

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
Monday, January 7, 2019
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, Mike Conway, George Hontos, Steve Laraway Jeff Goerger, Dave Masters
Councilmember Absent: Paul Brandmire
4. **OATH OF OFFICE ADMINISTERED TO WARD COUNCILMEMBERS**
WARD 1 - DAVE MASTERS; WARD 2 - STEVE LARAWAY; WARD 4 - MIKE CONWAY
(WARD 3 - PAUL BRANDMIRE – OATH ADMINISTERED 1/1/2019)
5. **ELECTION OF CITY COUNCIL OFFICERS**
COUNCIL PRESIDENT: JEFF GOERGER (BY A UNANIMOUS VOTE)
COUNCIL VICE PRESIDENT: STEVE LARAWAY (BY A UNANIMOUS VOTE)
6. **RECOGNITION OF THE 2018 REFLECTION OF THE YEAR AWARD RECIPIENTS**
Mayor Dave Kleis recognized the Jugaad Leadership Program; the St. Cloud Rotaracts; and NEXT-Chamber's Emerging Leaders as the 2018 Reflection of the Year Award recipients
- 6A. **JANUARY 2019 NEIGHBOR OF THE MONTH**
Mayor Dave Kleis recognized Marty Czech as January's Neighbor of the Month for his 41 years of service to the City of St. Cloud

CONSENT AGENDA:

7. **APPROVAL OF AGENDA**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
8. **APPROVAL OF THE MINUTES FROM THE DECEMBER 3, 2018 COUNCIL MEETING**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
9. **MAYOR KLEIS' APPOINTMENT OF COUNCILMEMBER MIKE CONWAY TO THE HOUSING REDEVELOPMENT AUTHORITY AND COUNCILMEMBER DAVE MASTERS TO THE ECONOMIC DEVELOPMENT AUTHORITY WITH TERMS TO COMMENCE IMMEDIATELY.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
10. **A RESOLUTION AUTHORIZING AN AGREEMENT AMENDMENT WITH THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FOR THE PROVISION OF CHEMICAL ASSESSMENT TEAM SERVICES BY THE HAZARDOUS MATERIALS RESPONSE TEAM OF THE ST CLOUD FIRE DEPARTMENT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2019-01-01

11. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT WITH THE CITY OF MINNEAPOLIS TO PROVIDE LAW ENFORCEMENT PERSONNEL FOR THE 2019 MEN'S NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) BASKETBALL GAME**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2019-01-02
12. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR JANUARY 28, 2019 TO CONSIDER SOUTHERN RIDGE PHASE 2 IMPROVEMENTS.**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2019-01-03
13. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR JANUARY 28, 2019 TO CONSIDER SAFETY IMPROVEMENTS ON 3RD STREET NORTH AT 35TH AVENUE NORTH**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2019-01-04
14. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR JANUARY 28, 2019, TO CONSIDER 5TH STREET NORTH DRAINAGE IMPROVEMENTS**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2019-01-05
15. **PROFESSIONAL SERVICES AGREEMENT WITH APEX ENGINEERING GROUP FOR 1ST STREET NORTH AND VETERANS BRIDGE WATER MAIN IMPROVEMENTS**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
16. **APPLICATIONS FOR RENEWAL OF SPECIAL PARKING ZONE PERMITS FOR 2019**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0

NEW BUSINESS:

17. **REQUEST TO REVOKE PARKING RESTRICTIONS ALONG THE WEST SIDE OF 32ND AVENUE NORTH BETWEEN 7TH AND 8TH STREET NORTH (VETERANS DRIVE)**
ACTION TAKEN: LARAWAY/MASTERS/APPROVED 6-0
RESOLUTION ADOPTED AND ASSIGNED 2019-01-06

City Engineer Steve Foss introduced item. Upon completion of 2018 re-construction project, request received from property owner to eliminate restrictions to accommodate overflow parking. East side of avenue will remain restricted.

It was moved by Councilmember Lewis, seconded by Councilmember Masters to approve. No discussion. Motion unanimously approved 6-0.

OLD BUSINESS:

18. **HIGHWAY 23 COALITION DISCUSSION**
ACTION TAKEN: LARAWAY/LEWIS/FAILED 3-3 (MASTERS, CONWAY & GOERGER OPPOSED)

City Administrator Matthew Staehling introduced item. Placed on the agenda at the request of Councilmember Lewis for Council discussion. Councilmember Lewis

commented on Highway 23 and the need for City of St. Cloud to participate in coalition. Safety concerns at intersections and the I-94 on/off ramps along Highway 23 are priorities of the coalition. Councilmember Lewis believes the City should join the coalition stating, "Hwy 23 is the 'spine' of our city and we, as a community, need to be at the table discussing the future of [it]." Councilmember Laraway in agreement with Councilmember Lewis. Councilmember Masters inquired on rationale of membership fee. The fee scale is by population of city. St. Cloud falls into higher category of fee level. Councilmember Masters moved to table item to discuss further at Study Session. Councilmember Conway seconded the motion to table. Motion failed 3-3. Councilmember Conway commented on project focus area and if the APO is a part of the coalition, the City doesn't necessarily need to be. Councilmember Hontos commented that we should try for a couple years. The City is a regional area and should work with our neighbors.

Mayor Dave Kleis commented on participating in the coalition and city administration's hesitation of joining. Our city's transportation priorities are Interstate 94, Northstar Railway, and the Airport.

Jake Bauerly, Benton County Commission, commented on coalition and the necessity of Hwy 23. It is important that City shows leadership and joins the coalition. Councilmember Laraway commented that joining the coalition makes sense, especially considering the dangerous intersections in our city. Councilmember Conway requested clarification on commitment time frame, the actual membership fee, and how soon the dangerous intersections will be addressed. Council President Goerger commented that the APO is the body that the city chose to represent St. Cloud on these matters.

It was moved by Councilmember Laraway, seconded by Councilmember Lewis to join the Hwy 23 coalition at the \$2,000 level for two years. Councilmember Hontos commented that the membership fee should be clarified prior to voting.

Connie Schmah, Member of the Coalition, spoke on behalf of membership levels. Payment is based on population in government. City may enter at either \$2,000 level or \$3,000 level per year. Schmah stated that "Who is on the coalition and the voice the coalition has made a difference." Councilmember Masters inquired on where meetings are held. Schmah commented they are spread along Hwy 23. Leadership meeting held monthly with membership meetings held quarterly.

Staehling suggested the specific amount should be discussed and where the funds will come from as it not part of the 2019 budget. Councilmember Hontos commented that the city should join at the \$2,000 level and the Mayor should decide where to take the money from. Councilmember Conway inquired what level the APO is representing the city at. Schmah commented that the APO has one vote. Council President Goerger requested that the council decide where the funds come from. Councilmember Masters commented that the Council should hold off and discuss when discussing budget for 2020. Councilmember Masters will not support at this time. Councilmember Hontos commented that additional discussion is not necessary.

Motion to join the coalition failed 3-3 with Councilmembers Masters, Conway and Goerger opposed.

PUBLIC HEARINGS:

19. AN APPLICATION FOR A SUNDAY GROWLER OFF-SALE LICENSE FOR PANTOWN BREWING COMPANY, INC. DBA PANTOWN BREWING COMPANY, 408 37TH AVENUE NORTH

ACTION TAKEN: LARAWAY/CONWAY/APPROVED 6-0

City Clerk Seth Kauffman introduced item. Adding Sunday liquor license to current license. All fees paid. Recommend approval.

Council President Goerger opened the Public Hearing. No one spoke. Council President Goerger closed the Public Hearing.

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

20. APPORVAL OF A NEW MASSAGE FACILITY FOR FANTA SYCHAMPANAKHOME DBA: SELF REFLECTION THERAPEUTIC MASSAGE AT 400 1ST ST S, SUITE 600

ACTION TAKEN: LEWIS/MASTERS/APPROVED 6-0

Community Development Director Matt Glaesman introduced item. New license in Wells Fargo Building. Has passed all departmental reviews. Staff recommends approval.

Council President Goerger opened the Public Hearing. No one spoke. Council President Goerger closed the Public Hearing.

It was moved by Councilmember Lewis, seconded by Councilmember Masters to approve. Councilmember Masters requested clarification on how the facilities are monitored and regulated. Glaesman provided clarification on review from application point to ongoing review. Councilmember Lewis commented that this is simply a relocation and Fanta is an excellent massage therapist.

Motion unanimously passed.

21. APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR XULING QIN DBA: LILY'S MASSAGE AT 3333 DIVISION STREET, SUITE 120

ACTION TAKEN: MASTERS/LARAWAY/APPROVED 6-0

Community Development Director Matt Glaesman introduced item. New license in Midtown Mall. Has passed all departmental reviews. Staff recommends approval.

Council President Goerger opened the Public Hearing. No one spoke. Council President Goerger closed the Public Hearing.

It was moved by Councilmember Lewis, seconded by Councilmember Masters to approve. Councilmember Hontos inquired on if this is a relocation of the one currently located at Midtown Square as there is one already in the mall with the same name. Glaesman indicated that this is a new facility and will inquire on Hontos' question.

Motion unanimously passed.

22. A. RESOLUTION AMENDING THE QUARRY WOODS PUD TO ALLOW 20 SINGLE-FAMILY DETACHED LOTS AND A MULTIPLE-FAMILY RESIDENTIAL BUILDING ON OUTLOT I (LOCATION: 3350 COUNTY ROAD 136) (DPA-2018-08)

ACTION TAKEN: MASTERS/GOERGER/APPROVED 4-2 (LEWIS & CONWAY OPPOSED)
RESOLUTION ADOPTED AND ASSIGNED 2019-01-07

B. PRELIMINARY PLAT OF QUARRY WOODS OUTLOT I

ACTION TAKEN: MASTERS/LARAWAY/APPROVED 5-1 (CONWAY OPPOSED)

Community Development Director Matt Glaesman introduced item. Quarry Woods development 20 years ago. Approved site plan referenced future town homes. Amend specific outlot to incorporate a cul-de-sac and a 78-apartment building. Discrepancy in original PUD, cannot definitely say that the multi-family unit was part of the original site plan. Primary concern of Planning Commission that a builder not chosen at this time. Planning Commission requested Council to adopt a hire design standard as possible. Councilmember Laraway inquired on the large apartment building and if it is suitable for this area. Glaesman commented that density is comparable to what was discussed previous. This is well below CIP density standard.

Councilmember Conway requested Glaesman elaborate on additional opportunities potentially available in this area. Glaesman commented that there is a potential for senior patio homes. Councilmember Hontos inquired on procedure, the design standards, and any concern regarding project not consistent with neighborhood. Glaesman commented that a defined higher standard has been set and incorporated design consistent with the existing neighborhood.

Council President Goerger opened the Public Hearing

Denny Neiss, 1811 Oban Drive, St. Cloud, MN – member of the Homeowners Association of Quarry Woods. These are high end homes and concerned that this compliments the neighborhood. Needs to meet a high criterion.

Bill Carlin, 3286 33rd St South, St. Cloud, MN – adjacent property. Concerned about density. Neighborhood not designed for this density.

Jake Paulson, PO Box 847, Alexandria, MN – applicant, provided history of property and would like for opportunity for flexibility. It will complement the current neighborhood.

Council President Goerger closed the Public Hearing.

It was moved by Councilmember Masters, seconded by Councilmember Goerger to approve Item A. Councilmember Masters requested Glaesman to speak to a buffer to separate the homes from the apartment building. Glaesman commented that there is currently a significant buffer with the existing slope of the hill. Councilmember Conway inquired on if additional screening will be required on 36th. Glaesman commented there is a landscaping requirement. Councilmember Lewis inquired on status of Planning Commission outstanding issue. Glaesman commented that concerns have been addressed. Staff is comfortable with moving forward. Councilmember Hontos questioned builder on complementing neighborhood. Councilmember Laraway inquired on rental cost. Paulson commented it will be

market rate. Councilmember Laraway inquired on traffic issues. Glaesman commented that the roadways will not be over-burdened. Direct access will be located off City Rd 136. Councilmember Conway not convinced apartment building is a good idea as it does not fit in with the aesthetics. Glaesman requested Council to table if direction is toward denial.

It was moved by Councilmember Lewis, seconded by Councilmember Conway to table for more information. Motion failed 3-3.

Council President Goerger commented that the intent 20 years ago was not clear. Councilmember Hontos on assisted living option. Glaesman commented that assisted living is not before the Council at this time. An amendment would be required to allow assisted living. Glaesman suggested that the council consider moving the apartment complex to conditional use but it does place a significant burden on the city to say no.

Councilmember Masters moved to amend his motion to move 3.3 moved to 5.2 under conditional use. Council President Goerger seconded this motion to amend. Motion failed 3-3.

Original motion passed 4-2 with Councilmembers Lewis and Conway opposed.

It was moved by Councilmember Masters, seconded by Councilmember Laraway to approve Item B. No further discussion. Motion passed 5-1 with Councilmember Conway opposed.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Hontos commented that the Council Rules of Order identify Public Hearings occur prior to Old Business. Councilmember Lewis commented that it is a clerical error. City Administrator Matthew Staehling commented that this is his error and he will correct to move Public Hearings forward.

Councilmember Hontos commented that he observed only four Study Sessions on 2019 Council Calendar which surprised him. Requested that this be reconsidered and discussed at Council Retreat.

Councilmember Hontos requested review of the Committee Assignments.

Councilmember Hontos inquired on status of hotel on Lady Slipper Lot. Glaesman commented that staff does have the result of the study. Councilmember Hontos requested it be shared with the Council.

OPEN FORUM:

Dave Pullis, 1845 Red River Trail, St. Cloud, MN 56301 – shared concerns on the 33rd St S project and the impact it has had on his property

Maureen McCarter, 1931 17th St S, St. Cloud, MN 56301 – commented on Skate Park, Costco, and decisions of the Council.

ADJOURNMENT

It was moved by Councilmember Masters, seconded by Councilmember Laraway to adjourn. Motion unanimously passed. Meeting adjourned at 8:09 PM.



Seth Kauffman, Recording Secretary



Jeff Goerger, Council President