

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
Monday, September 24, 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: Council Members Present:** Carol Lewis, John Libert, Dave Masters, Jeff Johnson, Steve Laraway and George Hontos.
Council Member Absent: Jeff Goerger

CONSENT AGENDA:

4. **APPROVAL OF AGENDA**
ACTION TAKEN: LARAWAY/JOHNSON/APPROVED 5-8,11, AND 13-18
5. **APPLICATION FOR A TEMPORARY LIQUOR LICENSE FROM 23RD VETERAN FOR "NEARLY NAKED RUCK MARCH" TO BE HELD AT LAKE GEORGE ON OCTOBER 10, 2018**
ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
6. **APPLICATION FOR TEMPORARY INTOXICATING LIQUOR LICENSE FOR THE SCSU FOUNDATION EVENT, OCTOBER 14, 2018**
ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
7. **APPLICATION FOR TEMPORARY INTOXICATING LIQUOR LICENSE FOR THE SCSU FOUNDATION EVENT, OCTOBER 15 & 18, 2018**
ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
8. **SET A SPECIAL MEETING FOR TUESDAY, NOVEMBER 13TH AT NOON IN CITY HALL CONFERENCE ROOM #1 TO CANVASS THE ELECTION RESULTS OF THE NOVEMBER 6, 2018 GENERAL ELECTION.**
ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
9. **RESOLUTION AUTHORIZING ISSUANCE, AWARDED SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF \$4,355,000 GENERAL OBLIGATION INFRASTRUCTURE MANAGEMENT BONDS, SERIES 2018A**
ACTION TAKEN: LIBERT/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-9-142

Councilmember Libert pulled this item, and item 10 for further discussion. It was moved by Councilmember Libert, seconded by Councilmember Masters to approve. City Finance Director Ruth Wipper discussed bond sale and commented that the bonds are rated a AA+. Terri Heaton, Springsted Financial, reviewed the bond sales completed today. Councilmember Laraway inquired on what Heaton would assign as a grade for these bond issuances. Executive of debt plan, consistent results, conservatism, strategic planning, strong guidance from top down all contribute to the rating.

10. RESOLUTION AUTHORIZING ISSUANCE, AWARDED SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF \$4,355,000 GENERAL OBLIGATION INFRASTRUCTURE MANAGEMENT BONDS, SERIES 2018b

ACTION TAKEN: LIBERT/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-9-143

11. RESOLUTION SETTING A PUBLIC HEARING FOR THE FINAL 2019 GOVERNMENTAL FUNDS BUDGET AND TAX LEVY FOR DECEMBER 3, 2018

ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
RESOLUTION ADOPTED AND ASSIGNED 2018-9-144

12. RESOLUTION AMENDING, SUPPLEMENTING, AND RATIFYING RESOLUTION NO. 2018-07-109, ADOPTED BY THE CITY COUNCIL ON JULY 23, 2018, FOR THE LIMITED PURPOSE OF APPROVING NEW FORMS OF DOCUMENTS RELATING TO THE OBLIGATIONS AUTHORIZED TO BE ISSUED TO FINANCE THE COST OF A MULTIFAMILY HOUSING DEVELOPMENT, THE BLUFFS AT LIBERTY GLEN

ACTION TAKEN: HONTOS/MASTERS/APPROVED 4-2 (WITH HONTOS & JOHNSON OPPOSED)
RESOLUTION ADOPTED AND ASSIGNED 2018-9-145

Councilmember Hontos pulled this item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Masters to approve. Councilmember Hontos that this is the tax credit project he opposed. Rents begin at \$950. Area average for market rate is \$699. No logical reason that the public should support any public financing to a private company that does not help with affordable housing in our city. Councilmember Masters clarified that this project does fall under the guidelines of Sherburne County and is being built in Sherburne County. Inquired on if misappropriation of funds exists in this project. City Development Director Matt Glaesman commented that none exist. This is just a change of financing source. This does meet the definition of affordability within Sherburne County. Council President Lewis commented that although she agrees with Councilmember Hontos, it is a mood point now.

13. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LABOR AGREEMENT WITH AFSCME, AFL-CIO COUNCIL #65, LOCAL UNION #748 (ASSISTANT CITY ATTORNEYS UNIT).

ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
RESOLUTION ADOPTED AND ASSIGNED 2018-9-146

14. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT POWERS AGREEMENT WITH THE CITY OF WAITE PARK FOR THE CITY OF ST. CLOUD TO PROVIDE LEGAL SERVICES.

ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
RESOLUTION ADOPTED AND ASSIGNED 2018-9-147

15. RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING OF PUBLIC HEARING FOR OCTOBER 29, 2018 TO CONSIDER PAN AND PAN PARK PLACE 2ND ADDITION NEIGHBORHOOD IMPROVMENTS -PHASE 2

ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
RESOLUTION ADOPTED AND ASSIGNED 2018-9-148
PUBLIC HEARING SET FOR OCTOBER 29, 2018

16. APPROVE FINAL PLAT AND SUBDIVISION AGREEMENT FOR THE STONE GATE CENTER SUBJECT TO CONDITIONS

ACTION TAKEN: LARAWAY/JOHNSON/APPROVED

17. ORDINANCE VACATING A 10' WIDE DRAINAGE AND UTILITY EASMENT ON THE SHARED PROPERTY LINE OF THE FORMER LOT 3 AND LOT 4, BLOCK 1, QUARRY WOODS SEVENTH ADDITION (LOCATION: 3422 AND 3425 STONE WAY SOUTH) (VAC-2018-09)

ACTION TAKEN: LARAWAY/JOHNSON/APPROVED
PUBLIC HEARING SET FOR OCTOBER 29,2018

18. APPROVE FINAL PLAT AND SUBDIVISION AGREEMENT FOR QUARRY WOODS NINTH

ACTION TAKEN: LARAWAY/JOHNSON/APPROVED

NEW BUSINESS:

19. APPEAL OF ZONING BOARD OF APPEALS' DENIAL OF A REQUEST FROM JLG ARCITECTS ON BEHALF OF WHITNEY LAND COMPANY, LLC FOR A VARIANCE FROM ARTICLE 18, SECTION 18.2, C. -NO SIGN SHALL PROJECT INTO THE PUBLIC RIGHT-OF-WAY EXCEPT IN THE C3, CENTRAL BUSINESS DISTRICT MORE THAN 24 INCHES (LOCATION: 505 WEST ST. GERMAIN STREET) (VAR-2018-10)

ACTION TAKEN: LIBERT/LARAWAY/APPROVED 6-0
PUBLIC HEARING SET FOR OCTOBER 29, 2018

City Development Director Matt Glaesman introduced this item. This is a review of a September 18 decision of Zoning Board of Appeals. The sole question before Council is the depth of the sign located on the storefront. Zoning Board of Appeals denied. Applicant has appealed and requests allow further information to be provided at a public hearing. Council may deny or set public hearing. It was moved by Councilmember Libert, seconded by Councilmember Laraway to schedule public hearing. Motion unanimously passed.

OLD BUSINESS:

20. RESOLUTION CERTIFYING CERTAIN DELINQUENT UTILITY CHARGES TO THE COUNTY AUDITOR FOR COLLECTION WITH THE PROPERTY TAXES PAYABLE IN 2019

ACTION TAKEN: LIBERT/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-9-149

Assistant Finance Director Deanna Fah introduced item to Council. Following public hearing on September 10, 2018 staff worked with three people who

voiced concern regarding their delinquent utility charges. Two have paid and third has set up a payment plan. Staff reviewed and recommend certifying charges with no changes.

Councilmember Hontos requested clarification on rental licenses issued in January 2018, does being on this list revoke the license. City Development Director Matt Glaesman commented that it is taken into consideration. Councilmember Hontos inquired on if being on this list, does the property receive a "strike" against it? Glaesman confirmed. 722 8th Ave S property has 9 strikes against it and one additional strike places the property into revocation. Councilmember Hontos requested Glaesman to review this property. Glaesman will review and is also working on a draft policy for review to address this issue. Councilmember Hontos believed a policy currently exists. Glaesman commented that that policy will be finetuned. Currently, once charges are certified, the charge against property becomes "current." Mayor Kleis commented that Councilmember Hontos is correct in stating that if the property is delinquent in January, a rental license will not be approved.

21. RESOLUTION CERTIFYING CERTAIN DELINQUENT ADMINISTRATIVE CITATION CHANGES TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2019
ACTION TAKEN: MASTERS/JOHNSON/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-9-150

City Development Director Matt Glaesman introduced item. Referred to memo in packet. Of the people appearing at the previous meeting to question charges, only two required a \$1,000 reduction due to technology error. No discrepancies found in the others.

22. RESOLUTION CERTIFYING CERTAIN DELINQUANT NUISANCE ABATEMENT CHARGES TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2019
ACTION TAKEN: LIBERT/LARAWAY/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-9-151

City Development Director Matt Glaesman introduced item. Referred to memo in packet. Recommending approval.

23. RESOLUTION ADOPTING THE 2019 SPECIAL LEVY FOR THE ST. CLOUD HOUSING AND REDEVELOPMENT AUTHORITY (HRA)
ACTION TAKEN: LIBERT/LARAWAY/APPROVED 4-2 (WITH HONTOS & JOHNSON OPPOSED)
RESOLUTION ADOPTED AND ASSIGNED 2018-9-152

Karen Rizer, Finance Director of the HRA introduced item. The HRA requesting approval of special tax levy. HRA Board of Commissioners held a special meeting on September 19, 2018 and recommend approval of budget provided in packet. Maintenance decreased by \$9,000 and Legal by \$4,000 from previous budget provided two weeks prior.

Councilmember Hontos requested that the public record be corrected from September 10, 2018 meeting. Councilmember Hontos believes Mayor Kleis' comments on the HRA Budget and the HRA Commissioners were inappropriate. Requested a public apology. Mayor Kleis' comments full of misrepresentations and lacked consistency. Councilmember Hontos provided information in support of the levy approval and discussed per diem. Mayor should not compare the HRA Board with other City Advisory Boards. HRA Board is a final decision maker. Per diem is voluntary. No person is forced to take it. Requested Councilmember Goerger and Councilmember Masters should publicly state that they will not take per diem.

Mayor Kleis clarified that Councilmember Hontos incorrectly stated that Administration could have brought this up prior to bringing before Council. City Administrator Matthew Staehling did address this and assumed it would be balanced. Also, during the previous meeting, it was John Palmer who initially voiced his concern over the unbalanced HRA budget. As to the city budget, when the city brings the budget forward, full transparency is apparent and if reserves are used, then that is disclosed. Mayor commented on per diem and does not believe it is a good use of tax dollars. Per diem was only brought up to help in balancing the budget. This budget is one that the Council should support.

Councilmember Hontos responded that the Mayor should not compare the HRA Commissioners to the advisory boards. Negative preliminary HRA budgets have been brought forward in previous years and have been approved by Council.

Mayor Kleis commented that this is the first year a Public Hearing was set for the HRA Budget. Before a levy is approved, the Council should ensure the budget that it is reflected on is balanced.

Councilmember Johnson publicly apologized to the HRA. Different agencies should not be held to a different standard than that of the city.

OPEN DISCUSSION/ANNOUNCEMENTS: None

OPEN FORUM:

Dennis Campbell, Granite City Baptist Church – cannot be blind to the civilization of Jihaad.

Martha Blauvelt, 145 Riverside Dr NE, St. Cloud, MN – spoke about relationship with Spalt. Our relationship with Spalt reminds us what our life would be like if our ancestors were not allowed to immigrate to our country. How can we deny an open door to refugees of today?

Moira Walsh, St. Cloud, MN – shared thoughts on a kinder, gentler world

Peter J. Wilson, 1108 Celebration Dr, Sartell, MN – commented on Agenda 21. Concerned with how many refugees in the area, the lack of diversity among them, and who controls the refugee programs.

Carol Weiler, 504 Brookwood Ln, Sartell, MN – spoke in support of our refugee neighbors

ADJOURNMENT:

It was moved by Council Member Libert, seconded by Councilmember Laraway to Adjourn. Motion passed unanimously. Meeting adjourned at 7:19 PM.



Seth Kauffman, Recording Secretary



Carol Lewis, Council President