

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

August 8, 2011

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on August 8, 2011 at 6 p.m. in the City Council Chambers; and a Moment of Silence for our men and women serving in the Armed Forces.
2. Councilmember present were Berg, Goerger, Gohman, Hontos, Johnson, and Libert. Councilmember Masters was absent.

### Special Recognition:

3. **Proclamation declaring August 2011 as St. Cloud's Historic Preservation Month and the Presentation of the Century Homes Recognition and Annual Historic Preservation Awards.** Kelly Bartlow, Chair of the Heritage Preservation Commission, presented the Century Home recognition on one property – 331 19 ½ Ave. N. She also presented the Annual Heritage Preservation Award to the St. Cloud Rotary Club for their time, effort, and dedication to the renovation of the Eastman Park (Lake George Area). Jim Dwyer, incoming St. Cloud Rotary Club President, and Diane Kroska, Summertime by George event chair, were present to accept the award.

### Mayor's Budget Presentation:

4. Introduction of Mayor Dave Kleis's 2012 Budget. Mayor Kleis presented a brief overview of the 2012 budget.

### Consent Agenda:

5. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
6. **A) APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEEETING HELD JULY 11, 2011; AND  
B) APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF CITY**

**COUNCIL MEETING HELD JULY 25, 2011.**

ACTION TAKEN: Approved.

7. **APPOINTMENT TO THE HERITAGE PRESERVATION COMMISSION.**  
ACTION TAKEN: Approved the appointment of Tom Fischer to a first term to commence immediately and expire April 30, 2014.
8. **REAPPOINTMENTS TO THE PARK AND RECREATION BOARD.** ACTION TAKEN: Approved reappointments of Buddy King to his first full term to commence immediately and expire June 30, 2014, and Sandie Anderson to her second term to commence immediately and expire June 30, 2014.
9. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH AFSCME LOCAL UNION #748 (PROFESSIONAL EMPLOYEES UNIT).** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-8-102
10. **SET PUBLIC HEARING TO CONSIDER TRANSFER OF ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSE FOR 12 X'S INC. DBA GRANITE BOWL, 1740 WEST ST. GERMAIN, TO 12 X'S INC. DBA SOUTHWAY BOWL, 1222 33<sup>RD</sup> STREET SOUTH, ST. CLOUD.** ACTION TAKEN: Public hearing was set for August 22, 2011.
11. **APPLICATION FOR (A) A SEASONAL OUTDOOR LIQUOR LICENSE; AND (B) AN EXEMPTION FROM THE CITY'S NOISE ORDINANCE FOR THE VFW GRANITE POST 428 TO BE USED IN CONJUNCTION WITH THE ANNUAL CAR SHOW EVENT ON AUGUST 27, 2011, FROM 10 A.M. TO 7 P.M. IN THE CLUB PARKING LOT AT 9 18<sup>TH</sup> AVE. N.** ACTION TAKEN: Approved subject to conditions.
12. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR KAREN KAY HUTCHINS DBA KAREN HUTCHINS, 1143 11<sup>TH</sup> AVENUE SOUTH, ST.**

**CLOUD, MN.** ACTION TAKEN: Approved.

13. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ST. CLOUD INN, DBA HOLIDAY INN HOTEL AND SUITES, FOR CATERED ALCOHOLIC BEVERAGE SERVICE AT THE RIVER'S EDGE CONVENTION CENTER.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-8-103.
14. **SET A PUBLIC HEARING TO CONSIDER THE NEW ALIGNMENT FOR THE BEAVER ISLAND TRAIL PHASE #3 IMPROVEMENTS AND ACQUISITION OF ASSOCIATED ADDITIONAL RIGHT-OF-WAY.** ACTION TAKEN: Public hearing was set for August 22, 2011.
15. **PRESIDENTIAL DISASTER DECLARATION.** ACTION TAKEN: Approved.
16. **EMERGENCY REPLACEMENT OF EAST TAINTER GATE HOIST FOR THE HYDROELECTRIC GENERATION FACILITY.** ACTION TAKEN: Johnson/Berg moved approval. Motion carried unanimously.
17. **SUBDIVISION AGREEMENT FOR SUN VILLA ESTATES THREE.** ACTION TAKEN: Approved.
18. **RIGHT-OF-WAY ENCROACHMENT AGREEMENT FOR PANERA BREAD.** ACTION TAKEN: Approved.
19. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR AUGUST 22, 2011, TO CONSIDER LENZMEIER ADDITION IMPROVEMENTS.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-8-104.

**Open Forum:**

No one testified.

**Public Hearings:**

20. **APPLICATION FOR (A) AN OFF-SALE INTOXICATING LIQUOR LICENSE; AND (B) A LICENSE TO SELL TOBACCO FOR LIQUOR PIG LLC, (BRIAN FANFULIK) DBA LIQUOR PIG, 4221 CLEARWATER ROAD #108.** Gregg Engdahl, City Clerk, gave a brief overview of the application and recommended approval pending receipt of the following items: Favorable review from the Health Department; Proof of worker's compensation insurance; and Proof of liquor liability insurance. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Goerger/Johnson moved approval of (A) AN OFF-SALE INTOXICATING LIQUOR LICENSE. Motion carried unanimously. Goerger/Johnson moved approval of (B) LICENSE TO SELL TOBACCO FOR LIQUOR PIG LLC, DBA LIQUOR PIG, 4221 CLEARWATER ROAD #108. Motion carried unanimously.
  
21. **APPLICATION FOR THE EXPANSION OF THE LIQUOR SERVICE AREA FOR APPLE MINNESOTA, LLC, DBA APPLEBEES NEIGHBORHOOD BRILL AND BAR, 4190 WEST DIVISION STREET. ST. CLOUD.** Gregg Engdahl, City Clerk, gave a brief overview of the application and recommended approval. He noted he is still waiting for a favorable review from the Attorney's Office. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Goerger/Johnson moved approval. Motion carried unanimously.
  
22. **ORDINANCE REZONING PROPERTY LOCATED AT 407 38<sup>TH</sup> AVENUE NORTH FROM I1, LIGHT INDUSTRIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT.** Matt Glaesman, Community Development Director, presented an overview of the rezoning. Council President Libert opened the public hearing. No one testified. Berg/Goerger moved approval of: (1) ORDINANCE REZONING PROPERTY LOCATED AT 407 38<sup>TH</sup> AVENUE NORTH FROM I1, LIGHT INDUSTRIAL DISTRICT TO PUD, PLANNED UNITY DEVELOPMENT; and (2) RESOLUTION APPROVING PREMIER STORAGE PLANNED UNIT DEVELOPMENT GENERAL DEVELOPMENT PLAN. Motion carried unanimously.

Ordinance was assigned number 2506 and Resolution was adopted and assigned number 2011-8-105.

**Adjournment:** There being no further business to discuss the meeting was adjourned at 6:48 p.m.

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City Council President  
John Libert

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Jennifer Burrows, Recording Council Secretary