

CITY OF ST. CLOUD PROCEEDINGS
Monday, September 27, 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, AND CAROL LEWIS

ABSENT: DAVE MASTERS

CONSENT AGENDA:

4. APPROVAL OF AGENDA. ACTION TAKEN: COUNCILMEMBER HONTOS ADDED ONE ITEM UNDER OPEN DISCUSSION PERTAINING TO A FUTURE PRESENTATION FROM THE POLICE CHIEF. COUNCILMEMBER LEWIS ADDED ONE ITEM UNDER OPEN DISCUSSION PERTAINING TO THE BOOKS PLACED AT THE DAIS. COUNCILMEMBER HONTOS REMOVED AGENDA ITEM 6 AND COUNCILMEMBER CONWAY REMOVED AGENDA ITEM 8 FOR SEPARATE DISCUSSIONS. IT WAS MOVED BY COUNCILMEMBER CONWAY, SECONDED BY COUNCILMEMBER BRANDMIRE, TO APPROVE THE REMAINING CONSENT AGENDA ITEMS AS PRESENTED. THE MOTION UNANIMOUSLY CARRIED 6-0.

5. 2022 CITY COUNCIL MEETING CALENDAR. ACTION TAKEN: APPROVED.

6. RESOLUTION AUTHORIZING THE RENEWAL OF THE CITY'S PROPERTY, CASUALTY, AUTOMOBILE AND WORKERS' COMPENSATION INSURANCE PROGRAM FOR THE PERIOD OF OCTOBER 1, 2021, TO SEPTEMBER 30, 2022. ACTION TAKEN: IT WAS MOVED BY COUNCILMEMBER HONTOS, SECONDED BY COUNCILMEMBER LEWIS, TO APPROVE THE RESOLUTION AS PRESENTED. MR. ROBERT L. MAHOWALD OF MAHOWALD INSURANCE ADDRESSED THE COUNCIL REGARDING THE PREMIUM INCREASE IN THE MUNICIPAL LIABILITY COVERAGE AND RESPONDED TO COUNCIL QUESTIONS. THE MOTION UNANIMOUSLY CARRIED 6-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2021-09-176.

7. APPLICATION FOR A 3.2% MALT LIQUOR LICENSE FOR CEC ENTERTAINMENT LLC, DBA CHUCK E CHEESE #799, 3318 W. DIVISION STREET. ACTION TAKEN: APPROVED.

8. (A) RESOLUTION AMENDING THE 2015 ST. CLOUD COMPREHENSIVE PLAN'S FUTURE LAND USE DESIGNATION FROM CORRIDOR COMMERCIAL TO MULTI-FAMILY AT 2421 COUNTY ROAD 74. (CPA-2021-01). AND

(B) ORDINANCE REZONING 2421 COUNTY ROAD 74 FROM I1, LIGHT INDUSTRIAL DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD). (REZ-2021-06).

ACTION TAKEN: IT WAS MOVED BY COUNCILMEMBER CONWAY, SECONDED BY COUNCILMEMBER LEWIS, TO SET THE READING AND PUBLIC HEARING FOR OCTOBER 11, 2021, ON BOTH ITEMS A & B. COMMUNITY DEVELOPMENT DIRECTOR MATT

GLAESMAN CLARIFIED THAT ITEM A. WOULD REQUIRE A SUPER MAJORITY VOTE FOR ADOPTION, WHEREAS ITEM B, WOULD REQUIRE A SIMPLE MAJORITY VOTE FOR ADOPTION. THE MOTION TO SET THE READING AND THE PUBLIC HEARING FOR OCTOBER 11, 2021, UNANIMOUSLY CARRIED 6-0.

9. **(A) RESOLUTION AMENDING THE 2015 COMPREHENSIVE PLAN'S FUTURE LAND USE DESIGNATION AT 3274 NOTTINGHAM ROAD SOUTH FROM SINGLE-FAMILY RESIDENTIAL TO COMMERCIAL; AND**
(B) RESOLUTION AMENDING THE STONE GATE PUD GENERAL DEVELOPMENT PLAN TO ALLOW A COMMERCIAL BUILDING IN PLACE OF FOUR SINGLE FAMILY LOTS AT 3274 NOTTINGHAM ROAD; AND
(C) ORDINANCE VACATING A PORTION OF A PUBLIC DRAINAGE AND UTILITY EASEMENT ON OUTLOT A, STONE GATE. ACTION TAKEN: SET A READING AND PUBLIC HEARING FOR OCTOBER 11, 2021, ON ITEMS A, B & C.
10. **RESOLUTION AMENDING THE YOUTH FOR CHRIST PLANNED UNIT DEVELOPMENT TO ALLOW A COFFEE SHOP WITH DRIVE-THRU LANE IN THE EXISTING YOUTH FOR CHRIST BUILDING. (LOCATION: 203 COOPER AVENUE NORTH) (DPA-2021-03).** ACTION TAKEN: SET A READING AND PUBLIC HEARING FOR OCTOBER 11, 2021.

PUBLIC HEARINGS:

11. **(A) RESOLUTION APPROVING A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR ECONOMIC DEVELOPMENT DISTRICT NO. 3 AND THE ESTABLISHMENT OF ASSOCIATED WHOLESALE GROCERS ECONOMIC DEVELOPMENT TAX INCREMENT FINANCING DISTRICT.** ECONOMIC DEVELOPMENT DIRECTOR CATHY MEHELICH INTRODUCED THE RESOLUTION WHICH ESTABLISHES A TAX INCREMENT FINANCING DISTRICT FOR A TERM OF UP TO NINE YEARS. SHE STATED THAT STAFF HAS BEEN WORKING WITH THE DEVELOPER, MIDWEST REAL ESTATE HOLDINGS, LLC AND ASSOCIATED WHOLESALE GROCERS, INC. (AWG) FOR THE PAST FEW MONTHS ON THE PROPOSED PROJECT THAT INCLUDES ACQUISITION OF PROPERTY IN I-94 BUSINESS PARK. SHE SPOKE TO HIGHLIGHTS OF THE PHASE 1 PROJECT AND ALLUDED TO THE POTENTIAL PHASE II. IT WAS MOVED BY COUNCILMEMBER BRANDMIRE, SECONDED BY COUNCILMEMBER LEWIS, TO APPROVE THE RESOLUTION AS PRESENTED. THE MOTION CARRIED BY A 6-0 VOTE. ADOPTED RESOLUTION ASSIGNED NUMBER 2021-09-177.
- (B) RESOLUTION APPROVING A BUSINESS SUBSIDY AGREEMENT REGARDING THE MIDWEST REAL ESTATE HOLDINGS, LLC AND ASSOCIATED WHOLESALE GROCERS, INC PROJECT.** ECONOMIC DEVELOPMENT DIRECTOR CATHY MEHELICH SPOKE TO THE RESOLUTION, WHICH IS REQUIRED BY MINNESOTA STATUTE. THE DOCUMENT OUTLINES THE SPECIFIC JOB AND WAGE GOALS AND TERMS. COUNCIL PRESIDENT GOERGER OPEN THE PUBLIC HEARING ON AGENDA ITEM A & B. THE FOLLOWING INDIVIDUAL SPOKE:
- JOEL RIGGS, 29774 W. 226TH COURT, SPRING HILL, KS;** EXECUTIVE DIRECTOR OF DESIGN AND CONSTRUCTION FOR AWG AND PRACTICING CIVIL ENGINEER, STATED THAT AWG IS A LARGE COOP THAT IS MEMBER-DRIVEN. THE COMPANY (93 YEARS OLD) CURRENTLY DELIVERS TO ABOUT 3800 GROCERY STORES ACROSS THE UNITED STATES. THE COMPANY DELIVERS OUT

OF KENOSHA, WI, AND NORFOLK, NE, WHICH ARE THE TWO CLOSEST LOCATIONS TO ST. CLOUD. THE PROPOSED WAREHOUSE DISTRIBUTION CENTER ALLOWS EXPANSION OF THE RADIUS BY APPROXIMATELY 600 SQUARE MILES. ALL COMMENTS WERE FAVORABLE.

THERE BEING NO ONE ELSE WISHING TO SPEAK, THE PUBLIC HEARING WAS CLOSED. DURING COUNCIL DISCUSSION MR. RIGGS RESPONDED TO COUNCIL QUESTIONS REGARDING THE STRUCTURE; LABOR-RELATED CONCERNS; THE LEASE HELD WITH CREATIVE MEMORIES; AND THE IMPACT OF TRUCK TRAFFIC IN THE AREA. HE STATED THAT A HIGHWAY CAPACITY ANALYSIS WAS CONDUCTED FOR THE FIRST PHASE WITH FINDINGS OF A NORMAL IMPACT FOR A 2-LANE HIGHWAY. COMMUNITY DIRECTOR GLAESMAN REPORTED THAT FUNDING HAS BEEN SECURED THROUGH THE AREA PLANNING ORGANIZATION (APO) TO STUDY THE ENTIRE CORRIDOR PRIOR TO THE SECOND PHASE. FOLLOWING FURTHER COUNCIL DISCUSSION AND FAVORABLE COMMENTS REGARDING THE COMPANY, IT WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER LARAWAY, TO APPROVE THE RESOLUTION AS PRESENTED. THE MOTION CARRIED BY A 6-0 VOTE. ADOPTED RESOLUTION ASSIGNED NUMBER 2021-09-178.

OLD BUSINESS :

- 12. RESOLUTION AMENDING SPECIAL ASSESSMENT ROLL 2 FOR 2020 IMPROVEMENTS.** CITY ENGINEER STEVE FOSS REPORTED THAT AT THE SEPTEMBER 13TH COUNCIL MEETING THE ASSESSMENT ROLL 2 CONTAINED 13 PROPERTIES. ELEVEN PROPERTIES WERE TO RECERTIFY PREVIOUSLY APPROVED ASSESSMENTS THAT HAVE GONE THROUGH TAX FORFEITURE SALE, AND TWO PROPERTIES WERE ON THE ROLL DUE TO OBJECTING THE PROPOSED ASSESSMENTS ALONG 25TH AVENUE NORTH. CITY ENGINEER FOSS REPORTED THAT ONE OTHER PROPERTY WAS REMOVED FROM THE ROLL AFTER REVIEW WITH STEARNS COUNTY. THE TWO PROPERTIES ALONG 25TH AVENUE NORTH WERE INDIVIDUALLY APPRAISED BY A THIRD-PARTY APPRAISER. IN ONE CASE THE VALUE OF BENEFIT BY THE APPRAISAL WAS LESS, AND IN THE OTHER CASE THE VALUE OF BENEFIT BY THE APPRAISAL EXCEEDED THE AMOUNT DETERMINED BY THE CITY OF ST. CLOUD'S SPECIAL ASSESSMENT POLICY. THE CITY HONORED THE LOWER OF THE TWO AMOUNTS FOR BOTH PROPERTIES. FOLLOWING COUNCIL DISCUSSION, WHICH INCLUDED THE PROCESS AND FAIRNESS OF THE POLICY, IT WAS MOVED BY COUNCILMEMBER CONWAY, SECONDED BY COUNCILMEMBER LARAWAY, TO ADOPT THE RESOLUTION AS PRESENTED. THE MOTION CARRIED BY A 6-0 VOTE. THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2021-09-179.
- 13. RESOLUTION CERTIFYING DELINQUENT ADMINISTRATIVE CITATION CHARGES AND NUISANCE ABATEMENT CHARGES TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2022.** HEALTH DIRECTOR MATT O'BRIEN INTRODUCED THE ITEM. HE REPORTED THAT AT THE SEPTEMBER 13TH COUNCIL MEETING THERE WERE SEVEN PROPERTY OWNERS CONTESTING THEIR CERTIFICATIONS. CITY STAFF HAS REVIEWED EACH INSTANCE AND FOUND NO DISCREPANCIES OR ERRORS TO JUSTIFY A REDUCTION OR WAIVER. ONE PROPERTY OWNER, BROOKS GUGGISBERG, PAID IN FULL AS OF TODAY'S DATE. IT WAS MOVED BY COUNCILMEMBER CONWAY,

SECONDED BY COUNCILMEMBER LARAWAY, TO APPROVE THE RESOLUTION AS PRESENTED. THE MOTION CARRIED BY A 6-0 VOTE. THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2021-09-180.

OPEN DISCUSSION:

COUNCILMEMBER HONTOS EXPRESSED HIS DISPLEASURE FOR NOT RECEIVING A PRESENTATION BY THE CHIEF OF POLICE DURING SEPTEMBER.

COUNCILMEMBER LEWIS ANNOUNCED THAT EACH COUNCILMEMBER WAS PROVIDED WITH A COPY OF THE BOOK, "**DOWN AND OUT IN AMERICA**", FOR REVIEW PRIOR TO THE NOVEMBER 1ST STUDY SESSION.

ADJOURNMENT:

THERE BEING NO ONE ELSE WISHING TO SPEAK, COUNCIL PRESIDENT GOERGER ADJOURNED THE MEETING AT 6:58 P.M.

Jeff Goerger
City Council President

Seth Kauffman
City Clerk

OPEN FORUM (NOT TELEVISED)

KAREN LARSON, 419 WILSON AVENUE SE, STATED SHE WAS IN ATTENDANCE TO WATCH THE POLICE CHIEF'S PRESENTATION.

JAMES VANHORN, 839 32ND AVENUE N., WAS IN ATTENDANCE TO APPEAL HIS DELINQUENT ACCOUNTS AND ADMINISTRATIVE CITATIONS.