

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS

Monday, May 14, 2018

6:00 PM

City Council Chambers

1. **PLEDGE OF ALLEGIANCE**
2. **MOMENT OF SILENCE FOR OUR MEN AND WOMEN SERVING IN THE ARMED FORCES**
3. **ROLL CALL: Councilmembers Present:** Carol Lewis, John Libert, Dave Masters, Jeff Johnson; **Councilmembers Absent:** Steve Laraway, George Hontos, Jeff Goerger

SPECIAL RECOGNITIONS:

4. **MAYOR KLEIS' PRESENTATION OF MAY'S NEIGHBOR OF THE MONTH**

CONSENT AGENDA:

5. **APPROVAL OF AGENDA**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
6. **RESOLUTION RECOGNIZING THE ST. CLOUD STATE UNIVERSITY SESQUICENTENNIAL CELEBRATION AS AN OFFICIAL CITY FESTIVAL CELEBRATING 150 YEARS OF WORKING TOGETHER.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
RESOLUTION ADOPTED AND ASSIGNED 2018-5-55
7. **APPROVAL OF CONVENTION AND VISITOR'S MARKETING AGREEMENT WITH THE ST. CLOUD AREA CHAMBER OF COMMERCE.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
8. **APPLICATION FOR AN ON-SALE TAPROOM LICENSE AND OFF-SALE BREWER LICENSE FOR PANTOWN BREWING COMPANY, INC. DBA PANTOWN BREWING COMPANY 408 37TH AVENUE NORTH.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018
9. **RENEWAL OF ON-SALE INTOXICATING, OFF-SALE INTOXICATING, SPECIAL SUNDAY, CLUB, THEATRE, BREW-PUB OFF-SALE AND COMBINATION 3.2 PERCENT MALT LIQUOR AND WINE LICENSES FOR THE PERIOD JULY 1, 2018 TO JUNE 30, 2019.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018
10. **APPLICATION FOR THE TRANSFER OF ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSES FROM RJ'S, LLC DBA RJ'S AMERICAN GRILL, 4221 CLEARWATER ROAD, SUITE 101 TO RJ'S, LLC DBA RJ'S AMERICAN GRILL, 4221 CLEARWATER ROAD, SUITE 101.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0

11. **REPLACE GRANICUS COUNCIL MEETING STREAMING SERVICE WITH TIGHTROPE'S MEETING STREAMING SERVICE.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
12. **RESOLUTION DETERMINING THE VALUE OF PROPERTY OWNED BY ST CLOUD OPPORTUNITIES, INC., AND SEA DEVELOPMENT LLC, LOCATED ON OPPORTUNITY DRIVE IN ST CLOUD, WHICH IS NEEDED TO BE ACQUIRED TO COMPLETE THE PROPOSED BEAVER ISLAND TRAIL PHASE 8 IMPROVEMENTS.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
RESOLUTION ADOPTED AND ASSIGNED 2018-5-56
13. **SUPPLEMENTAL AGREEMENT WITH SHORT ELLIOT HENDRICKSON INC. FOR PROFESSIONAL SERVICES FOR THE BEAVER ISLAND TRAIL PHASE 8 IMPROVEMENT PROJECT.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
14. **RESOLUTION ACCEPTING A GRANT FUNDED BY THE US/DOT NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION FOR A PROJECT TENTITLED "DWI ENFORCEMENT OFFICER" FOR OCTOBER1, 2018 THROUGH SEPTEMBER 30, 2019.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
RESOLUTION ADOPTED AND ASSIGNED 2018-5-57
15. **SETTING A PUBLIC HEARING ON JUNE 4, 2018 TO CONSIDER ONE OF THE FOLLOWING ITEMS REGARDING TAXICAB FEES: A) RESOLUTION AUTHORIZING A RATE INCREASE FOR TAXICAB OPERATORS; OR B) ORDINANCE AMENDING SECTION 472 OF THE 2007 CODE OF ORDINANCES FOR THE CITY OF ST. CLOUD ENTITLED "TAXICABS"**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018
16. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT POWERS AGREEMENT FOR THE CENTRAL MINNESOTA HUMAN TRAFFICKING TASK FORCE.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
RESOLUTION ADOPTED AND ASSIGNED 2018-5-58

Councilmember Jeff Johnson pulled this item for further discussion. Asst. Police Chief Oxtan stated that this Joint Powers Agreement creates a Task Force made up of Waite Park PD, St. Cloud PD, Stearns County Sheriff, and the Stearns County Attorney's Office to address human trafficking. Grant written by the Stearns County Attorney's Office to create funds to allocate one full-time police officer from St. Cloud, one full-time officer from Waite Park, and one full-time attorney to work solely on human trafficking. Councilmember Johnson inquired on what human trafficking includes. Oxtan replied that it may include labor trafficking as well as sex trafficking. Motion passes unanimously.

17. **NUTRIENT RECOVERY AND REUSE PROJECT – CHANGE ORDER #3**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
18. **REQUEST FOR AN EXEMPTION FROM THE CITY NOISE ORDINANCE TO ALLOW FOR EVENING AND WEEKEND WORK FOR THE WEST WATER TOWER REHABILITATION**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0

19. **PUBLIC UTILITIES EQUIPMENT PURCHASE – DISINFECTION MONITORING & CONTROL SYSTEM**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
20. **LINCOLN AVENUE SE AND T.H. 23 RETAINING WALL REPAIR PROJECT**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
21. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE 2018 SEAL COAT IMPROVEMENTS, CONTRACT 2018-09.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
RESOLUTION ADOPTED AND ASSIGNED 2018-5-59
22. **ORDINANCE REZONING PROPERTIES LOCATED AT 211, 225 AND 229 5TH AVENUE SOUTH, AND 503 AND 507 3RD STREET SOUTH FROM C4, FRINGE CENTRAL BUSINESS DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) (REZ-2018-04)**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018
23. **A) RESOLUTION AMENDING THE SUN VILLA ESTATES PLANNED UNIT DEVELOPMENT TO ALLOW 8 SINGLE-FAMILY DETACHED DWELLINGS IN PLACE OF 14 TOWNHOMES (LOCATION: 5415 THRU 2435 40TH AVENUE SOUTH AND 4000 THRU 4006 24TH STREET SOUTH) (DPA-2018-02); B) ORDINANCE VACATING A DRAINAGE AND UTILITY EASEMENT LOCATED ON LOT 2, BLOCK 2, SUN VILLA ESTATES TWO. (LOCATION: 2419 40TH AVENUE SOUTH (VAC-2018-06); AND C) FINAL PLAT OF SUN VILLA ESTATES FOUR (LOCATION: 119, 121, AND 203 COOPER AVENUE NORTH) (DPA-2018-03)**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018
24. **RESOLUTION AMENDING THE YOUTH FOR CHRIST PLANNED UNIT DEVELOPMENT TO INCLUDE ADULT DAY CARE AS A PERMITTED USE IN THE PUD (LOCATION: 119, 121, AND 203 COOPER AVENUE NORTH) (DPA-2018-03)**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018
25. **A) ORDINANCE VACATING A 10' WIDE DRAINAGE AND UTILITY EASEMENT CENTERED ON THE COMMON LOT LINES BETWEEN LOTS 9 THRU 12, BLOCK 1, COYOTE CREEK (LOCATION: 1591, 1599, 1615, AND 1627 39TH STREET SOUTH) (VAC-2018-05); B) FINAL PLAT APPROVAL OF COYOTE CREEK PLAT 3 (LOCATION: 1591, 1599, 1615, AND 1627 39TH STREET SOUTH)**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018
26. **ORDINANCE AMENDING ARTICLE 15 OF THE LAND DEVELOPMENT CODE REGARDING MAXIMUM ACCESSORY STRUCTURE SIZE AND AMENDING ARTICLE 16 OF THE LAND DEVELOPMENT CODE REGARDING REQUIRED OFF-STREET PARKING SPACES FOR WAREHOUSING, WHOLESALE, AND DISTRIBUTION.**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
PUBLIC HEARING SET FOR JUNE 4, 2018

OLD BUSINESS:

27. **RESOLUTION REAFFIRMING THE ST CLOUD CITY COUNCIL'S COMMITMENT TO RELOCATE AND REBUILD A NEW SKATEBOARD PLAZA WITHIN HERITAGE PARK**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
RESOLUTION ADOPTED AND ASSIGNED 2018-5-60
28. **RESOLUTION ADOPTING THE SCHWINGHAMMER FARMS PLANNED UNIT DEVELOPMENT GENERAL DEVELOPMENT PLAN (PUD) (REZ-2018-05)**
ACTION TAKEN: MASTERS/LIBERT/APPROVED 4-0
RESOLUTION ADOPTED AND ASSIGNED 2018-5-61

PUBLIC HEARINGS:

29. **LAKE GEORGE PARKING LOT IMPROVEMENTS: A) CONSIDERATION OF RESOLUTION ORDERING LAKE GEORGE PARKING LOT RESURFACING IMPROVEMENTS (ROLL CALL OF 6 AFFIRMATIVE VOTES REQUIRED)**
- B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE LAKE GEORGE PARKING LOT RESURFACING IMPROVEMENTS, CONTRACT 2018-17**

City Engineer Steve Foss introduced item.

Council President Lewis opened Public Hearing. No One Spoke. Council President Lewis closed Public Hearing.

It was moved by Councilmember Libert, seconded by Councilmember Masters to table item to June 4, 2018 meeting as six affirmative votes required (only four councilmembers present). Motion unanimously passed.

OPEN DISCUSSION:

Councilmember Johnson commented, for informational purposes only, on a potential referendum for a petition of a resolution addressing a Refugee Resettlement Moratorium. Exercised Council privilege and recognized Dr. John Palmer to discuss. Councilmember Libert objected. Discussion on validity of objection. Staehling clarified and commented that the council rules state that a councilmember may recognize a member of the public but not over the objection of another councilmember. Councilmember Johnson requested a copy of the rules. Rules allow objection, with motion. Councilmember Libert moved to object testimony from Dr. Palmer, Councilmember Masters seconded the motion. Councilmember Johnson voiced his concern on the objection. Councilmember Masters requested a copy of the referendum be emailed to Council prior to discussions. Motion passed 3-1.

OPEN FORUM:

Roxanne Ryan Layne, 1527 8th St S, St. Cloud, MN 56301 – spoke regarding St. Cloud Neighborhood Coalition

Ulises Ramirez, 806 15th Ave S, St. Cloud, MN 56301 – spoke on his testimony to neighborhood coalition on participation in neighborhoods.

Jane Oxtan, 307 2nd Ave NE, St. Cloud, MN 56304 – spoke about living on the east side.

Kyle Roehl, 729 8th Ave N, St. Cloud, MN 56303 – shared a quote on community and neighborhoods

John Palmer, 832 Halliday Rd, St. Cloud, MN 56303 – addressed concerns with the council

ADJOURNMENT:

It was moved by Councilmember Libert, seconded by Councilmember Masters to adjourn. Motion passed unanimously. Meeting adjourned at 6:51 PM.



Carol Lewis, Council President



Seth Kauffman, Recording Secretary