

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

MARCH 11, 2013

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on March 11, 2013, at 6 p.m. in the City Council Chambers.
2. A Moment of Silence was held for our men and women serving in the Armed Forces.
3. Roll call. Members present: Gohman, Hontos, Johnson, Lewis, Libert and Masters; Council President Goerger was absent. Vice President Libert convened the meeting.

### CONSENT AGENDA:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved with the inclusion of Hontos' request to discuss the Charter Communication Survey under Open Discussion.
5. **APPROVAL OF THE MEETING MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 25, 2013.** ACTION TAKEN: Approved.
6. **RESOLUTION APPROVING BUSINESS SUBSIDY AGREEMENTS REGARDING THE GERINGHOFF MANUFACTURING LLC AND GERINGHOFF DISTRIBUTION LLC PROJECT.** ACTION TAKEN: Resolution adopted and assigned number 2013-3-35.
7. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE PENDING A SATISFACTORY INSPECTION BY THE HEALTH & INSPECTIONS DEPARTMENT FOR ESSENTIAL ELEMENTS/JANE RECKOW CMT, 600 25TH AVENUE SOUTH, SUITE 210, ST. CLOUD.** ACTION TAKEN: Approved.
8. **RESOLUTION ADOPTING THE STIPULATION BETWEEN THE CITY OF ST. CLOUD AND RUM RUNNER'S SPIRITS & BREW PUB REGARDING INTOXICATING LIQUOR LICENSE VIOLATIONS OF SECTION 810 OF THE ST. CLOUD CODE OF ORDINANCES AND CHAPTER 240A.503 OF MINNESOTA STATUTES.** ACTION TAKEN: It was moved by Hontos, seconded by Gohman, to approve the resolution. Discussion was held on the process (outlining the timeframe, expenses and staff efforts) from the actual date of the violation to the date of assessing the civil penalty fine. City Attorney Matt Staehling gave a brief overview of the process. Following discussion, the motion unanimously carried. Resolution adopted and assigned number 2013-3-36.
9. **ACCEPTANCE OF THE \$9,300 OTTO BREMER FOUNDATION GRANT FOR PROMOTION OF FALLS PREVENTION PROGRAM.** ACTION TAKEN: Approved.
10. **PROFESSIONAL SERVICES AGREEMENT FOR THE HYDROELECTRIC GENERATION FACILITY TRANSITION WALL REPAIR PROJECT.** ACTION TAKEN: Approved.

11. **RESOLUION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AGREEMENT WITH LILI PAYNE TO DESIGN, FABRICATE, AND INSTALL A MURAL UPON PRIVATE PROPERTY AT 113 5TH AVENUE SOUTH AND 110 6TH AVENUE SOUTH.** ACTION TAKEN: Resolution adopted and assigned number 2013-3-41.

12. (A) **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR WASHINGTON MEMORIAL DRIVE FROM ROOSEVELT ROAD (CSAH 75) TO UNIVERSITY DRIVE IMPROVEMENTS, CONTRACT 2013-02, S.A.P. 162-123-011.**

(B) **RESOLUTION RELATING TO PARKING RESTRICTIONS ON WASHINGTON MEMORIAL DRIVE, S.A.P. 162-123-011.** ACTION TAKEN: Resolutions adopted and assigned numbers 2013-3-37 and 2013-3-38 respectively.

13. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR 10TH AVENUE NORTH AREA NEIGHBORHOOD IMPROVEMENTS - PHASE 4, CONTRACT 2013-03.** ACTION TAKEN: It was moved by Hontos, seconded by Masters, to approve the resolution. It was then moved by Hontos, seconded by Gohman, to amend the resolution as follows: "to exclude the two-block sidewalk on the East side of 13th Avenue between 9<sup>th</sup> Street and 11<sup>th</sup> Street." The amendment failed by 3-3 vote with Lewis, Libert, and Masters voting against. The original motion carried by a vote of 5-1 with Hontos voting against. The adopted Resolution was assigned number 2013-3-39.

14. **RESOLUTION APPROVING A COOPERATIVE CONSTRUCTION AGREEMENT WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE TRAFFIC SIGNAL INTERCONNECTION SYSTEM ALONG T.H. 15 BETWEEN 2ND STREET SOUTH AND 12TH STREET NORTH.** ACTION TAKEN: Resolution adopted and assigned number 2013-3-40.

**OPEN FORUM:** No one spoke.

**PUBLIC HEARINGS:**

15. **ORDINANCE REZONING PROPERTY LOCATED AT 712 17TH AVENUE SOUTH AND 1602 7TH STREET SOUTH FROM R2, SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD). (LOCATION: 712 17TH AVENUE SOUTH AND 1602 7TH STREET SOUTH) (REZ-**

**2013-01)** Community Development Director Matt Glaesman gave a brief overview of the applicant's request to rezone the former Garfield Elementary School into a 29-unit senior housing complex. The existing building would be remodeled to house 17 dwelling units and the remainder of the dwelling units would be in three buildings with 4-dwelling units each. The buildings will be built to the east of the existing building. The units would be rented to people 55 years or older.

**Clint Jayne, 6800 W. 64<sup>th</sup> Street, Suite 101, Overland Park, KS 66202; applicant (Cohen Esrey Affordable Partners LLC);** displayed schematics of the proposed building plans. The proposed development, Garfield Historic Residences, will be comprised of both one and two bedroom floor plans and be promoted as affordable living accommodations for seniors aged 55 and older. Seventeen units will be created in the existing school building, with 12 additional units in the new construction of three fourplexes. He also spoke to the proposed historic window replacement (three over three window design) for energy efficiency.

**Chris DesMarais, 1540 Garfield Court;** asked how the exterior lighting of the buildings would impact the neighborhood. He enjoys astronomy/star gazing and was hopeful that the lighting aspect for the development would be constructed so as not to produce light pollution.

**Maia Schroeder, 804 17<sup>th</sup> Avenue S.;** lives a block and-a-half south of the site and supports the project. She did, however, ask for the property to revert back to its original zoning status should the project halt due to any lack of federal and state tax credits.

**Christina Dingmann, 709 17<sup>th</sup> Avenue S.;** asked about the timeline of the construction of the project and when it would be move-in ready?

**Lynn Chevalier, 1617 8<sup>th</sup> Street S.;** asked for documentation to assure that if the project doesn't go thru that the zoning would revert back to its original status. She also brought up the issue of parking. She was upset with the ruts in her alley and the lack of concern by city staff for the poor condition of her alley. She said that driving thru her alley resulted to damage to her car. She expressed disappointment for lack of parking available to her neighborhood.

There being no one else wishing to speak, Council Vice President Libert closed the public hearing. It was moved by Councilmember Hontos, seconded by Councilmember Gohman, to adopt the ordinance. Council discussion ensued. Community Development Director Glaesman addressed the concerns of the speakers. He suggested that the term of "independent living facility" could be added to the Allowed Uses, Sections 3.1 and 3.2, and language could be added to Section 7, Approved Site Plan that states that alteration/construction must begin no later than January 1, 2014. Councilmember Lewis suggested adding a clause stating that the zoning must revert back to R2 if the project ceases. Councilmember Hontos talked about including specific language that ties approved funding to this project. Glaesman said the Council has authority to take further action should the funding not be obtained. Following discussion, it was moved by Hontos, seconded by Gohman, to amend the original motion to include additional language to the

General Development Plan that includes the term “independent living facility” to the Allowed Uses, Section 3.1 and 3.2, and language to Section 7 that sets a deadline of January 1, 2014, for the development project to begin. The amendment motion unanimously carried. The applicant, Mr. Jayne, was agreeable to the conditions. He gave an overview of the timetable for the project, noting that demolition should begin by January 1. He discussed some of the unique details of altering the Garfield school into rental units, such as the openness of the 12 to 14 ft. ceilings, the three on three energy efficient windows, the grandeur staircase, the historic woodwork, and the renovation of the old gymnasium into a community room/library/business center. The motion as amended carried by a 6-0 vote. The adopted Ordinance was assigned number 2550.

**OPEN DISCUSSION & ANNOUNCEMENTS:**

Councilmember Hontos announced that the City of St. Cloud will be conducting an online survey for its residents on the Charter Cable Television services. Mayor Kleis confirmed that the survey can be conducted online (link set up on the city’s website), or for residents without a computer, the survey can be mailed to them or can be conducted by phone by contacting the Mayor’s office. The survey is to be completed by one adult member (age 18 or older) per household. The survey will close out at the end of March.

Community Development Director Glaesman announced a Joint Meeting of the City Council, Planning Commission, Transportation Infrastructure Advisory Board, and the Park & Recreation Board will be held Thursday, March 14, at 5 p.m. in the City Council Chambers. The meeting is for the purpose of discussing the Capital Improvement Plan.

**ADJOURNMENT:**

There being no further business to discuss, Council Vice President Libert adjourned the meeting at 6:52 p.m.

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Council Vice President John Libert

Respectfully submitted by

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Sandy Hilsgen  
Recording Council Secretary