

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

July 11, 2011

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on July 11, 2011 at 6 p.m. in the City Council Chambers.
2. Moment of Silence for our men and women serving in the Armed Forces.
3. Councilmember present were Berg, Goerger, Gohman, Hontos, Johnson, Libert, and Masters.

### Special Recognition:

- 3B. Mayor Kleis presented a proclamation declaring July 18-23, 2011 as Crosswalk Awareness Week.

### Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEEETING HELD JUNE 6, 2011.** ACTION TAKEN: Approved.
6. **PARK MAINTENANCE SUPERVISOR UPGRADE.** ACTION TAKEN: Berg/Johnson moved approval. Members of the Council found the included information to be confusing. There was discussion among the Council on certain supervisor positions in the City that are exempt but are allowed overtime. It is there understanding that exempt employees do not receive overtime. Administration noted that some exempt positions do receive overtime due to history and/or bargaining rights, etc. The Council would like more information on these positions such as which positions are included in this and why and whether they will be changed. Councilmember Berg held the item over to the July 25, 2011 City Council meeting.

7. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH STEARNS COUNTY TO SHARE A JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$34,664.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-7-88.
8. **HERITAGE PARK LAND LEASE TO COOPERATIVE NETWORK SYSTEMS, LLC.** ACTION TAKEN: Councilmember Berg had a concern that the building will intrude on the landscape of this nice area and feels that it shouldn't be adjacent to the highway. Berg/Goerger moved approval. Motion carried 5-1; Councilmember Berg voted against.
9. **RESOLUTION ACCEPTING BIDS AND AUTHORIZING CIVIC CENTER EXPANSION BID PACKAGE #12-B-TELESCOPIC EXHIBIT HALL SEATING.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-7-89.
10. **APPLICATIONS FOR RENEWAL OF LOADING ZONE PERMITS IN DOWNTOWN METERED PARKING AREA AND IN THE "E" AND "G" PARKING PERMIT ZONES FOR JULY 1, 2011, THROUGH JUNE 30, 2012.** ACTION TAKEN: Approved.
11. **APPLICATION FOR A SPECIAL PARKING ZONE PERMIT AT 305 16<sup>TH</sup> AVENUE NORTH.** ACTION TAKEN: Approved.
12. **AUTHORIZE MAYOR AND CITY CLERK TO ENTER INTO AGREEMENT WITH THYSSENKRUPP FOR CITY HALL ELEVATOR UPGRADES.** ACTION TAKEN: Approved.
13. **RESOLUTION BY THE CITY OF ST. CLOUD, MINNESOTA, CALLING FOR PUBLIC HEARING ON JULY 25, 2011, ON APPROVAL OF A TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT RENEWAL AND RENOVATION DISTRICT NUMBER THIRTY (30), A MINNESOTA INVESTMENT FUND LOAN, A REVOLVING LOAN FUND LOAN AND**

**APPROVAL OF BUSINESS SUBSIDIES, ALL REGARDING A PROPOSED DEVELOPMENT BY MICROBIOLOGICS, INC.** ACTION TAKEN:

Matt Glaesman, Community Development Director, presented the item and noted that the EDA Board held public hearings and has recommended approval of the TIF district and private development contract for Microbiologics. Councilmember Hontos expressed a couple of concerns both relating to the contract. His concern is that it didn't include adequate information regarding the transfer of benefit and actions in the event of non-performance by the applicant. Councilmember Goerger agreed with Councilmember Hontos and would like further discussion and a plan put into place. He wondered if there was an opportunity to meet with the EDA Board. Mayor Kleis mentioned that two council members serve on the EDA Board and meeting once or twice a year is a possibility. He also mentioned that the EDA Board is in place to provide advice on business/economic development but it's the City Council that makes the decision. Hontos/Gohman moved to set the public hearing for July 25, 2011. Motion carried 5-0; Councilmember Berg was absent for the vote. Resolution was adopted and assigned number 2011-7-90.

14. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A TOWER OPERATING AGREEMENT (TOA) BETWEEN THE FEDERAL AVIATION ADMINISTRATION (FAA) AND THE CITY OF ST. CLOUD.** ACTION TAKEN: Item was withdrawn by the Administration.

**Open Forum:**

No one testified.

**Public Hearings:**

15. **AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE ST. CLOUD LAND DEVELOPMENT CODE RELATED TO FLOODPLAIN REGULATIONS: ARTICLE 3 – RESIDENTIAL DISTRICTS, SECTION 3.2 PUBLIC NOTICE, D. MAILED NOTICE, 2.; ARTICLE 4 – LAND USE APPLICATIONS AND ENFORCEMENT, SECTION 4.1 TEXT AMENDMENT AND REZONING, C.**

**AUTHORITY, 3.; ARTICLE 5 – SUBDIVISION APPLICATION AND APPROVAL, SECTION 5.11 ADDITIONAL ENVIRONMENTAL REGULATIONS, C., 1.; ARTICLE 6 – ZONING DISTRICTS, SECTION 6.4 ANNEXATIONS AND SECTION 6.6 BOUNDARY LINES; ARTICLE 12 – OVERLAY DISTRICTS AND DESIGNATED AREAS, SECTION 12.1 FLOODPLAIN OVERLAY DISTRICT; ARTICLE 20 – NONCONFORMITIES, SECTION 20.2 GENERAL STANDARDS OF APPLICABILITY AND SECTION 20.4 NONCONFORMING STRUCTURE; ARTICLE 21 – DEFINITIONS, SECTION 21.5 GENERAL TERMS DEFINITIONS.**

Matt Glaesman, Community Development Director gave a brief overview. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Berg/Goerger moved approval. Motion carried unanimously. Ordinance was assigned number 2505.

**Open Discussion:**

- Council President Libert read a letter sent by Mark Bragelman, President of Liberty Savings Bank. The letter was thanking the City for supporting the Liberty Block Party which helped to make it a success.
- Councilmember Gohman requested an update on the State shutdown. Mayor Kleis noted that there is concern that if the shutdown doesn't end before August 1 we may not be able to start the interchange at 5<sup>th</sup> Ave. S. and University Avenue.

**Adjournment:** There being no further business to discuss the meeting was adjourned at 7:01 p.m.

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City Council President  
John Libert

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Jennifer Burrows, Recording Council Secretary