENT: There being no further business to discuss, City Council President Johnson adjourned the meeting at 7:07 p.m.

City Council President Bob Johnson

Respectfully submitted by
Sandy Hilsgen
Recording Council Secretary