

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

March 25, 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 25, 2013 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 Goerger, Gohman, Hontos, Johnson, Lewis, Libert, and Masters.

### Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF THE MEETING MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 11, 2013.** REQUESTED ACTION: Approved.
6. **A) AUTHORIZING A SPECIAL “100<sup>TH</sup> ANNIVERSARY OF PIONEER PLACE” EVENT TO BE CONDUCTED FROM 5 P.M. TO 10 P.M. ON AUGUST 3, 2013, ON 5<sup>TH</sup> AVENUE.** ACTION TAKEN: Hontos/Gohman moved approval. Motion carried unanimously.  
**B) REQUEST TO CLOSE A PORTION OF 5<sup>TH</sup> AVENUE SOUTH BETWEEN ST. GERMAIN STREET AND 1<sup>ST</sup> STREET SOUTH FOR THE 100<sup>TH</sup> ANNIVERSARY OF THE PIONEER PLACE ON AUGUST 3, 2013.** ACTION TAKEN: Approved.
7. **A) APPLICATIONS FOR 1) EXEMPTION FROM THE CITY’S NOISE ORDINANCE; AND 2) A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR THE ANNUAL ST. MARY’S BLOCK PARTY TO BE HELD ON SEPTEMBER 7, 2013.** ACTION TAKEN: Approved.  
**B) REQUEST FROM ST. MARY’S CATHEDRAL TO CLOSE A PORTION OF**

**1<sup>ST</sup> STREET SOUTH FOR THE ST. MARY'S BLOCK PARTY HELD ON SATURDAY, SEPTEMBER 7, 2013. ACTION TAKEN: Approved.**

8. **APPLICATION FOR AN ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSE FOR SHORT STOP RESTAURANTS, INC. DBA SHORT STOP RESTAURANT, 3701 3<sup>RD</sup> STREET NORTH. ACTION TAKEN: Public hearing set for April 22, 2013.**
9. **APPLICATION FROM LACIE MOCKROS FOR AN EXEMPTION FROM THE CITY'S NOISE ORDINANCE FOR AN EVENT TO BE HELD FROM 7 P.M. TO 11 P.M. ON JUNE 8 AT 3508 16<sup>TH</sup> AVENUE SOUTH. ACTION TAKEN: Approved with conditions as noted by the Police Department.**
10. **APPLICATIONS FOR 1) AN EXEMPTION FROM THE CITY'S NOISE ORDINANCE; AND 2) TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR ST. KATHARINE DREXEL SCHOOL FOR A MAYFEST EVENT TO BE HELD MAY 17, 2013 FROM 4 P.M. TO 10 P.M. ACTION TAKEN: Approved.**
11. **RENEWAL OF MISCELLANEOUS 2013 LICENSES FOR MCRUDY'S PUB, RUM RUNNERS SPIRITS & BREW CLUB AND CENTRAL CAMPUS BOOKS. ACTION TAKEN: Gregg Engdahl commented that the renewal for Rum Runners not be approved at this time due to the fact that the establishment is on the delinquent tax posting for sales tax. Libert/Masters moved approval of Miscellaneous 2013 Licenses for McRudy's Pub and Central Campus Books. Motion carried unanimously.**
12. **RESOLUTION ADOPTING THE STIPULATION BETWEEN THE CITY OF ST. CLOUD AND MCS FOOD VENTURES, INC. DBA MCRUDY'S PUB, REGARDING A VIOLATION OF 810:70 OF THE 2007 CODE OF ORDINANCES. ACTION TAKEN: Hontos/Gohman moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2013-3-42.**

13. **RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH JAMA ALIMAD, DBA SAFARI CULTURE, FOR THE PURPOSE OF OPERATING A RESTAURANT CONCESSION WITHIN THE ST. CLOUD PUBLIC LIBRARY BUILDING.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-3-43.
14. **RESOLUTION APPROVING THE 2012 NORTHEAST ST. CLOUD DRAINAGE ANALYSIS.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-3-44.
15. **RESOLUTION APPROVING THE 2013 CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT ACTION PLAN FOR YEAR FOUR USE OF FUNDS FOR THE CITY OF ST. CLOUD'S 2013 CDBG PROGRAM YEAR.** ACTION TAKEN: Public hearing was set for April 22, 2013.
16. **ORDINANCE VACATING HERB BROOKS WAY FROM 4<sup>TH</sup> AVENUE SOUTH TO 3<sup>RD</sup> AVENUE SOUTH.** ACTION TAKEN: Lewis/Masters moved to set public hearing. Motion carried unanimously. Reading and public hearing were set for April 8, 2013. Assigned proposed ordinance number 2013-04.
17. **ORDINANCE AMENDING ARTICLE 19 – OFF-SITE DEVELOPMENT STANDARDS, SECTION 19.12 – EROSION AND SEDIMENT CONTROL, OF THE LAND DEVELOPMENT CODE REGARDING LAND DISTURBANCE PERMIT PROCESS. (LDC-2013-01)** ACTION TAKEN: Reading and public hearing set for April 8, 2013. Assigned proposed ordinance number 2013-05.
18. **RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR 8<sup>TH</sup> AVENUE S.E. AREA IMPROVEMENTS, CONTRACT 2013-09.** ACTION TAKEN: Councilmember Hontos brought forward concerns in regard to this project. He recommended that the project be voted down and that the Administration develop guidelines or a more specific policy to guide such a project. Councilmember Lewis expressed her thoughts that the

Council did a disservice by bringing this back after it was voted down. The Council requested that the sidewalk policy and financial policy be discussed at a Study Session. Mayor Kleis stated that this could possible by put on a Study Session agenda in May. Hontos/Johnson moved approval of the resolution. The motion failed 0-7.

19. **REQUEST FOR AN EXEMPTION FROM THE CITY NOISE ORDINANCE TO ALLOW FOR NIGHTTIME CONSTRUCTION FOR LINE REPAIRS TO THE VETERANS DRIVE LINING AND SEWER INTERCEPTOR SYSTEM (SIS) PHASE 1 PROJECT AREAS.** ACTION TAKEN: Approved.
  
20. **RESOLUTION APPROVING THE COOPERATIVE CONSTRUCTION AGREEMENT WITH STEARNS COUNTY FOR THE CITY COST PARTICIPATION IN THE CSAH 75 FROM 33<sup>RD</sup> STREET SOUTH TO 41<sup>ST</sup> STREET SOUTH IMPROVEMENTS.** ACTION TAKEN: Hontos/Libert moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2013-3-45.
  
21. **A) ACCEPTANCE OF LOW QUOTE FROM PARKING LOT MAINTENANCE FOR CRACK REPAIR AT THE ST. CLOUD REGIONAL AIRPORT CONTINGENT UPON RECEIVING STATE FUNDS.** ACTION TAKEN: Approved.  
**B) RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT FOR STATE FINANCIAL ASSISTANCE FOR MISCELLANEOUS CRACK REPAIR FOR THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-3-46.
  
22. **APPROVAL TO SUSPEND COMPETITION FOR CLASSIFIED POSISITON OF CITY ASSESSOR.** ACTION TAKEN: Approved.

**Open Forum:**

Gary Markfort, 728 8<sup>th</sup> Ave. SE. Mr. Markfort addressed the City Council on an observation that he has made in regard to the City. He feels that information is

not presented adequately to the public and that there needs to be a stronger effort in communication with the affected property owners.

**New Business:**

23. **PURCHASE OF RECYCLING CARTS AND RELATED ITEMS REQUIRED FOR THE TRANSITION TO AN AUTOMATED RECYCLING PROGRAM.**

Pat Shea, Public Services Director, and Gerald Kaeter, Public Works Supervisor, gave a brief presentation on the new recycling carts that will be given to residents of St. Cloud. The cost of these carts is being paid through the current rate. Libert/Masters moved approval. Motion carried unanimously.

**Open Discussion & Announcements:**

- Mayor Kleis gave an update on the Mississippi River Cities & Town Initiative.
- Councilmember Jeff Johnson brought forward discussion on sequestrations and the St. Cloud Air Traffic Tower being just down. He is concerned that the City should take action and express to the federal government their discontent with this. Mayor Kleis stated that they have done this and have met with many individuals to try to stop the tower from closing.

**Adjournment:** There being no further business to discuss the meeting was adjourned at 7:29 p.m.

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City Council President

Jeff Goerger

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Jennifer Burrows, Recording Council Secretary