

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
Monday, November 19, 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, George Hontos, Steve Laraway Jeff Goerger
Councilmember Absent: Jeff Johnson

SPECIAL RECOGNITIONS:

4. PRESENTATION OF NOVEMBER'S NEIGHBOR OF THE MONTH.
Mayor Dave Kleis presented November's Neighbor of the Month to the Woodland Hills Neighborhood.
5. PRESENTATION OF THE 2018 ST. CLOUD GREATER PHOTO CONTEST AWARDS
Economic Development Specialist Tammy Campion presented the 2018 Greater Photo Contest Winners

CONSENT AGENDA:

6. APPROVAL OF AGENDA
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
7. APPROVAL OF THE MINUTES FROM THE COUNCIL MEETING HELD OCTOBER 29, 2018
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
8. APPLICATION FOR A TEMPORARY INTOXICATING LIQUOR LICENSE FOR THE WEIHNACHTSMARKT EVENT TO BE HELD ON DECEMBER 6, 2018
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
9. REQUEST BY OLDE BRICK HOUSE FOR A SEPCIAL EVENT PERMIT TO FACILITATE A ST. PATRICK'S DAY EVENT TO BE HELD OUTDOORS ADJACENT TO THE BAR/RESTAURANT ON 6TH AVENUE SOUTH.
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
10. RESOLUTION SETTING DECEMBER 17, 2018 FOR THE PUBLIC HEARING ON THE 2019 ENTERPRISE FUNDS BUDGETS AND NOTICE OF OPEN HOUSES TO BE HELD TUESDAY, DECEMBER 11TH AND THE WATER TREATMENT PLANT (3-5 PM) AND THE MAC (6-8 PM)
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-159
11. RESOLUTION AUTHORIZING AN INTERFUND LOAN OF \$2,800,000 FROM THE INFRASTRUCTURE MANAGEMENT FUND TO THE FRANCHISE FEE REDEVELOPMENT FUND, PRINCIPAL AND INTEREST TO BE PAID IN FULL PRIOR TO 12/31/2024
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-160

- 12. **ADVANCED WATER METER REPLACEMENT PROJECT**
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
- 13. **PUBLIC UTILITIES EQUIPMENT PURCHASE – BIOSOLID INJECTOR**
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
- 14. **PROFESSIONAL SERVICES CONTRACT RELATED TO OPERATION AND MAINTENANCE OF THE ST. CLOUD HYDROELECTRIC GENERATION FACILITY**
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
- 15. **2019 PUBLIC UTILITIES CHEMICAL PROPOSALS**
ACTION TAKEN: LARAWAY/GOERGER/APPROVED 6-0
- 16. **HIGH STRENGTH BYPRODUCT SERVICE AGREEMENT BETWEEN THE CITY AND COLD SPRING BREWING COMPANY**
ACTION TAKEN: HONTOS/GOERGER/APPROVED 6-0

Councilmember George Hontos pulled this item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Goerger to approve. Councilmember Hontos inquired on if there is a uniqueness of the bi-product or are we establishing this agreement because we have the capacity to process at our plant? Public Services Director Pat Shea commented that it is a little bit of both. Councilmember Hontos commented that his assumption is that this benefits to Cold Spring Brewery and the City. Shea confirmed, indicating that this allows Cold Spring Brewery to add this to their product line. A new product is created and the city will take some of the byproduct from that. Shea indicated that the City will be purchasing equipment to accommodate this agreement which will require Council to approve. This agreement will give the current generator 130% capacity. Councilmember Masters inquired on if the electricity generated goes back into the plant, or if will go to the grid. Agreement established that City will be made whole if anything were to deter Cold Spring. No further discussion. Motion passed unanimously.

- 17. **RESOLUTION AUTHORIZING COST SHARE AN PARTICIPATION FOR A FEDERAL EMERGENCY AGENCY HAZARD MITIGATION ASSISTANCE GRANT**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-161
- 18. **RESOLUTION RECEIVING CITY ENGINEER’S REPORT AND SETTING A PUBLIC HEARING FOR DECEMBER 3, 2018 TO CONSIDER 33RD STREET SOUTH FROM CSAH 74 TO COUNTY ROAD 136 IMPROVEMENTS.**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-162
PUBLIC HEARING SET FOR DECEMBER 3, 2018
- 19. **RESOLUTION RECEIVING CITY ENGINEER’S REPORT AND SETTING A PUBLIC HEARING FOR DECEMBER 3, 2018 TO CONSIDER 1ST STREET NORTH AND VETERANS BRIDGE WATER MAIN IMPROVEMENTS**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0

RESOLUTION ADOPTED AND ASSIGNED 2018-11-163
PUBLIC HEARING SET FOR DECEMBER 3, 2018

20. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR DECEMBER 3, 2018 TO CONSIDER PETITIONED ALLEY BITUMINOUS RESURFACING BETWEEN RIVERSIDE DRIVE NE AND 2ND AVENUE NE FROM 5TH TO 6TH STREET NE.**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-164
PUBLIC HEARING SET FOR DECEMBER 3, 2018
21. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR DECEMBER 3, 2018 TO CONSIDER PETITIONED ALLEY BITUMINOUS RESURFACING BETWEEN 20TH AND 21ST AVENUE NORTH FROM ST. GERMAIN STREET TO 2ND STREET NORTH.**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-165
PUBLIC HEARING SET FOR DECEMBER 3, 2018
22. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR DECEMBER 3, 2018 TO CONSIDER AMBLEWOOD DRIVE IMPROVEMENTS**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-166
PUBLIC HEARING SET FOR DECEMBER 3, 2018
23. **APPLICATION FOR A SPECIAL PARKING ZONE PERMIT AT 1124 – 8TH AVENUE SE**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
24. **RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS NECESSARY FOR THE PURCHASE OF LOT 1, BLOCK 1 BLUFFS AT LIBERTY GLEN**
ACTION TAKEN: HONTOS/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2018-11-167

Councilmember George Hontos pulled this item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Masters to approve. Councilmember Hontos inquired on if the funds are coming from the development fund budget. Community Development Director Matt Glaesman confirmed. Councilmember Hontos inquired on if the developer of the property at Liberty Glen was required to pay a park dedication fee. Glaesman commented that the developer dedicated the trail located on the low-lying area the city is now acquiring to satisfy the park dedication fee. This occurred several years ago. Councilmember Masters inquired on if this will make Riverside Park over 100 acres. Glaesman confirmed. Councilmember Laraway inquired if there is any intent to develop the area. Mayor Dave Kleis commented that it will remain natural. No further discussion. Motion unanimously passed.

25. **RESOLUTION AMENDING THE 2015 COMPREHENSIVE PLAN TO ADOPT THE TECH HIGH SCHOOL CATALYST SITE PLAN**
ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
PUBLIC HEARING SET FOR DECEMBER 17, 2018

26. **A. ORDINANCE REZONING PROPERTY LOCATED AT 25274 58TH AVENUE FROM AG, AGRICULTURAL DISTRICT TO RR, RURAL RESIDENTIAL DISTRICT (LOCATION: 25274 58TH AVENUE) (REZ-2018-08)**
- B. PRELIMINARY AND FINAL PLATS OF LOMMEL ADDITION (LOCATION: 25274 58TH AVENUE) (PLAT-2018-28 & PLAT-2018-29)**
 ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
 PUBLIC HEARING SET FOR DECEMBER 3, 2018
27. **A. ORDINANCE REZONING PROPERTY LOCATED AT 38 24TH AVENUE NORTH FROM R2, SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT TO PLANNED UNIT DEVELOPMENT 42 (REZ-2018-09)**
- B. RESOLUTION AMENDING PUD #42 TO CONVERT AN EXISTING SINGLE-FAMILY HOME AT 38 24TH AVENUE NORTH INTO A GRIEF COUNSELING CENTER.**
 ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
 PUBLIC HEARING SET FOR DECEMBER 3, 2018
28. **A. ORDINANCE VACATING AN ALLEY ROUGHLY 215 FEET IN LENGTH AND 14 FEETH IN WIDTH LOCATED BETWEEN LOTS 1 THROUGH 9, BLOCK 6, LAKE PARK ADDITION AND THE VACATION OF A 5,500 SQUARE FOOT PORTION OF 12TH AVENUE SOUTH (A.K.A. LAKE BOULEVARD) LOCATED ON THE EAST SIDE OF LOTS 1 THROUGH 5, BLOCK 6, LAKE PARK ADDITION (LOCATION: 205 12TH AVENUE SOUTH) (VAC-2018-13)**
- B. PRELIMINARY AND FINAL PLAT OF EASTMAN PARK ADDITION (LOCATION: 201, 205, AND 233 12TH AVENUE SOUTH) (PLAT-2018-32 & PLAT-2018-33)**
 ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
 PUBLIC HEARING SET FOR DECEMBER 17, 2018
29. **ORDINANCE VACATING TWO DRAINAGE EASEMENTS LOCATED ON THE WEST SIDE OF THE PROPERTY LCOATED AT 1979 AND 1999 PINE CONE ROAD (VAC-2018-12)**
 ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
 PUBLIC HEARING SET FOR DECEMBER 3, 2018
30. **ORDINANCE AMENDING ARTICLE 9 (MOTOR VEHICLE RENTAL/LEASING FACILITIES), ARTICLE 14 (DWELLING UNIT FOUNDATION), AND ARTICLE 21 (AMUSEMENT CENTERS) OF THE LAND DEVELOPMENT CODE**
 ACTION TAKEN: LARAWAY /GOERGER/APPROVED 6-0
 PUBLIC HEARING SET FOR DECEMBER 3, 2018

PUBLIC HEARINGS:

31. **A RESOLUTION GRANTING CONSENT TO AN ASSIGNMENT OF FRANCHISE FOR CHARTER COMMUNICATIONS, INC.**
 ACTION TAKEN: MASTERS/LARAWAY/APPROVED 6-0
 RESOLUTION ADOPTED AND ASSIGNED 2018-11-168

City Administrator Matthew Staehling introduced item. Notice received from Charter Communications that they intended to assign the franchise rights to a wholly owned subsidiary of Charter. This is happening nationwide. Consolidation by regions with

transfer to Spectrum. The City consulted attorney when notice received. The resolution provides that with this assignment, it preserves all City rights. Councilmember Goerger inquired on if Charter has agreed to the terms of the new resolution. Staehling commented that he has not heard back from Charter that they don't intend to agree. If they don't agree, negotiations will begin.

Council President Lewis opened the Public Hearing. No one spoke. Council President Lewis closed the Public Hearing. It was moved by Councilmember Masters, seconded by Councilmember Laraway to approve. Councilmember Hontos commented on the poor level of service that Charter/Spectrum provides. No further discussion. Motion unanimously passed. Resolution adopted and assigned 2018-11-168.

32. RESOLUTION AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF HEALTH CARE REVENUE BONDS ON BEHALF OF CENTRACARE HEALTH SYSTEM; AUTHORIZING EXECUTION OF AN INDENTURE OF TRUST, A LOAN AGREEMENT AND A BOND PURCHASE AGREEMENT, ALL RELATING TO SUCH BONDS; AND AUTHORIZING OTHER ACTION TO BE TAKEN WITH RESPECT TO THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

ACTION TAKEN: GOERGER/LIBERT/APPROVED 5-0 (LARAWAY ABSTAINED)
RESOLUTION ADOPTED AND ASSIGNED 2018-11-169

Finance Director Ruth Wipper introduced item. These are conduit debt bonds issued by the city with no obligation by the city. Responsibility lies solely with Centracare. Bonds have issued previous bonds of this nature to Centracare. This is a pass-through transaction for the City.

Council President Lewis opened the Public Hearing. No one spoke. Council President Lewis closed the Public Hearing. It was moved by Councilmember Goerger, seconded by Councilmember Libert to approve. Councilmember Laraway abstained from voting as he is a board member of Centracare. Motion unanimously passed. Resolution adopted and assigned 2018-11-169.

33. ORDINANCE VACATING A 10 FOOT BY 86.37 FOOT PORTION OF 1ST AVENUE SOUTH (LOCATION: 402 1ST AVENUE SOUTH) (VAC-2018-10)

ACTION TAKEN: MASTERS/GOERGER/APPROVED 6-0
ORDINANCE ADOPTED AND ASSIGNED 2762

Community Development Director Matt Glaesman introduced item. Recent platting of the property has found that a significant portion of the building is located within the public right of way. This action will vacate the right of way so that the building meets the setback and property lines.

Council President Lewis opened the Public Hearing. No one spoke. Council President Lewis closed the Public Hearing. It was moved by Councilmember Masters, seconded by Councilmember Goerger to approve. No discussion. Motion unanimously passed. Ordinance adopted and assigned 2762.

OPEN DISCUSSION:

Councilmember Laraway encouraged residents to participate in Small Business Saturday and shop downtown.

Mayor Dave Kleis commented that parking is free downtown on Black Friday and Small Business Saturday.

OPEN FORUM:

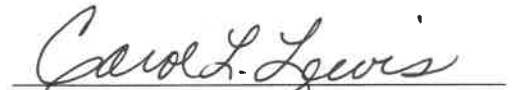
Father Richard Voigt, 22270 43rd Avenue, St. Cloud, MN 56301 – commented on the attitude of the City in the immigration area and misconception concerning immigration. There is a conflict between which is good and which is evil.

ADJOURNMENT:

It was moved by Councilmember Laraway, seconded by Councilmember Goerger to adjourn. Motion unanimously passed. Meeting adjourned at 6:44 PM.



Seth Kauffman, Recording Secretary



Carol Lewis, Council President