

**CITY OF ST. CLOUD PROCEEDINGS**  
**Monday, February 28, 2022**  
**6:00 P.M.**  
**Stearns County Board Room**

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

**SPECIAL RECOGNITION:**

4. **NEIGHBOR OF THE MONTH.**  
MAYOR DAVE KLEIS RECOGNIZED THE SOVEREIGN COUNTRY OF UKRAINE AS OUR GLOBAL NEIGHBOR AND PRAISED THE COUNTRY FOR STANDING UP FOR ITS FREEDOM AND DEMOCRACY.

MAYOR DAVE KLEIS RECOGNIZED VERN & MARY ANN LEITCH AS FEBRUARY'S ST. CLOUD NEIGHBORS OF THE MONTH. THE LEITCHS WERE NOMINATED BY THEIR NEXT-DOOR NEIGHBORS FOR ALWAYS GOING ABOVE AND BEYOND TO PROVIDE ASSISTANCE TO THE CRESCENT RIDGE TRAIL NEIGHBORHOOD.

**CONSENT AGENDA:**

5. **APPROVAL OF THE AGENDA.** ACTION TAKEN: COUNCILMEMBER LEWIS ASKED TO REMOVE AGENDA ITEMS 12, 13, 18, AND 25 FOR FURTHER DISCUSSION. COUNCILMEMBER LEWIS, COUNCILMEMBER BRANDMIRE, AND MAYOR KLEIS ASKED TO ADD COMMENTS UNDER OPEN DISCUSSION. IT WAS MOVED BY COUNCILMEMBER BRANDMIRE, SECONDED BY COUNCILMEMBER MASTERS, TO APPROVE ALL OTHER CONSENT AGENDA ITEMS AS PRESENTED. THE MOTION CARRIED BY 6-0 VOTE.
6. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD FEBRUARY 7, 2022.** ACTION TAKEN: APPROVED.
7. **RESOLUTION APPROVING A JOINT POWERS AGREEMENT BETWEEN THE STATE OF MINNESOTA, ACTING THROUGH ITS COMMISSIONER OF PUBLIC SAFETY ON BEHALF OF THE BUREAU OF CRIMINAL APPREHENSION (BCA), AND THE CITY OF SAINT CLOUD ON BEHALF OF THE SAINT CLOUD POLICE DEPARTMENT LOCATED AT 101 11<sup>TH</sup> AVENUE NORTH, ST. CLOUD, MN 56303 (GOVERNMENTAL UNIT).** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2022-02-012.
8. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT POWERS AGREEMENT WITH THE CITY OF ST. JOSEPH FOR PROVIDING MASSAGE LICENSE**

**INSPECTION SERVICES.** ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2022-02-013.

9. **AGREEMENT WITH GREAT RIVER GREENING FOR A VEGETATION RESTORATION GRANT REGARDING HERITAGE REGIONAL PARK.** ACTION TAKEN: APPROVED.
10. **ROOFTOP DRY COOLER REPLACEMENT LOCATED AT THE MUNICIPAL ATHLETIC COMPLEX.** ACTION TAKEN: APPROVED.
11. **AUTHORIZE THE USE OF COMMUNITY FACILITIES LOCAL OPTION SALES TAX FOR IMMEDIATE AND NECESSARY ROOFING IMPROVEMENTS FOR THE CITY'S PARAMOUNT BUILDING.** ACTION TAKEN: APPROVED.
12. **RESOLUTION RELATING TO A FINANCING UNDER MINNESOTA STATUTES, SECTIONS 469.152 THROUGH 469.165, AS AMENDED, ON BEHALF OF SYH ATHLOS ACADEMY LLC; CALLING FOR A PUBLIC HEARING THEREON.** ACTION TAKEN: IT WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER LARAWAY, TO ADOPT THE RESOLUTION AS PRESENTED. ASSISTANT FINANCE DIRECTOR CHRIS HALL EXPLAINED THAT THE ACADEMY IS SEEKING TO USE CONDUIT DEBT FINANCING SIMILAR TO THE FINANCING THE CITY DID FOR CENTRACARE PROJECTS AND STRIDE ACADEMY. HE REPORTED THAT HE WOULD CHECK ON THE NEED TO CONDUCT AN ACTUAL PUBLIC HEARING AT A FUTURE DATE. THE MOTION CARRIED BY A 6-0 VOTE. THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2022-02-014.
13. **RESOLUTION APPROVING A SPECIAL LAW PASSED DURING THE 2021, SPECIAL SESSION 1, SESSION LAW, CHAPTER 14 SUBD. 16 ENTITLED, "CITY OF ST. CLOUD; TAXES AUTHORIZED."** IT WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER BRANDMIRE, TO ADOPT THE RESOLUTION AS PRESENTED. CITY CLERK SETH KAUFFMAN EXPLAINED THAT THIS IS STEP#4 IN THE PROCESS TO IMPOSE A LOCAL SALES TAX FOR FUNDING THE MUNICIPAL ATHLETIC COMPLEX. THE NEXT STEP IS TO PLACE THE ITEM ON THE BALLOT FOR VOTER APPROVAL. THE MOTION CARRIED BY 6-0. THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2022-02-015.
14. **ORDINANCE AMENDING THE 2007 CODE OF ORDINANCES ENTITLED "WARD AND PRECINCT BOUNDARIES."** ACTION TAKEN: A PUBLIC HEARING WAS SET FOR MARCH 28, 2022.
15. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR 2022 BITUMINOUS STREET RESURFACING IMPROVEMENTS – PHASE 1, CONTRACT 2022-08.** ACTION TAKEN: THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2022-02-016.
16. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR 2022 BITUMINOUS STREET RESURFACING IMPROVEMENTS – PHASE 2, CONTRACT 2022-10.** ACTION TAKEN: THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2022-02-017.

17. **RESOLUTION SETTING A PUBLIC HEARING FOR MARCH 14, 2022, TO CONSIDER SPECIAL ASSESSMENT ROLL 1 FOR 2021 PUBLIC IMPROVEMENTS.** ACTION TAKEN: THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2022-02-18.
18. **(A) REQUEST FROM MICROBIOLOGICS/GRANITE PARTNERS TO REZONE PROPERTY LOCATED AT 140 OSSEO AVENUE NORTH AND 200 AND 238 OSSEO AVENUE FROM I2, GENERAL INDUSTRIAL DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) 89 (REZ-2022-02) AND  
(B) RESOLUTION AMENDING THE PUD 89 GENERAL DEVELOPMENT PLAN TO ALLOW A NEW 40-FOOT BY 60-FOOT BUILDING IN THE SOUTHEASTERN CORNER OF THE PROPERTY AT 140 OSSEO AVENUE.** ACTION TAKEN: IT WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER BRANDMIRE TO SET A PUBLIC HEARING FOR MARCH 14, 2022. MOTION CARRIED BY A 6-0 VOTE.
19. **ORDINANCE VACATING 10' WIDE DRAINAGE AND UTILITY EASEMENTS LOCATED ON THE COMMON LOT LINE BETWEEN LOTS 2, 3, 4, AND 5, BLOCK 4, SOUTHERN RIDGE. (LOCATION: 2130, 2134, 2138, & 2142 42<sup>ND</sup> STREET SOUTH) (VAC-2021-12)** ACTION TAKEN: A PUBLIC HEARING WAS SET FOR MARCH 14, 2022.
20. **(A) ORDINANCE VACATING 10-FOOT WIDE DRAINAGE AND UTILITY EASEMENTS CENTERED ON THE COMMON PROPERTY LINES LOCATED BETWEEN LOTS 3 & 4 AND LOTS 4 & 5, BLOCK 2, QUARRY WOODS SEVENTH ADDITION. (LOCATION: 3425, 3431, & 3437 GRANITE WAY SOUTH) (VAC-2022-01)** ACTION TAKEN: A PUBLIC HEARING WAS SET FOR MARCH 14, 2022.  
**(B) FINAL PLAT OF QUARRY WOODS TENTH ADDITION (LOCATION: 3425, 3431; & 3437 GRANITE WAY SOUTH) (VAC-2022-01)** ACTION TAKEN: A PUBLIC HEARING WAS SET FOR MARCH 14, 2022.
21. **APPROVAL OF FINAL PLAT AND SUBDIVISION AGREEMENT FOR DEER CREEK CROSSING FOURTEEN.** ACTION TAKEN: APPROVED.
22. **SET A PUBLIC HEARING ON MARCH 14, 2022, APPROVING THE 2022 ST. CLOUD METRO SEWER SYSTEM FACILITY PLAN.** ACTION TAKEN: A PUBLIC HEARING WAS SET FOR MARCH 14, 2022.
23. **SET A PUBLIC HEARING ON MARCH 14, 2022, APPROVING THE 2022 NUTRIENT, ENERGY AND WATER RECOVERY FACILITY PLAN.** ACTION TAKEN: A PUBLIC HEARING WAS SET FOR MARCH 14, 2022.
24. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A JOINT POWERS AGREEMENT WITH THE CITY OF ST. JOSEPH FOR LEGAL SERVICES.** ACTION TAKEN: THE ADOPTED RESOLUTION WAS ASSIGNED NUMBER 2022-02-019.
25. **RESOLUTION SUPPORTING THE AUTHORITY TO IMPOSE A LOCAL SALES TAX TO FUND SPECIFIC CAPITAL IMPROVEMENTS PROVIDING A REGIONAL BENEFIT, TO ESTABLISH THE DURATION OF THE TAX AND THE REVENUE TO BE RAISED BY THE TAX, AND TO AUTHORIZE THE CITY TO ISSUE BONDS SUPPORTED BY THE SALES TAX REVENUE.** ACTION TAKEN: IT

WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER MASTERS, TO ADOPT THE RESOLUTION AS PRESENTED. CITY ADMINISTRATOR MATT STAEHLING EXPLAINED THAT MINNESOTA STATUTE GIVES AUTHORITY TO THE CITY OF ST. CLOUD TO IMPOSE LOCAL OPTION SALES TAX ON UP TO FIVE PROJECTS. THE LEGISLATURE ALREADY APPROVED THE MUNICIPAL ATHLETIC COMPLEX PROJECT. THE FOLLOWING FOUR PRIORITY REGIONAL PROJECTS WILL GO TO THE LEGISLATURE FOR AUTHORIZATION TO SEEK VOTER APPROVAL: A. HEATHERWOOD ROAD/METRO FORCEMAIN; B. COUNTY ROAD 74; C. 40<sup>TH</sup> STREET SOUTH; AND D. 2<sup>ND</sup>/3<sup>RD</sup> STREET NORTH. THE MOTION CARRIED BY A 6-0 VOTE.

#### **PUBLIC HEARING:**

26. **APPLICATION FOR AN ON-SALE WINE LICENSE FROM CEC ENTERTAINMENT, LLC DBA CHUCK E CHEESE, #779, 3318 WEST DIVISION STREET.** CITY CLERK SETH KAUFFMAN EXPLAINED THAT THE REQUEST IS FOR A WINE LICENSE. THE WINE LICENSE WOULD ALLOW PATRONS TO PURCHASE BEER WITH GREATER THAN 3.2% ALCOHOL CONTENT, AND ALSO ALLOW THE BUSINESS THE ABILITY TO INCREASE ALCOHOL SALES OPTIONS. STAFF RECOMMENDS APPROVAL. CITY COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO ONE SPOKE. THE PUBLIC HEARING WAS CLOSED. IT WAS MOVED BY COUNCILMEMBER MASTERS, SECONDED BY COUNCILMEMBER LARAWAY, TO APPROVE THE REQUEST AS PRESENTED. THE MOTION CARRIED BY A 6-0 VOTE.

#### **NEW BUSINESS:**

27. **TEMPORARY EXCAVATION PERMIT TO PROCESS WASTE ROCK FROM COLD SPRING GRANITE CHARCOAL 3 MINE SITE INTO CONSTRUCTION GRADE AGGREGATE. (LOCATION:3696, 3722, 3726 WEST ST. GERMAIN STREET, 2526 AND 2536 41<sup>ST</sup> AVENUE SOUTH, AND 2803 COUNTY ROAD 136) (TEP-2022-01)** COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN INTRODUCED THE ITEM. THE APPLICANT IS REQUESTING PERMISSION TO CONTINUE CRUSHING WASTE GRANITE MATERIAL AS ORIGINALLY APPROVED IN 2016. THE PLANNING COMMISSION AND STAFF RECOMMEND APPROVAL. IT WAS MOVED BY COUNCILMEMBER BRANDMIRE, AND COUNCILMEMBER LARAWAY, TO APPROVE THE REQUEST. COUNCILMEMBER LEWIS REPORTED THAT SHE VOTED IN THE NEGATIVE ON THE ORIGINAL REQUEST DUE TO HOURS OF OPERATION; HOWEVER, SHE HAS NOT RECEIVED ANY COMPLAINTS AND THE BUSINESS HAS BEEN IN COMPLIANCE. THE MOTION CARRIED BY A 6-0 VOTE.

#### **OPEN DISCUSSION & ANNOUNCEMENTS:**

IN HONOR OF BLACK HISTORY MONTH, COUNCILMEMBER LEWIS READ ALOUD THE POEM "CAGED BIRD" BY MAYA ANGELOU. THE POEM REFLECTS ON THE OPPRESSION OF BLACK PEOPLE IN AMERICA. SHE CONCLUDED HER COMMENTARY BY SHARING HER HEARTACHE FOR THE COUNTRY OF UKRAINE. SHE IMploRED THEM TO STAY STRONG TO MAINTAIN THEIR SOVEREIGNTY.

COUNCILMEMBER BRANDMIRE EXPRESSED HIS ADMIRATION FOR THE UKRAINIANS AS THEY FIGHT FOR THEIR FREEDOM. HE RECENTLY ATTENDED C.P.A.C. - CONSERVATIVE

POLITICAL ACTION CONFERENCE AND REPORTED THAT ALL THE SPEAKERS ADDRESSED STANDING UP AND FIGHTING FOR FREEDOM.

MAYOR DAVE KLEIS THANKED STEARNS COUNTY ADMINISTRATION FOR ALLOWING THE CITY TO UTILIZE SPACE FOR THE JANUARY AND FEBRUARY COUNCIL MEETINGS. THE MARCH 14, 2022, COUNCIL MEETING WILL BE CONDUCTED IN THE COUNCIL CHAMBERS AT OUR NEW CITY HALL LOCATION AT 1201 7<sup>TH</sup> STREET S. THERE WILL BE A RIBBON CUTTING CEREMONY AND PUBLIC OPEN HOUSE ON SATURDAY, MARCH 12, 2022, BEGINNING AT 10 A.M. THE MAYOR PUBLICLY THANKED AND COMMENDED COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN FOR BEING THE LEAD PERSON ON THE NEW CITY HALL PROJECT. HE ALSO ACKNOWLEDGED INFORMATION TECHNOLOGY DIRECTOR MICAH MYERS AND HIS STAFF FOR ALL THEIR PAST AND FUTURE WORK WITH THE MOVE, AS WELL AS ALL CITY EMPLOYEES. THE MAYOR ANNOUNCED THAT THE WEEK OF MARCH 7 - MARCH 11 (M-F) THE CURRENT CITY HALL WILL BE CLOSED TO THE PUBLIC DUE TO THE MOVE. PEOPLE CAN GO ON-LINE TO CONDUCT BUSINESS. THE DOORS TO THE NEW CITY HALL BUILDING AT 1201 7<sup>TH</sup> STREET SOUTH WILL BE OPEN TO THE PUBLIC ON MONDAY, MARCH 14, 2022 AT 9:00 A.M. REGULAR HOURS OF 8:00 A.M.-4:30 P.M. WILL REMAIN THEREAFTER.

**ADJOURNMENT:**

IT WAS MOVED BY COUNCILMEMBER LEWIS, SECONDED BY COUNCILMEMBER LARAWAY, TO ADJOURN THE MEETING AT 6:31 P.M. THE MOTION CARRIED BY A 6-0 VOTE.

**OPEN FORUM:**

NO ONE IN ATTENDANCE TO SPEAK.

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Jeff Goerger  
City Council President

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Seth Kauffman  
City Clerk