

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
Monday, July 6, 2020
6:00 PM
Virtual Meeting

1. **PLEDGE OF ALLEGIANCE**
2. **MOMENT OF SILENCE FOR OUR MEN AND WOMEN SERVING IN THE ARMED FORCES**
3. **ROLL CALL: COUNCILMEMBERS PRESENT: Mike Conway, Paul Brandmire, Jeff Goerger, Steve Laraway, Carol Lewis, George Hontos, Dave Masters**

CONSENT AGENDA

4. **APPROVAL OF AGENDA**
ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
5. **APPROVAL OF TASK ORDER #2020-1 RELATED TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MEAD & HUNT, INC. AND THE CITY OF ST. CLOUD TO PROVIDE DESIGN AND BIDDING SERVICES FOR THE WATER AND SEWER INSTALLATION AT THE NORTH BUILDING AREA SITE AT THE ST CLOUD REGIONAL AIRPORT**
ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
6. **APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING HELD JUNE 1, 2020**
ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
7. **APPLICATION FOR ON-SALE INTOXICATING LIQUOR LICENSE WITH SUNDAY SALES FORM HOPWOK & EAT, INC. DBA HOUSE OF PIZZA-WEST, 4040 2ND STREET SOUTH**
ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
8. **RESOLUTION AUTHORIZING CHARITABLE GAMBLING PREMISES PERMIT FOR THE ST CLOUD BOXING & WRESTLING CLUB**
ACTION TAKEN: BRANDMIRE/MASTERS/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-62

Councilmember Brandmire pulled item for further discussion. It was moved by Councilmember Brandmire, seconded by Councilmember Masters to approve. Councilmember Brandmire inquired on what is the non-profit charity and what is the game. City Clerk Seth Kauffman commented that the licensed charity is the St. Cloud Boxing and Wrestling Club and the game is pull tabs at the Red Carpet on event nights. No further discussion. Motion unanimously passed.

9. **RESOLUTION APPOINTING ELECTION JUDGES FOR 2020**
ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-63

- 10. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE PRESS BAR OWNERS FOR THE CLEAN UP OF THE PROPERTY, AUTHORIZING THE EXPENDITURE OF FUNDS TO PAY FOR THE CLEAN UP AND APPROVING PLACEMENT OF A LIEN ON THE PROPERTY TO RECOVER THE CITY'S COSTS IN THE FORM OF A SPECIAL ASSESSMENT.**

ACTION TAKEN: HONTOS/BRANDMIRE/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-64

Councilmember Hontos pulled item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Brandmire to approve. Councilmember Hontos inquired on when the five-year repayment plan begins. City Attorney Renee Courtney commented that this is pending insurance repayment and owner repayment within next year. Unsure of exact timeline from insurance company. 5-year plan will be added to future agenda item as Special Assessment. Councilmember Brandmire inquired if the property has been released for clean up from insurance company. Courtney indicated that the insurance has released the property, although the investigation continues. No further discussion. Motion unanimously passed.

- 11. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT POWERS AGREEMENT WITH ST. CLOUD STATE UNIVERSITY FOR THE IMPACT DIVERSION PROGRAM FOR FISCAL YEAR 2021**

ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-65

- 12. NUTRIENT RECOVERY AND REUSE PROJECT – CHANGE ORDER #10**

ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0

- 13. SET A PUBLIC HEARING AMENDING SECTION 700 OF THE 2007 CODE OF ORDINANCES ENTITLED "TRAFFIC AND PARKING REGULATIONS"**

ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
PUBLIC HEARING SET FOR JULY 20, 2020

- 14. RESOLUTION OF SUPPORT FOR A SOURCE WATER PROTECTION PROJECT JOINT POWERS AGREEMENT**

ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-70

- 15. APPLICATIONS FOR RENEWAL OF LOADING ZONE PERMITS IN DOWNTOWN METERED PARKING AREA AND IN THE "E" AND "G" PARKING PERMIT ZONES FOR JULY 1, 2020 THROUGH JUNE 30, 2021**

ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0

- 16. RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION CARES ACT GRANT APPLICATION AND CERTIFYING AVAILABILITY OF LOCAL MATCH FOR SURFACE INFRASTRUCTURE IMPROVEMENTS TO SUPPORT RECOVERY OF THE CENTRAL BUSINESS DISTRICT.**

ACTION TAKEN: CONWAY/LARAWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-66

Councilmember Conway pulled item for further discussion. It was moved by Councilmember Conway, seconded by Councilmember Laraway to approve. Councilmember Conway inquired on if there is a possibility to take the funds and work with people who purchased the department store to open walkway through old Herberger's building. Mayor Kleis commented on grant which is designed for COVID-19 related expenses. Road project not covered by grant. Councilmember Conway commented that if grant is received, hoping the city can help facilitate opening of walkway. Mayor Kleis commented that EDA Director Cathy Mehelich will discuss with new owners. No further discussion. Motion unanimously passed. Resolution adopted and assigned 2020-07-66.

17. AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS NECESSARY FOR THE SALE OF CURTIS SURVEY BLOCK 44 (ADDRESS: 925 5TH AVENUE SOUTH)

ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-67

18. PRELIMINARY AND FINAL PLAT OF CLEARWATER ROAD BUSINESS PARK (LOCATION: 2627 & 2697 CLEARWATER ROAD) (PLAT 2020-06 & PLAT 2020-07)

ACTION TAKEN: BRANDMIRE/CONWAY/APPROVED 7-0

PUBLIC HEARINGS:

19. ORDINANCE REZONING PROPERTY LOCATED AT 630 EAST ST. GERMAIN STREET FROM R5, GENERAL MULTI-FAMILY RESIDENTIAL DISTRICT TO C5, HIGHWAY COMMERCIAL DISTRICT. (REZ-2020-05)

ACTION TAKEN: MASTERS/CONWAY/APPROVED 7-0
ORDINANCE ADOPTED AND ASSIGNED 2816

Public Hearing was opened and closed at 3:15pm prior to the meeting. No public testimony was received.

Community Development Director Matt Glaesman introduced item. Applicants proposing reinvestment of residential structure to residence to east of property for use as prep/storage for Val's Diner. Planning Commission recommends approval. Super majority vote required. It was moved by Councilmember Masters, seconded by Councilmember Conway to approve. No discussion. Motion unanimously passed. Ordinance adopted and assigned 2816.

20. RESOLUTION AMENDING PLANNED UNIT DEVELOPMENT (PUD) 23 TO ALLOW TWO ADDITIONAL APARTMENTS IN THE BUILDING LOCATED AT 1615 15TH AVENUE SOUTHEAST (DPA-2020-02)

ACTION TAKEN: MASTERS/CONWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-68

Public Hearing was opened and closed at 3:15pm prior to the meeting. No public testimony was received.

Community Development Director Matt Glaesman introduced item. PUD does establish maximum number of units. Addition of units does trigger resolution. Concern on parking regarding addition of new units. Planning Commission recommended

approval contingent on adding four new off-street parking spaces PUD confirmed addition of new parking.

It was moved by Councilmember Masters, seconded by Councilmember Lewis to approve. Councilmember Lewis requested clarification of where apartments will be located. Glaesman commented that apartments will be added to common area at SE portion of site. Councilmember Hontos requested confirmation on additional parking spaces and winter parking. Glaesman commented that this has been communicated to property owners regarding snow removal. Required off-street parking may not be used for storage and a violation of Land Development Code. Councilmember Conway inquired on if a time table has been established for the new parking spaces. Glaesman commented that confirmation of spaces are needed prior to certificate of occupancy issued. City was encouraging PUD to internalize parking rather than removing green space between building and homes. No further discussion. Motion unanimously passed. Resolution adopted and assigned 2020-07-68.

OLD BUSINESS:

21. RESOLUTION TO EXTEND THE MAYOR'S LOCAL EMERGENCY DECLARATION

ACTION TAKEN: MASTERS/CONWAY/APPROVED 7-0

RESOLUTION ADOPTED AND ASSIGNED 2020-07-69

Mayor Kleis commented that this simply extends the existing emergency declaration. May be rescinded at anytime by Council action or State Emergency declaration rescinded. Councilmember Conway thanked Mayor Kleis for his leadership. No further discussion. Motion unanimously passed. Resolution adopted and assigned 2020-07-69.

OPEN DISCUSSION AND ANNOUNCEMENTS:

Councilmember Hontos commented on COVID-19 and mandating masks via City Ordinance. Moved to include as an agenda item for July 27, 2020 meeting. Councilmember Lewis seconded the motion. Motion passed 5-2 with Councilmembers Brandmire and Conway opposed.

Councilmember Lewis commented on Fireworks and changing ordinance to be comparable to noise ordinance, ending fireworks at 10:00pm rather than midnight. Motion passed 5-2 with Councilmembers Brandmire and Conway opposed.

ADJOURNMENT

It was moved by Councilmember Lewis, seconded by Councilmember Laraway to adjourn. Meeting adjourned at 6:44 PM.



Seth Kauffman, Recording Secretary



Jeff Goerger, Council President