

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

December 17, 2012

1. Following the Pledge of Allegiance, a Special meeting of the City Council of the City of St. Cloud, Minnesota, was held on December 17, 2012 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. 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:

4. **Presentation of the “Key to the City” to Sonja Berg in honor of her 22 years of public service on the City Council.**
5. **Sherburne County Soil and Water presents honors to St. Cloud Public Services as the 2012 Outstanding Conservation Cooperator – Southeast St. Cloud Clean Water Retrofit Project.**

Consent Agenda:

6. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
7. **APPROVAL OF THE MEETING MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON NOVEMBER 19, 2012.** ACTION TAKEN: Approved.
8. **RENEWAL OF A CONVENTION AND VISITOR’S AGREEMENT WITH THE ST. CLOUD AREA CHAMBER OF COMMERCE FOR ONE YEAR.** ACTION TAKEN: Hontos/Gohman moved approval. Motion carried unanimously.
9. **ORDINANCE TO CREATE A CONVENTION CENTER ADVISORY COMMITTEE.** ACTION TAKEN: Reading and public hearing were set for January 7,

2013. Assigned proposed ordinance number 2012-25.

10. **JOB DESCRIPTION REVISIONS AND RECLASSIFICATIONS FOR THE PUBLIC SERVICES ACCOUNTANT AND ACCOUNTANT II POSITIONS.** ACTION TAKEN: Approved.
11. **APPLICATIONS FOR (A) TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE AND (B) EXEMPTION FROM THE CITY'S NOISE ORDINANCE FOR THE MINNESOTA YOUTH FOUNDATION, 805 9TH ST. N., SARTELL, MN FOR THE GRANITE CITY WINTER FESTIVAL TO BE HELD JANUARY 25-27 AT LAKE GEORGE.** ACTION TAKEN: Approved.
12. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH AFSME COUNCIL 65, LOCAL 748, PROFESSIONAL EMPLOYEES.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2012-12-186.
13. **AN ORDINANCE AMENDING CHAPTER 125 OF THE 2007 CODE OF ORDINANCES ENTITLED, COMPENSAION OF COUNCIL MEMBERS, BY ADDING A NEW SECTION 125.15 3NTITLD, MONTHLY EXPENSE ALLOWANCE.** ACTION TAKEN: Hontos/Goerger moved to postpone this item indefinitely. Motion carried unanimously.
14. **APPROVAL OF PURCHASE OF A DIRECT-LINK CRISIS PHONE SYSTEM AND A PROTECH NATO 2 SHIELD WITH VIEWPORT FOR USE BY THE ST. CLOUD TACTICAL RESPONSE TEAM.** ACTION TAKEN: Approved.
15. **RESOLUTION APPROVING THE WHITNEY REGIONAL PARK AS THE LOCATION FOR THE COMMUNITY AQUATICS CENTER.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2012-12-187.
16. **APPROVAL OF CHANGE ORDER #16 FOR THE WASTEWATER TREATMENT REHABILITATION, UPGRADE AND EXPANSION PROJECT.**

ACTION TAKEN: Approved.

17. **RESOLUTION AMENDING THE 2003 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN TO CHANGE THE PROPERTIES AT 3153, 3163, & 3225 COUNTY ROAD 74 FROM OFFICE/BUSINESS PARK AND HIGH DENSITY MIXED RESIDENTIAL TO COMMERCIAL. (LOCATION: 3153, 3163, & 3225 COUNTY ROAD 74).** ACTION TAKEN: Public hearing was set for January 7, 2013.
18. **ORDINANCE VACATING A 10’ WIDE BY 50’ LONG SEGMENT OF A 15’ WIDE UTILITY EASEMENT THAT RUNS PARALLEL TO WESTERN PROPERTY LINE OF LOT 2, BLOCK 1, KAPS ADDITION, LOCATED AT 2109 PLEASANT AVENUE.** ACTION TAKEN: Reading and public hearing were set for January 7, 2013. Assigned proposed ordinance number 2012-26.
19. **RESOLUTION RECEIVING CITY ENGINEER’S REPORT AND SETTING A PUBLIC HEARING FOR JANUARY 7, 2013, TO CONSIDER 8TH AVENUE S.E. AREA IMPROVEMENTS.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2012-12-189.

Open Forum:

No one testified.

Public Hearings:

20. **APPLICATION FRO AN ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSE FOR ST. CLOUD DOWNTOWN HOTEL, LLC, DBA COURTYARD SUITES BY MARRIOTT, 404 WEST ST. GERMAIN.** Gregg Engdahl, City Clerk, presented the application. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Goerger/Gohman moved approval. Motion carried unanimously.
21. **RESOLUTION ADOPTING 2013 BUDGETS FOR ENTERPRISE FUND.**

Michael Williams, City Administrator, introduced the budget. John Norman, Finance Director, presented the budget and noted that the biggest change was with refuse division and new carts/trucks. City Council President Libert opened the public hearing. No one testified. City Council Libert closed the public hearing. Masters/Berg moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2012-12-188.

22. **A) ORDINANCE AMENDING SECTION 300:40 OF THE 2007 CODE OF ORDINANCES FOR THE CITY OF ST. CLOUD, ENTITLED RENTAL DWELLING LICENSING, BY AMENDING SECTION 300:40, SUBDIVISION 10, ENTITLED LICENSE SUSPENSION, REVOCATION, DENIAL AND NON-RENEWAL.**

B) ORDINANCE AMENDING CHAPTER 400 OF THE 2007 CODE OF ORDINANCES FOR THE CITY OF ST. CLOUD, ENTITLED GENERAL PROVISIONS FOR ISSUANCE OF LICENSES AND PERMITS, BY AMENDING SECTION 400:63 ENTITLED, PAYMENT OF TAXES ON LICENSED PREMISES.

Matt Staehling, City Attorney, presented the ordinances and noted that these were brought forward at the request of the City Council. There are two ordinance presented. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Gohman/Goerger moved approval of Item A – Ordinance amending Section 300:40, Subdivision 10. Motion carried unanimously. Ordinance was assigned number 2542. Berg/Goerger moved approval of Item B – Ordinance amending Chapter 400, Section 400:63. Motion carried unanimously. Ordinance was assigned number 2543. Hontos/Goerger request that staff explore linking delinquent charges on one rental property to another rental properties owned by the same person and provide an update to the Council on this in 90 days. Motion carried unanimously.

23. **ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE 2007 CODE OF ORDINANCES; SECTION 525, FIRE DEPARTMENT FEES; SECTION 540,**

MUNICIPAL ATHLETIC COMPLEX FEES; AND SECTION 575, PUBLIC UTILITIES DEPARTMENT FEES.

Michael Williams, City Administrator, presented the ordinance pertaining to fee increases. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Masters/Johnson moved approval of the ordinance. Motion carried unanimously. Ordinance was assigned number 2544.

Open Discussion:

- Councilmember Hontos requested discussion on Ordinance 2531 – which established a temporary reduction in building fees for single-family home construction. Mr. Hontos questioned why he had not received an ‘end of year report’ on this program. Michael Williams, City Administrator, noted that the City will be given a report once the end of the program takes place on December 31, 2012, at which time a report will be compiled and given to the City Council. Councilmember Hontos’s concern is that if they receive a report after December 31, 2012 the program will be expired. Hontos/Berg moved that this ordinance be on the agenda for the first meeting in January at which time they can choose to set a public hearing to review the ordinance or expand/continue the program. Motion carried unanimously.
- Councilmember Johnson requested discussion on an item from the December 3 City Council meeting in regard to 10th Avenue Area Improvements. The improvements were approved at that meeting. Councilmember Johnson requested that Steve Foss, City Engineer, briefly describe the project including the plan for sidewalks. Johnson/Hontos moved to reconsider the item. Motion failed 3-4; Councilmembers Berg, Goerger, Libert, and Masters voted against.
- Mayor Kleis introduced a City Holiday video that was played at the end of the meeting.

Adjournment: There being no further business to discuss the meeting was adjourned at 7:22 p.m.

City Council President

John Libert

Jennifer Burrows, Recording Council Secretary