

CITY OF ST. CLOUD PROCEEDINGS
Monday, August 9, 2021
6:00 P.M.
City Council Chambers

1. **PLEDGE OF ALLEGIANCE.**
2. **MOMENT OF SILENCE FOR OUR MEN AND WOMEN SERVING IN THE ARMED FORCES.**
3. **ROLL CALL:**
PRESENT: PAUL BRANDMIRE, MIKE CONWAY, JEFF GOERGER, GEORGE HONTOS, STEVE LARAWAY, CAROL LEWIS, AND DAVE MASTERS

SPECIAL RECOGNITION:

4. MAYOR DAVE KLEIS ACKNOWLEDGED HIS APPOINTMENT OF **ST. CLOUD CITY FINANCE DIRECTOR DEANNA FAH** AND ADMINISTERED THE OATH OF OFFICE TO HER. HE COMMENDED THE FINANCE DEPARTMENT AND ALL CITY EMPLOYEES FOR THEIR DILIGENT PUBLIC SERVICE.

MAYOR DAVE KLEIS PRESENTED AN **OVERVIEW OF THE 2022 GOVERNMENTAL FUNDS BUDGET**. HE NOTED THAT A PUBLIC SURVEY IN PARTNERSHIP WITH THE ST. CLOUD STATE UNIVERSITY IS PLANNED FOR NEXT YEAR. SCHEMATICS WERE DISPLAYED ON THE OVERHEAD SHOWING THE TAX BASE GROWTH; THE PRELIMINARY 2022 TAX LEVY (NO INCREASE IN THE TAX RATE); AND A STATE AVERAGE COMPARISON OF MINNESOTA CITIES WITH POPULATIONS >2,500 PER CAPITA PROPERTY TAXES. HE ALSO REVIEWED AN AREA CITY COMPARISON (ST. CLOUD, SAUK RAPIDS, SARTELL, ST. JOSEPH, AND ST. AUGUSTA) OF MONTHLY UTILITY BILLS FOR WATER, SEWER AND STORMWATER. HE ALSO REVIEWED THE CATEGORIES/DEPARTMENTS THAT MAKE UP THE GOVERNMENTAL FUNDS: PUBLIC SAFETY; PUBLIC WORKS; PARK & RECREATION, LIBRARY; ADMINISTRATIVE SUPPORT; COMMUNITY DEVELOPMENT; INFORMATION TECHNOLOGY; AND DEBT SERVICE. ANOTHER SCHEMATIC SHOWED AN INCREASE IN POLICE FUNDING HISTORY AS FAR BACK AS 2013. THE CITY WILL BE FUNDING 7 NEW POLICE OFFICERS IN 2022. HE ALSO HIGHLIGHTED THE 2021 INFRASTRUCTURE PROJECTS AND THE 2021 & 2022 ROAD CONSTRUCTION MAP. FOLLOWING HIS PRESENTATION, HE NOTED THAT HE AND CITY ADMINISTRATOR WILL REVIEW THE PROPOSED PROPERTY TAX BUDGET WITH THE CITY COUNCIL ON AUGUST 11, AUGUST 18, AND AUGUST 23, 2021. THE FULL PRELIMINARY 2022 GOVERNMENTAL FUNDS BUDGET IS AVAILABLE ON THE CITY'S WEBSITE.

CONSENT AGENDA:

5. **APPROVAL OF THE AGENDA.** ACTION TAKEN: IT WAS MOVED BY COUNCILMEMBER LARAWAY, SECONDED BY COUNCILMEMBER MASTERS, TO APPROVE THE CONSENT AGENDA AS SUBMITTED. COUNCILMEMBER LEWIS PULLED ITEM 17 FOR A SEPARATE DISCUSSION; COUNCILMEMBER HONTOS ADDED AN ITEM UNDER OPEN DISCUSSION RELATING TO THE EAST SIDE LINCOLN CENTER; AND COUNCILMEMBER CONWAY

ASKED TO COMMENT UNDER OPEN DISCUSSION ABOUT THE PAST " NATIONAL NIGHT OUT" EVENT. THE MOTION, WITH THE EXCEPTION OF APPROVAL OF ITEM 17, UNANIMOUSLY CARRIED.

6. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD JULY 26, 2021.** ACTION TAKEN: APPROVED.
7. **RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2021, TO CONSIDER CERTIFICATION OF DELINQUENT NOXIOUS WEED REMOVAL CHARGES TO THE COUNTIES FOR COLLECTION.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-109.
8. **RESOLUTION REGARDING THE CLASSIFICATION OF TAX FORFEITED LAND.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-110.
9. **RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2021, TO CONSIDER THE CERTIFICATION OF DELINQUENT UTILITY ACCOUNTS TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2022.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-111.
10. **RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2021, TO CONSIDER THE CERTIFICATION OF DELINQUENT ADMINISTRATIVE CITATION CHARGES TO THE COUNTIES FOR COLLECTIONS.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-112.
11. **RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2021, TO CONSIDER THE CERTIFICATION OF DELINQUENT WEED REMOVAL/GRASS MOWING CHARGES TO THE COUNTIES FOR COLLECTIONS.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-113.
12. **RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2021, TO CONSIDER THE CERTIFICATION OF DELINQUENT NUISANCE ABATEMENT CHARGES TO THE COUNTIES FOR COLLECTIONS.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-114.
13. **APPLICATION FOR TEMPORARY ON-SALE INTOXICATING LICENSE FOR ST. CLOUD PRIDE FOR AN EVENT TO BE HELD ON SEPTEMBER 18, 2021, AT LAKE GEORGE.** ACTION TAKEN: APPROVED.
14. **APPLICATION FOR TEMPORARY ON-SALE LIQUOR LICENSE FOR ST. MARY'S CATHEDRAL FOR AN EVENT TO BE HELD ON SEPTEMBER 11, 2021.** ACTION TAKEN: APPROVED.
15. **APPLICATION FOR TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR THE STEARNS COUNTY HISTORICAL SOCIETY FOR AN EVENT TO BE HELD ON OCTOBER 2, 2021.** ACTION TAKEN: APPROVED.

16. **REQUEST BY THE OLDE BRICK HOUSE FOR AN EXTENSION OF THEIR LIQUOR SERVICE AREA FOR A ONE-DAY SPECIAL EVENTS PERMIT TO FACILITATE A HALFWAY TO ST. PATRICK'S DAY EVENT TO BE HELD OUTDOORS ADJACENT TO THE BAR/RESTAURANT ON 6TH AVENUE SOUTH.** ACTION TAKEN: APPROVED WITH CONDITIONS SET FORTH BY CITY DEPARTMENTS.
17. **SET A PUBLIC HEARING FOR AUGUST 23, 2021, TO AMEND THE 2007 CODE OF ORDINANCES SECTION 1050 - NOISE CONTROL REGULATIONS.** ACTION TAKEN: IT WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER BRANDMIRE, TO SET THE PUBLIC HEARING FOR AUGUST 23, 2021. COUNCILMEMBER LEWIS REMARKED THAT SECTION 1050 CONTAINS OUTDATED LANGUAGE. SHE SUGGESTED THE TEXT WITHIN THE SECTION BE UPDATED PRIOR TO ADOPTION. CITY ADMINISTRATOR MATT STAEHLING SAID THAT TASK WOULD CONSTITUTE A MORE COMPREHENSIVE UNDERTAKING SUCH AS A RECODIFICATION OF ALL ORDINANCES. THIS REQUEST IS FOR A TARGETED AMENDMENT FOR A SPECIFIC NEED FOR EMERGENCY GENERATORS. THE MOTION CARRIED BY A 6-0 VOTE WITH COUNCILMEMBER LEWIS VOTING AGAINST.
18. **RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2021, TO CONSIDER CERTIFICATION OF DELINQUENT SNOW REMOVAL CHARGES TO THE COUNTIES FOR COLLECTION.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-115.
19. **RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 13, 2021, TO CONSIDER SPECIAL ASSESSMENT ROLL 2 FOR 2020 PUBLIC IMPROVEMENTS.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-116.
20. **2021 BITUMINOUS RESURFACING IMPROVEMENTS – PHASE 3 – KILIAN BOULEVARD AND 9TH AVENUE SE, CONTRACT 2021-15, S.A.P. 162-143-005 AND 162-594-001**
 - (A) **RESOLUTION ACCEPTING BIDS FOR 2021 BITUMINOUS RESURFACING IMPROVEMENTS – PHASE 3 – KILIAN BOULEVARD AND 9TH AVENUE SE, CONTRACT 2021-15, S.A.P., 162-143-005 AND 162-594-001.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-117.
 - (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 2021-15, S.A.P. 162-143-005 AND 162-594-001.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-118.
 - (C) **RESOLUTION AUTHORIZING THE CITY OF ST. CLOUD TO ENTER INTO GRANT AGREEMENT WITH MINNESOTA DEPARTMENT OF TRANSPORTATION FOR STATE TRANSPORTATION FUND IMPROVEMENT PROGRAM GRANT TERMS AND CONDITIONS, CONTRACT 2021-15, S.A.P. 162-143-005 AND 162-594-001.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-119.

- 21. RESOLUTION AMENDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR FUNDS ALLOCATED TO 2 MUCH TALENT. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-08-120.**

PUBLIC HEARING:

- 22. ORDINANCE REZONING 601 FRANKLIN AVENUE NE FROM C5, HIGHWAY COMMERCIAL DISTRICT TO I1, LIGHT INDUSTRIAL DISTRICT. (REZ2021-02)** COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN INTRODUCED THE ITEM. THE APPLICANT IS REQUESTING REZONING TO ALLOW MAJOR MOTOR VEHICLE REPAIR ON THE PROPERTY. THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO ONE SPOKE. THE PUBLIC HEARING WAS CLOSED. IT WAS MOVED BY COUNCILMEMBER CONWAY, SECONDED BY COUNCILMEMBER BRANDMIRE, TO ADOPT THE ORDINANCE AS PRESENTED. THE MOTION CARRIED BY A 7-0 VOTE. THE ADOPTED ORDINANCE WAS ASSIGNED NUMBER 2839.

NEW BUSINESS:

REQUEST BY COUNCILMEMBER LEWIS – LARGE VEHICLE & TRAILER PARKING

COUNCILMEMBER LEWIS STATED THAT AT THE AUGUST 2ND STUDY SESSION DISCUSSION WAS HELD ON PARKING LARGE VEHICLES WITHIN THE CITY LIMITS. SHE QUESTIONED THE EQUITABLE INTERPRETATION OF OUR CURRENT ORDINANCE. SHE SUPPORTED THE PARKING OF SMALLER BUSINESS VEHICLES WITH CUSTOM LETTERING IN RESIDENTIAL DRIVEWAYS, AS WELL AS WORK-RELATED SEMI CAB PARKING. IT WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER BRANDMIRE, TO ALLOW SUCH PARKING AS FOREMENTIONED. COUNCILMEMBERS HONTOS, MASTERS, AND LARAWAY DISAGREED AND SUGGESTED THE CURRENT ORDINANCE IS SUFFICIENT. COUNCILMEMBER CONWAY SPOKE TO THE INEQUITY OF THE CURRENT ORDINANCE AND OFFERED A FRIENDLY AMENDMENT TO THE MOTION, SECONDED BY COUNCILMEMBER BRANDMIRE, TO ALLOW COMMERCIAL VEHICLES THAT FIT INTO THE RECREATIONAL VEHICLE DESCRIPTION CURRENTLY ALLOWED, TO BE ALLOWED TO PARK IN PRIVATE DRIVEWAYS. COUNCILMEMBER LEWIS, AS THE MAKER OF THE MOTION, AGREED TO THE AMENDMENT. COUNCILMEMBER BRANDMIRE SUPPORTED A REVIEW OF THE CURRENT ORDINANCE. COUNCILMEMBER CONWAY MOVED TO POSTPONE THE VOTE, SECONDED BY COUNCILMEMBER LEWIS, TO ALLOW ADDITIONAL TIME FOR PUBLIC COMMENT. THE MOTION TO TABLE FAILED BY A 3-4 VOTE WITH COUNCILMEMBERS HONTOS, LARAWAY, MASTERS AND PRESIDENT GOERGER VOTING AGAINST. COMMUNITY DEVELOPMENT DIRECTOR GLAESMAN CLARIFIED THAT THE ORDINANCE SPEAKS TO THE DEFINITION OF A COMMERCIAL VEHICLE BY THE WEIGHT OF THE VEHICLE. HE SUGGESTED THE MATTER IS A PLANNING COMMISSION ISSUE AS IT IS PART OF THE LAND DEVELOPMENT CODE. COUNCILMEMBER LEWIS, AND COUNCILMEMBER BRANDMIRE, WITHDREW THE ORIGINAL MOTION. IT WAS MOVED BY COUNCILMEMBER CONWAY, SECONDED BY COUNCILMEMBER LEWIS, TO REFER THIS MATTER TO THE PLANNING COMMISSION. THE MOTION FAILED BY A 3-3-VOTE WITH

COUNCILMEMBERS HONTOS, LARAWAY, AND MASTERS VOTING AGAINST. COUNCILMEMBER BRANDMIRE WAS RECORDED AS AN ABSTENTION.

OPEN DISCUSSION

COUNCILMEMBER HONTOS SPOKE TO THE ONGOING DISRUPTION AND DESTRUCTION OCCURRING AT THE NEIGHBORING BUSINESSES OF THE EAST SIDE LINCOLN CENTER. HE ENCOURAGED CITY STAFF TO STAY STRONG IN ENFORCEMENT OF REGULATIONS. COMMUNITY DEVELOPMENT DIRECTOR GLAESMAN SAID CITY STAFF HAS BEEN VIGILANT IN ENFORCEMENT AND CITING VIOLATIONS TO MAKE SURE THE BUSINESS REMAINS IN COMPLIANCE WITH LOCAL AND STATE CODES.

COUNCILMEMBER CONWAY EXPRESSED HIS THANKS FOR THE MANY INVITATIONS TO NEIGHBORHOOD GATHERINGS ON "NATIONAL NIGHT OUT" AND SPOKE FAVORABLY OF THE WELL-ORGANIZED EVENTS.

ADJOURNMENT:

IT WAS MOVED BY COUNCILMEMBER CONWAY, SECONDED BY COUNCILMEMBER LARAWAY, TO ADJOURN THE MEETING AT 7:05 P.M. THE MOTION UNANIMOUSLY CARRIED.

OPEN FORUM (NOT TELEVISED):

CURTIS WOOD, 927 8TH AVENUE NORTH, CONCERNED AND RECOMMENDED CITY UPDATE ITS DOG LAWS.

PAT MORIN, 917 13TH AVENUE SE, CONCERNED ABOUT A WET HOUSE NEAR HER HOME AND A RECENT ENCOUNTER WITH AN INEBRIATED CITIZEN.

JIM D. FENEIS, IDLE RIDGE, 920 10TH STREET NE, SAUK RAPIDS; DISCUSSED PURCHASE OF PROPERTY AT THE AIRPORT BUSINESS PARK FOR PURPOSE OF PARKING LARGE VEHICLES.