

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

October 25, 2010

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on October 25, 2010 at 6 p.m. in the City Council Chambers.
2. Moment of Silence for our men and women serving in the Armed Forces.
3. Councilmember present were Berg, Hontos, Johnson, Libert, and Masters. Councilmember Garven and Pederson were absent.

Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 11, 2010.** ACTION TAKEN: Approved.
6. **APPOINTMENTS TO THE REGIONAL HUMAN RIGHTS ADVISORY COMMISSION.** ACTION TAKEN: Approved the appointments of Judy Foster, Alakhadar Yosuf, Jason Lindberg, Nathan Meints, Rachel Wexelbaum, Ahmed I. Abdi, Eunice Adjei-Bosompem, and Cara Ruff, all for 3-year terms to commence immediately.
7. **APPLICATION FOR A TOBACCO LICENSE FOR COBORNS, INC. DBA HOLIDAY STATION STORE #4078 TO BE LOCATED AT 328 5TH AVENUE SOUTH.** ACTION TAKEN: Approved.
8. **APPLICATION FOR A TOBACCO LICENSE FOR MR. NICE GUYS MERCHANDISING, INC. DBA MR. NICE GUYS, 212 6TH AVENUE SOUTH.** ACTION TAKEN: Approved.

9. **APPLICATION FOR OFF-SALE 3.2 MALT LIQUOR LICENSE FOR NORTHERN TIER RETAIL, LLC DBA SUPERAMERICA #4171 (2200 WEST DIVISION), SUPERAMERICA #4256 (600 US HIGHWAY 10), AND SUPERAMERICA #4506 (4045 2ND STREET SOUTH).** ACTION TAKEN: Public hearing set for November 22, 2010.
10. **AN ORDINANCE REPEALING SECTION 449: TATTOING, BODY PIERCING, BRANDING, AND SCARIFICATION IN ITS ENTIRETY EFFECTIVE JANURAY 1, 2011.** ACTION TAKEN: Reading and public hearing were set for November 15, 2010. Assigned proposed ordinance number 2010-28.
11. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR AMY K. MASSMANN DOING BUSINESS AS AMY'S MASSAGE REJUVENATION.** ACTION TAKEN: Approved.
12. **TAX COMPLIANCE PROCEDURES RELATING TO TAX-EXEMPT BONDS AND BUILD AMERICA BONDS.** ACTION TAKEN: Approved.
13. **PROFESSIONAL SERVICES AGREEMENT FOR THE ANNUAL AUDIT FOR 2010-2014 AUDITS.** ACTION TAKEN: Approved.
14. **RESOLUTION REAUTHORIZING MEMBERSHIP IN THE 4M FUND.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2010-10-194.
15. **AUTHORIZE APPROVAL FOR MAYOR TO SIGN A COPS GRANT AWARD FOR FIVE (5) POLICE OFFICER POSITIONS AND \$1,174,805 IN FEDERAL FUNDS OVER A THREE-YEAR GRANT PERIOD.** ACTION TAKEN: Chief Ballantine gave an overview. Councilmember Berg questioned what happens to the officers when the grant ends. Chief Ballantine noted that they will be retained for a year after the grant ends. At that point their will be open positions. Berg/Garven moved approval. Motion carried unanimously.

16. **JOINT POWERS AGREEMENT BETWEEN CITY OF ST. CLOUD AND SCHOOL DISTRICT #742 PROVIDING FOR COOPERATIVE FUNDING OF THE SCHOOL RESOURCE OFFICER PRORAM AND NEIGHBORHOOD PARKING CONTROL PROGRAM.** ACTION TAKEN: Approved.

17. **RESOLUTION APPROVING A STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION LIMITED USE PERMIT FOR MUNICIPAL LANDSCAPING, IRRIGATION SYSTEM, NON-MOTORIZED PATHS AND PARKING LOT.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2010-10-195.

18. **REGIONAL PARK LEGACY GRANT AGREEMENT FOR IMPROVEMENTS AT ST. CLOUD RIVER BLUFFS REGIONAL PARK.** ACTION TAKEN: Approved.

19. **EMERGENCY REPAIR AND REPLACEMENT OF A PORTION OF THE LOWER METRO INTERCEPTOR SYSTEM.** ACTION TAKEN: Approved.

Open Forum:

No one testified.

Public Hearings:

20. **CONTINUED PUBLIC HEARING (FROM OCTOBER 11, 2010) ON AN ORDINANCE AMENDING ARTICLE 8 – RESIDENTIAL DISTRICTS, 8.2 – PERMITTED AND CONDITIONAL USES, TABLE 8-1: RESIDENTIAL DISTRICTS PERMITTED AND CONDITIONAL USES; ARTICLE 9 – COMMERCIAL DISTRICTS, 9.2 – PERMITTED AND CONDITIONAL USES, TABLE 9-1: COMMERCIAL DISTRICTS PERMITTED AND CONDITIONAL USES; ARTICLE 10 – INDUSTRIAL DISTRICTS, 10.2 – PERMITTED AND CONDITIONAL USES, TABLE 10-1: INDISTURIAL DISTRICTS PERMITTED**

AND CONDITIONAL USES; ARTICLE 14 – USE STANDARDS, 14.3 – USE STANDARDS, U. – SERVICE STATION; ARTICLE 15 – ON-SITE DEVELOPMENT STANDARDS, 15.6 PERMITTED OBSTRUCTIONS, TABLE 15-4: PERMITTED OBSTRUCTIONS; ARTICLE 16 – OFF-STREET PARKING AND LOADING, 16.7 – LOCATION OF OFF-STREET PARKING SPACES, E.; ARTICLE 16 – OFF-STREET PARKING AND LOADING 16.8 – DESIGN STANDARDS, D. LANDSCAPING AND SCREENING; ARTICLE 16 – OFF-STREET PARKING AND LOADING, 16.13 – REQUIRED OFF-STREET PARKING SPACES – TABLE 16-3 REQUIRED OFF-STREET PARKING; ARTICLE 17 – LANDSCAPING, SCREENING, AND BUFFERING; ARTICLE 21 – DEFINITIONS, 21.4 USE DEFINITIONS, PRINT SHOP AND PUBLISHING; ARTICLE 21 – DEFINITIONS, 21.5 GENERAL TERMS DEFINITIONS, FLOOR AREA RATIO – FIGURE; IN THE ST. CLOUD LAND DEVELOPMENT CODE.

Council President Johnson noted that the public hearing is continued from the October 11, 2010 City Council meeting and asked if anyone wanted to testify. No one testified. Council President Johnson closed the public hearing. Garven/Libert moved approval of the item as presented by Matt Glaesman, Community Development Director. Councilmembers Pederson and Hontos addressed concerns they had with the section on landscaping and screening. Pederson/Hontos moved to amend the ordinance by striking out the section related to screening of pools – Article 17.4, Section 11 with the recommendation that staff bring back a draft ordinance in regard to pools before spring. Motion to amend carried 4-3: Councilmembers Berg, Garven, and Libert voted against. The original motion as amended carried 6-1; Councilmember Pederson voted against. Ordinance was adopted and assigned number 2479

New Business:

21. **TRANSFER OF FIRE DEPARTMENT DISPATCH OPERATIONS TO THE STEARNS COUNTY SHERIFF’S DEPARTMENT.**

Fire Chief Bill Mund addressed the council and gave a brief overview on the transfer of dispatching functions to Stearns County. Hontos/Berg moved approval. Motion carried unanimously.

Open Discussion:

- Mayor Kleis presented the LivCom video that is going to be shown at the LivCom Awards.
- Councilmember Berg noted that there is the need for volunteers for the Veterans Day Parade being held on November 7, 2010.

Adjournment: There being no further business to discuss the meeting was adjourned at 6:59 p.m.

City Council President
John Libert

Jennifer Burrows, Recording Council Secretary