

**CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
MONDAY, MAY 4, 2020
VIRTUAL REGULAR MEETING
6 P.M.**

1. **PLEDGE OF ALLEGIANCE.**
2. **MOMENT OF SILENCE WAS OBSERVED FOR OUR MEN AND WOMEN SERVING AS FIRST RESPONDERS, HEALTHCARE WORKERS AND IN THE ARMED FORCES**
3. **ROLL CALL: PRESIDENT JEFF GOERGER PRESENT IN CITY HALL CONFERENCE ROOM 1. OTHER COUNCILMEMBERS PRESENT BY TELECONFERENCE PARTICIPATION: PAUL BRANDMIRE, MIKE CONWAY, GEORGE HONTOS, STEVE LARAWAY, CAROL LEWIS AND DAVE MASTERS.**

CONSENT AGENDA:

4. **APPROVAL OF AGENDA. ACTION TAKEN: LARAWAY MOVED/CONWAY SECONDED APPROVAL. MOTION CARRIED BY A 7-0 ROLL CALL VOTE.**
5. **APPROVAL OF THE MINUTES FROM THE APRIL 13, 2020 REGULAR COUNCIL MEETING. ACTION TAKEN: APPROVED.**
6. **CHANGE IN FUNDING FOR PURCHASE OF HIGH VELOCITY POTHOLE PATCHER. ACTION TAKEN: APPROVED USE OF THE MSA EQUIPMENT FUND.**
7. **RESOLUTION ACCEPTING A \$204,960 CLEAN WATER FUND GRANT FROM THE BOARD OF SOIL AND WATER RESOURCES AND BENTON SWCD TO IMPLEMENT STORMWATER BEST MANAGEMENT PRACTICES IN NORTHEAST ST. CLOUD. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-5-41.**
8. **RESOLUTION ACCEPTING A \$613,100 CLEAN WATER FUND GRANT FROM THE BOARD OF SOIL AND WATER RESOURCES TO IMPLEMENT URBAN STORMWATER BEST MANAGEMENT PRACTICES IN NORTH ST. CLOUD. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-5-42.**
9. **RESOLUTION AUTHORIZING GRANT APPLICATION TO THE LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES (LCCMR) ENVIRONMENTAL AND NATURAL RESOURCES AND TRUST FUND FOR DESIGN, PERMITTING AND CONSTRUCTION FUNDING FOR THE HIGHBANKS RAVINE BAT HIBERNACULUM AND ENVIRONMENTAL PROTECTION. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-5-43.**
10. **33RD STREET SOUTH FROM COUNTY ROAD 126 TO 26TH AVENUE SOUTH IMPROVEMENTS, CONTRACT 2020-01, S.A.P. 162-151-005.**
 - A) **RESOLUTION ACCEPTING BIDS FOR 33RD STREET SOUTH FROM COUNTRY ROAD 136 TO 26TH AVENUE SOUTH IMPROVEMENTS,**

CONTRACT 2020-01, S.A.P., 162-151-005. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-5-44.

B) RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ST. CLOUD, MINNESOTA, TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY

CONTRACT 2020-01, S.A.P., 162-151-005. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-5-45.

11. **RESOLUTION EXEMPTING LOT 4, BLOCK 1, SUNCREST PARK PLAT 6 FROM THE FIREARMS DISCHARGE RESTRICTIONS OF SECTION 1060 OF THE 2007 CODE OF ORDINANCES. ACTION TAKEN: LARAWAY MOVED//MASTERS SECONDED APPROVAL. LARAWAY ASKED ABOUT PLANS FOR SOUND CONTAINMENT TO PROTECT THE NEIGHBORING BUSINESSES. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN SPOKE TO THE SOUND ATTUNATION AND CONTAINMENT PROPOSED IN THE BUILDING DESIGN. MOTION APPROVED BY ROLL CALL VOTE OF 7-0. ADOPTED RESOLUTION ASSIGNED NUMBER 2020-5-46.**
12. **RESOLUTION OF SUPPORT FOR CENTER CITY HOUSING'S TAX CREDIT APPLICATION TO THE MINNESOTA HOUSING FINANCE AGENCY. LEWIS MOVED/MASTERS SECONDED APPROVAL. LEWIS AND CONWAY COMMENDED CENTER CITY FOR ITS COMMUNITY WORK. MOTION CARRIED BY ROLL CALL VOTE OF 7-0. ADOPTED RESOLUTION ASSIGNED NUMBER 2020-5-47.**
13. ~~**RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS NECESSARY TO CONVEY QUARRY WOODS PARK.**~~ ACTION TAKEN: ITEM WAS WITHDRAWN BY APPLICANT PRIOR TO THE MEETING.
14. **A) ORDINANCE REZONING PROPERTY LOCATED AT 385 3RD AVENUE SOUTH FROM R3A, GENERAL RESIDENTIAL AND LODGING HOUSE DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD). (REZ-2020-04); AND
B) ORDINANCE VACATING THE ALLEY LOCATED WEST OF LOTS 1, 2, AND 3, BLOCK 23 CURTIS SURVEY ADDITION AND MISCELLANEOUS EASEMENTS AND RIGHTS OF WAY UPON 385 3RD AVENUE SOUTH. (VAC-2020-05). ACTION TAKEN: READING AND PUBLIC HEARING SET FOR MAY 18, 2020.**

PUBLIC HEARINGS:

15. **APPLICATION FOR THE TRANSFER OF AN OFF-SALE LIQUOR LICENSE FROM MADISON09, INC. DBA KNOTTY PINE LIQUOR, 21 WILSON AVENUE NE TO LUKE, INC. DBA KNOTTY PINE LIQUOR, 21 WILSON AVENUE NE. ACTION TAKEN: PUBLIC HEARING WAS OPENED AND CLOSED AT 3:15 P.M. PRIOR TO THE MEETING. NO PUBLIC TESTIMONY WAS RECEIVED. CITY CLERK SETH KAUFFMAN GAVE A BRIEF INTRODUCTION. CONWAY MOVED/MASTERS SECONDED TO APPROVE. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0.**
16. **ORDINANCE REZONING PROPERT LOCATED AT 1111 7TH STREET SOUTHEAST FROM C5, HIGHWAY COMMERCIAL TO 11, LIGHT INDUSTRIAL**

(REZ-2020-01). ACTION TAKEN: PUBLIC HEARING WAS OPENED AND CLOSED AT 3:15 P.M. PRIOR TO THE MEETING. NO PUBLIC TESTIMONY WAS RECEIVED. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN PROVIDED A BRIEF INTRODUCTION NOTING THAT THE PLANNING COMMISSION RECOMMENDED APPROVAL. LEWIS MOVED/MASTERS SECONDED APPROVAL. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0. ADOPTED ORDINANCE ASSIGNED NUMBER 2808.

17. **ORDINANCE REZONING PROPERTY LOCATED AT 2172 MORNINGSIDE DRIVE FROM AG, AGRICULTURE, TO R-1, SINGLE FAMILY RESIDENTIAL (REZ-2020-02).** ACTION TAKEN: PUBLIC HEARING WAS OPENED AND CLOSED AT 3:15 P.M. PRIOR TO THE MEETING. NO PUBLIC TESTIMONY WAS RECEIVED. COMMUNITY DEVELOPMENT MATT GLAESMAN PROVIDED A BRIEF INTRODUCTION NOTING THAT THE PLANNING COMMISSION MOVED APPROVAL. LEWIS MOVED/LARAWAY SECONDED APPROVAL. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0. ADOPTED ORDINANCE ASSIGNED NUMBER 2809.
18. **ORDINANCE VACATING A DRAINAGE AND UTILITY EASEMENT CENTERED ON THE COMMON LOT LINE BETWEEN LOTS 4 AND 5, BLOCK 3, FAIRWAYS FOURTH ADDITION. (LOCATION: 443 53 AVENUE SOUTHEAST) (VAC-2020-01)** ACTION TAKEN: PUBLIC HEARING WAS OPENED AND CLOSED AT 3:15 P.M. PRIOR TO THE MEETING. NO PUBLIC TESTIMONY WAS RECEIVED. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN GAVE A BRIEF INTRODUCTION NOTING THAT THE PLANNING COMMISSION MOVED APPROVAL. MASTERS MOVED/CONWAY SECONDED APPROVAL. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0. ADOPTED ORDINANCE ASSIGNED NUMBER 2810.
19. **A) ORDINANCE VACATING A STORM SEWER EASEMENT RUNNING THROUGH LOT 1, BLOCK 1, CROSSROADS ADDITION PLAT THREE. (LOCATION: 4101 DIVISION STREET) (VAC-2020-02)** ACTION TAKEN: PUBLIC HEARING WAS OPENED AND CLOSED AT 3:15 P.M. PRIOR TO THE MEETING. NO PUBLIC TESTIMONY WAS RECEIVED. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN GAVE BRIEF COMMENTS NOTING THAT THE NEW STRUCTURE WILL BE A BANK BUILDING. MASTERS MOVED/LARAWAY SECONDED APPROVAL. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0. ADOPTED ORDINANCE ASSIGNED NUMBER 2811.
B) PRELIMINARY AND FINAL PLAT OF CROSSROADS ADDITION PLAT 5. ACTION TAKEN: PUBLIC HEARING WAS OPENED AND CLOSED AT 3:15 P.M. PRIOR TO THE MEETING. NO PUBLIC TESTIMONY WAS RECEIVED. LEWIS MOVED/MASTERS SECONDED APPROVAL. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0.
20. **ORDINANCE VACATING A WALKWAY EASEMENT LOCATED BETWEEN OUTLOT A, DEER CREEK CROSSING AND OUTLOT A DEER CREEK CROSSING ELEVEN. (LOCATION: 2124 TAMARCK DRIVE) (VAC-2020-03)** ACTION TAKEN: PUBLIC HEARING WAS OPENED AND CLOSED AT 3:15 P.M.

PRIOR TO THE MEETING. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN SPOKE FAVORABLY TO THE WALKWAY REALIGNMENT PLANS TO CONNECT THE TWO NEIGHBORHOODS OF QUARRY WOODS AND DEER CREEK CROSSING. HE STATED THAT TWO PUBLIC COMMENTS WERE RECEIVED AND WERE IN SUPPORT OF THE REALIGNMENT. CITY CLERK SETH KAUFFMAN NOTED THAT THERE WAS ONE PUBLIC COMMENT RECEIVED FROM BRYANT FRITZ OF QUARRY WOODS IN SUPPORT OF THE PROJECT. LARAWAY MOVED/CONWAY SECONDED APPROVAL. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0. ADOPTED ORDINANCE ASSIGNED NUMBER 2812.

OLD BUSINESS:

21. **REQUEST FOR APPROVAL OF A POWER PURCHASE AGREEMENT BETWEEN NORTHERN STATES POWER COMPANY-XCEL ENERGY AND THE CITY OF ST. CLOUD.** ACTION TAKEN: MAYOR DAVE KLEIS PROVIDED A VIRTUAL INTRODUCTION FROM THE SITE OF THE ST. CLOUD HYDRO PLANT AND THE DAM ON THE MISSISSIPPI RIVER. PUBLIC SERVICES DIRECTOR TRACY HODEL PROVIDED A DETAILED PRESENTATION BEGINNING WITH A BRIEF OVERVIEW ON THE HISTORY OF THE POWER PLANT. THE 35-YEAR CURRENT AGREEMENT EXPIRES IN OCTOBER 2021. THE NEW 20-YEAR POWER PURCHASE AGREEMENT WITH NORTHERN STATES POWER (XCEL) WILL RUN FROM NOVEMBER 2021 TO 2041. LARAWAY AND CONWAY COMMENDED MS. HODEL AND MAYOR KLEIS FOR THEIR DILIGENT WORK ON THIS PROJECT. MASTERS MOVED/LARAWAY SECONDED APPROVAL OF THE NEW POWER PURCHASE AGREEMENT. THE MOTION CARRIED BY ROLL CALL VOTE OF 7-0.
22. **RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS RELATED TO PHASE 3 OF THE HYDROELECTRIC GENERATION FACILITY CONTROLS AND MONITORING IMPROVEMENTS PROJECT.** ACTION TAKEN: LARAWAY MOVED/BRANDMIRE SECONDED APPROVAL. THE MOTION CARRIED BY A ROLL CALL VOTE OF 7-0. THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2020-49.

OPEN DISCUSSION AND ANNOUNCEMENTS: HONTOS BROUGHT UP THE ISSUE OF CITY COUNCIL COMMITTEE APPOINTMENTS. HE REQUESTED THAT THE PAST PROTOCOL BE FOLLOWED IN MAKING FUTURE APPOINTMENTS.

ADJOURNMENT:

CONWAY MOVED/LEWIS SECONDED TO ADJOURN THE MEETING AT 7:09 P.M. THE MOTION CARRIED BY A ROLL CALL VOTE OF 7-0.



Seth Kauffman, Recording Secretary



Jeff Goerger, Council President