

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
Monday, August 6, 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, Steve Laraway, Jeff Goerger and George Hontos
4. **INTRODUCTION TO THE 2019 GOVERNMENTAL FUNDS BUDGET**
Mayor Dave Kleis introduced the preliminary 2019 Governmental Funds Budget
5. **PROCLAMATION DECLARING TUESDAY, AUGUST 7, 2018 TO BE "NATIONAL NIGHT OUT IN THE CITY OF ST. CLOUD."**

CONSENT AGENDA

6. **APPROVAL OF AGENDA.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
7. **APPOINTMENT TO THE ZONING BOARD OF APPEALS**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
8. **APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JULY 9, 2018 AND JULY 23, 2018.**
ACTION TAKEN: HONTOS/GOERGER/APPROVED 7-0
9. **REQUEST TO SET SPECIAL MEETING OF THE CITY COUNCIL FOR NOON ON FRIDAY, AUGUST 17, 2018, IN CITY HALL CONFERENCE ROOM #1 TO CANVASS RESULTS OF AUGUST 14TH PRIMARY ELECTION.**
ACTION TAKEN: LEWIS/MASTERS/APPROVED 7-0

Council President Lewis pulled this item for further discussion. It was moved by Council President Lewis, seconded by Councilmember Masters to approve. Council President Lewis inquired if there is a mechanism to share with voters that their votes counted. City Clerk Seth Kauffman confirmed that the results are verified and certified by clerks and election judges.
10. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GRANT AGREEMENT BETWEEN THE MINNESOTA DEPARTMENT OF TRANSPORTATION OFFICE OF AEROMAUTICS AND THE CITY OF ST. CLOUD FOR CRACK REPAIR AT THE ST. CLOUD REGIONAL AIRPORT.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2018-8-110

11. **APPROVAL OF A NEW MASSAGE FACILITY FOR MARCELLA BRAY DBA: MASSAGE BREAK LLC AT 220 7TH AVE SOUTH.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
12. **APPROVAL OF A NEW MASSAGE FACILITY FOR PAUL & JOSEPHINE ROUFS DBA: FOR ALL OF MATERNITY LLC AT 2026 8 ST N.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
13. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LABOR AGREEMENT WITH LAW ENFORCEMENT LABOR SERVICES (LELS), LOCAL 33, PATROL OFFICERS.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2018-8-111
14. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT POWERS AGREEMENT WITH ST. CLOUD STATE UNIVERSITY FOR THE IMPACT DIVERSION PROGRAM FOR FISCAL YEAR 2019.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2018-8-112
15. **REQUEST FOR AN EXEMPTION FROM THE CITY NOISE ORDINANCE TO ALLOW FOR EVENING AND WEEKEND WORK AT 33RD AVENUE SOUTH AND CSAH 75 SITE IMPROVEMENTS.**
ACTION TAKEN: HONTOS//APPROVED 7-0

Councilmember Hontos pulled this item for further discussion. It was moved by Councilmember Hontos, seconded by Laraway to approve. Councilmember Hontos inquired on what the time of day the exemptions will be allowed. City Engineer Steve Foss indicated that a set plan is not in place. This exemption allows for exceptions to the 6am – 9pm noise ordinance rule, if needed.

16. **RESOLUTIONS DETERMINING THE VALUE OF PROPERTIES THAT ARE NEEDED TO BE ACQUIRED TO COMPLETE THE PROPOSED 33RD STREET SOUTH FROM STONE GATE DRIVE TO COUNTY ROAD 136 IMPROVEMENTS:**
 - A. **RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 4119 – 33RD STREET SOUTH.**
 - B. **RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 4059 – 33RD STREET SOUTH.**
 - C. **RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT OUTLOT B, NEENAH CREEK REGIONAL PARK.**

ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0
RESOLUTIONS ADOPTED AND ASSIGNED 2018-8-113, 2018-8-114, & 2018-8-115 RESPECTIVELY.

PUBLIC HEARINGS:

17. **APPLICATION FOR THE TRANSFER OF AN ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSES FROM 22 ROCK CORPORATION DBA THE VERANDA LOUNGE, TO TBA ENTERTAINMENT, LLC DBA THE VERANDA LOUNGE, 22 5TH AVE SOUTH.**
ACTION TAKEN: MASTERS/JOHNSON/APPROVED 7-0

City Clerk Seth Kauffman introduced this item to Council. This a transfer of liquor license. Daily operation changes are not planned. Future alterations may occur. All license fees are paid. Recommended for approval.

Council President Carol Lewis opened the Public Hearing. No one spoke. Council President Carol Lewis closed the Public Hearing.

It was moved by Councilmember Masters, seconded by Councilmember Johnson to approve. No discussion. Motion unanimously passed.

18. A. RESOLUTION AMENDMENT THE SUN VILLA ESTATES PLANNED UNIT DEVELOPMENT TO ALLOW SEVEN SINGLE FAMILY DETACHED HOME LOTS AND ONE DUPLEX. (LOCATION: 2317 THRU 2355 40TH AVENUE SOUTH AND 3997 THRU 4003 24TH STREET SOUTH) (DPA-2018-06).

ACTION TAKEN: GOERGER/LIBERT/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2018-8-116

B. ORDINANCE VACATING THE ENTIRE DRAINAGE AND UTILITY EASEMENT LOCATED ON LOT 1, BLOCK 1, SUN VILLA ESTATES TWO (VAC-2018-07).

ACTION TAKEN: JOHNSON/LIBERT/APPROVED 7-0
ORDINANCE ADOPTED AND ASSIGNED 2757

C. FINAL PLAT AND SUBDIVISION AGREEMENT FOR SUN VILLA ESTATES FIVE.

ACTION TAKEN: LARAWAY/MASTERS/APPROVED 7-0

Community Development Director Matt Glaesman introduced this item to Council. Original platting established a site plan for 16 townhome sites. Goal is to move away from townhomes to single family homes. Planning commission recommends approval.

Council President Carol Lewis opened the Public Hearing.

Don Hertz, Applicant – inquired on where the amount of building coverage stands right now. Glaesman commented that lot coverage is 30%, which includes outbuildings. This applies to all lots.

Council President Carol Lewis closed the Public Hearing.

It was moved by Councilmember Goerger, seconded by Councilmember Libert to approve Item A. No discussion. Motion unanimously passed. Resolution adopted and assigned 2018-8-116.

It was moved by Councilmember Johnson, seconded by Councilmember Libert to approve Item B. No discussion. Motion unanimously passed. Ordinance adopted and assigned 2757.

It was moved by Councilmember Laraway, seconded by Councilmember Masters to approve Item C. No discussion. Motion unanimously passed.

OPEN DISCUSSION & ANNOUNCEMENTS:

None

OPEN FORUM:

Moira Walsh, PO Box 7756, St. Cloud, MN 56302 – Read a message from Judy Foster supporting diversity in our community

Elizabeth Baklaich, 1615 25th St SE, St. Cloud, MN 56304 – addressed a St. Cloud Times article calling a recent abduction false. Requested answers to 22 questions provided regarding gang activity in St. Cloud.

Hudda Ibrahim, 3201 14th St N, St. Cloud, MN 56303 – addressed immigration and her journey.

Peter J. Wilson, 1108 Celebration Drive, Sartell, MN 56377 – discussed Police Department and the Council's responsibility to look into the department prior to approving resolution like in item 13. Agenda 21 is a blueprint of the refugee resettlement.

ADJOURNMENT:

It was moved by Councilmember Masters, seconded by Councilmember Libert to adjourn. Motion passed unanimously. Meeting adjourned at 7:03 PM.



Carol Lewis, Council President



Seth Kauffman, Recording Secretary