

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

May 9, 2011

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on May 9, 2011 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, Goerger, Gohman, Hontos, Johnson, Libert, and Masters.

- 3B. Mayor Kleis introduced the new Economic Development Director Kathy Mehelich.

Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.

5. **A) APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEEETING HELD APRIL 11, 2011.** ACTION TAKEN: Approved.

- B) APPROVAL OF THE MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR MEETING HELD APRIL 25, 2011.** REQUESTED ACTION: Approved.

6. **MAYOR'S RE-APPOINTMENT TO THE HERITAGE PRESERVATION COMMISSION.** ACTION TAKEN: Confirmed the re-appointment of Betty Lou Berg for a term to commence immediately and expire on April 30, 2014.

7. **MAYOR'S APPOINTMENT TO THE ST. CLOUD LIBRARY BOARD.** ACTION TAKEN: Confirmed the appointment of Ann Romanowsky for a term to commence immediately and expire December 31, 2012.

8. **APPLICATION FOR THE SEASONAL OUTDOOR SALES OF LIQUOR FOR BUFFALO WILD WINGS, 3701 WEST DIVISION, #111.** ACTION TAKEN: Set public hearing for May 23, 2011.
9. **RENEWAL OF ON-SALE INTOXICATING, OFF-SALE INTOXICATING, SPECIAL SUNDAY, CLUB, THEATRE AND WINE/3.2 COMBINATION LICENSES FOR THE PERIOD JULY 1, 2011 TO JUNE 30, 2012.** ACTION TAKEN: Set public hearing for May 23, 2011.
10. **RESOLUTION CALLING FOR PUBLIC HEARINGS ON MAY 23, 2011, ON THE MODIFICATIONS TO THE TAX INCREMENT FINANCING PLANS FOR TAX INCREMENT FINANCING DISTRICT NUMBER FORTY-TWO (WESTWOOD PLANNED UNIT DEVELOPMENT) AND TAX INCREMENT FINANCING DISTRICT NUMBER FORTY THREE (WESTWOOD PLANNED UNIT DEVELOPMENT), PHASE II, AS PROPOSED BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF ST. CLOUD AND THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF ST. CLOUD, MINNESOTA.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-5-53.
11. **A) AN ORDINANCE AMENDING SECTION 236 OF THE 2007 CODE OF ORDINANCES ESTABLISHING RULES FOR THE PARK & RECREATION DEPARTMENT.** ACTION TAKEN: Set reading and public hearing for May 23, 2011. Assigned proposed ordinance number 2011-09.

B) (FOLLOWING THE MAY 23, 2011 PUBLIC HEARING ON THE PROPOSED ORDINANCE) – CONSIDERTION OF APPLICATION FOR A TEMPORARY ON-SALE INTOXICATNG LIQUOR LICENSE FOR THE ST. CLOUD ROTARY CLUB TO BE USED IN CONJUNCTION WITH THE “SUMMERTIME BY GEORGE” FESTIVAL. ACTION TAKEN: Set public hearing for May 23, 2011.
12. **AN ORDINANCE REPEALING SECTION 955 – THROWING, DROPPING,**

PLACING, ETC. OF FRUIT OR VEGETABLE MATTER UPON SIDEWALKS OF THE 2007 CODE OF ORDINANCES. ACTION TAKEN: Set reading and public hearing for May 23, 2011. Assigned proposed ordinance 2011-10.

13. **AWARDING THE 2011 CODE ENFORCEMENT ABATEMENT FOR LAWN MOWING CONTRACT.** ACTION TAKEN: Approved.
14. **RESOLUTION ACCEPTING ALTERNATE BID #14 FROM BID PACKAGE #2 AND AUTHORIZING EXPANSION PROJECT CHANGE ORDERS 1-76.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-5-54.
15. **RESOLUTION ESTABLISHING THE MINIMUM VALUE AND QUANTITY OF RENEWABLE ENERGY CREDITS GENERATED BY THE ST. CLOUD HYDROELECTRIC FACILITY.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-5-55.

Open Forum:

Joe Scott, 935 Bavaria Hills Ln, Chaska; Mr. Scott was present to announce that he volunteers for a www.microgrants.net. This group has funded a local philanthropist to give 12 \$1,000 grants to St. Cloud residents in 2011. These grants are to help people of potential move forward on the road to self-sufficiency. He is hosting an event to get acquainted on Tuesday, May 17 at Le St. Germaine Suite Hotel from 5:30 – 7:30 p.m.

Public Hearings:

16. **RIVER BLUFFS REGIONAL PARK “LEGACY” IMPROVEMENT PROJECT:**
 - A) **RESOLUTION ORDERING RIVER BLUFFS REGIONAL PARK “LEGACY” IMPROVEMENT PROJECT.**
 - B) **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR RIVER BLUFFS REGIONAL PARK “LEGACY” IMPROVEMENT PROJECT, CONTRACT 2011-04.**
 - C) **RESOLUTION APPROVING THE FUNDING STRATEGY AND AUTHORIZATION OF LOCAL OPTION SALES TAX FOR THE RIVER**

BLUFFS REGIONAL PARK “LEGACY” IMPROVEMENT PROJECT.

Scott Zlotnik, Park and Recreation Director, gave an overview of the project. He noted that both the Park and Recreation Advisory Board and the Planning Commission recommended approval. Council President Libert opened the public hearing. The following individual testified:

Lowell Olson 23 Pandolfo Place. Mr. Olson spoke as Chair of the Natural Parks & Trails Coalition. He was also on the committee which worked on the final project. He expressed support of both the plan and the improvements. He mentioned that these improvements are consistent with the master plan.

Council President Libert closed the public hearing. Masters/Berg moved approval of *Resolution ordering River Bluffs Regional Park “Legacy” Improvement Project.* Motion carried unanimously. Resolution was adopted and assigned number 2011-5-56. Goerger/Masters moved approval of *Resolution approving plans and specifications and authorize advertisement for bids for River Bluffs Regional Park “Legacy” Improvement Project, Contract 2011-04.* Motion carried unanimously. Resolution was adopted and assigned number 2011-5-57. Hontos/Johnson moved approval of *Resolution approving the funding strategy and authorization of local option sales tax for the River Bluffs Regional Park “Legacy” Improvement Project.* Motion carried unanimously. Resolution was adopted and assigned number 2011-5-58.

17. **(PUBLIC HEARING POSTPONED UNTIL MAY 23, 2011 MEETING)**
 - A) **ORDINANCE VACATING 42ND AVENUE SOUTH, EAST OF 41ST AVENUE SOUTH AND 25TH STREET SOUTH, SOUTH OF 42ND AVENUE SOUTH, ADJACENT TO OUTLOT A SUN VILLA ESTATES AND LOT 1, BLOCK 2, BURNS ESTATES.** Postponed.
 - B) **PRELIMINARY AND FINAL PLAT OF SUN VILLA PLAT THREE.** Postponed.

18. **ORDINANCE REZONING PROPERTY LOCATED AT 622 EAST ST. GERMAIN**

STREET FROM I2, GENERAL INDUSTRIAL DISTRICT TO C5, HIGHWAY COMMERCIAL

Matt Glaesman, Community Development Director, gave an overview of the ordinance and noted that the Planning Commission recommended approval of the rezoning. Council President Libert opened the public hearing. The following individuals testified:

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| Mohamoud Mohamed | 530 Wilson Ave. NE; Mr. Mohamed is the Founder/Executive Director of the St. Cloud Area Somali Salvation Organization. He spoke in support of the rezoning. They have been working with the owner of the property on this request. |
| Doug Severson | 5100 6 th St. NE. Mr. Severson is one of the previous owners of the property. He wanted to mention that there isn't an existing lease agreement right now. |
| Abibakar Kulater | 41 5 th Ave. NE. He is a graduate student at SCSU. He spoke in support of the project. |
| David Henning | 6286 St. Germain. Mr. Henning spoke against the rezoning. He feels that there isn't sufficient parking located at the property. He thinks that there would be an increase in pedestrian traffic and safety concerns should be addressed. He also mentioned that the city should address the lack of services given to the east side. |

Council President Libert closed the public hearing. Berg/Goerger moved approval. Motion carried 5-2; Councilmembers Gohman and Johnson voted against. Ordinance was assigned number 2495.

19. **RESOLUTION APPROVING BUSINESS SUBSIDY CRITERIA.**

Matt Glaesman, Community Development Director, presented the Business Subsidy Criteria and recommended approval per EDA Board recommendation. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Goerger/Gohman moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2011-5-59.

Open Discussion:

- Councilmember Hontos requested discussion/update on St. Cloud River Bats at an upcoming Study Session. Administration noted that this could perhaps take place at the meeting on June 13.

Adjournment: There being no further business to discuss the meeting was adjourned at 7:10 p.m.

City Council President
John Libert

Jennifer Burrows, Recording Council Secretary