

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

July 29, 2013

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on July 29, 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.

Special Recognition:

4. **Proclamation declaring Tuesday, August 6, 2013 to be “National Night Out in the City of St. Cloud”.**
5. **Presentation of Citizen Fire Safety Award to Matthew Quiring for actions taken June 16, 2013.**
6. **Presentation of Citizen Fire Safety Awards to Eric Spielmann, Alexander Stolt, Benjamin Riedman and Alex Hostan for their actions on July 18, 2013.**
- 6A. Mayor Kleis announced an agreement with St. Cloud State University in regard to “Community Policing.” There will be three new officers assigned to SCSU paid for by the University. Dr. Potter addressed the Council and noted that they looked at every resource and avenue before allocating funds for these officers.

Consent Agenda:

7. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
8. **APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 24, 2013.** REQUESTED ACTION: Hontos/Masters moved to approve minutes as amended (Item #32) – *Councilmember Lewis announced that she will ~~abstain~~ recuse herself from both the discussion and the vote on this matter.* Motion carried 6-0: Councilmember Lewis abstained.
9. **RESOLUTION AUTHORIZING ISSUANCE OF A CHARITABLE GAMBLING**

PREMISES PERMIT FOR THE GRANITE CITY LUMBERJACKS, INC. FOR ACTIVITIES TO BE CONDUCTED AT ACE BAR AND GRILL, 423 EAST ST. GERMAIN STREET. ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-7-94.

10. **RESOLUTIONS ADOPTING THE STIPULATION BETWEEN THE CITY OF ST. CLOUD AND VARIOUS TOBACCO LICENSE ESTABLISHMENTS REGARDING TOBACCO VIOLATIONS OF SECTION 424 OF THE ST. CLOUD CODE OF ORDINANCES.**

A) VUKE'S PRO FUEL;

B) COBORN'S LIQUOR; AND

C) PILOT TRAVEL CENTER. ACTION TAKEN: Approved. Resolutions were adopted and assigned numbers: A) 2013-7-95; B) 2013-7-96; and C) 2013-7-97.

11. **IMPLEMENTATION OF BENETRAC SOFTWARE. ACTION TAKEN:** Hontos/Libert moved approval. Motion carried unanimously.

12. **APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ELERT & ASSOCIATES FOR DEVELOPMENT OF AND RFP FOR A FIRE STATION ALERTING SYSTEM. ACTION TAKEN:** Approved.

13. **ACCEPTANCE OF LOW QUOTE FOR THE SCENIC RIVER TRAIL SEAL COATING AND BITUMINOUS OVERLAY MAINTENANCE PROJECT. ACTION TAKEN:** Approved.

14. **RESOLUTION ACCEPTING LOW BID FOR BEAVER ISLAND TRAIL PHASE 4 IMPROVEMENTS, CONTRACT 2013-11. ACTION TAKEN:** Approved. Resolution was adopted and assigned number 2013-7-98.

15. **2013 BITUMINOUS STREET RESURFACING IMPROVEMENTS, CONTRACT 2013-16:**

A) RESOLUTION ACCEPTING LOW BID FOR 2013 BITUMINOUS STREET

RESURFACING IMPROVEMENTS, CONTRACT 2013-16.

B) RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ST. CLOUD, MINNESOTA, TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY, CONTRACT 2013-16.

ACTION TAKEN: Approved. Resolutions were adopted and assigned numbers: A) 2013-7-99 and B) 2013-7-100.

16. **APPROVAL OF LOW QUOTE FROM INDEPENDENT TESTING TECHNOLOGIES FOR GEOTECHNICAL SERVICES FOR SEBERGER NEIGHBORHOOD IMPROVEMENTS.** ACTION TAKEN: Approved.
17. **ACCEPTANCE OF A SCORE GRANT FROM SHERBURNE COUNTY IN THE AMOUNT OF \$10,000 FOR THE TRANSITION TO CARTS/SINGLE SORT RECYCLING.** ACTION TAKEN: Approved.
18. **AN ORDINANCE AMENDING SECTION 244 OF THE 2007 CODE OF ORDINANCES ENTITLED “REFUSE, RUBBISH AND RECYCLING COLLECTION AND DISPOSAL”.** ACTION TAKEN: Hontos/Lewis moved approval of setting the public hearing for August 12, 2013. After some discussion, Hontos/Gohman moved to amend the motion that the ordinance includes a recommendation from staff that includes a mandatory requirement for rental properties. Motion to amend carried unanimously. Motion as amended carried unanimously. Assigned proposed ordinance number 2013-15.

Open Forum:

No one testified.

Public Hearings:

19. **RESOLUTION AMENDING THE NU WAY MISSIONARY BAPTIST CHURCH PLANNED UNIT DEVELOPMENT TO ALLOW INDUSTRIAL, MANUFACTURING, AND PROFESSIONAL SERVICES WITHIN THE**

EXISTING STRUCTURE. Matt Glaesman, Community Development Director, presented a brief overview and recommended approval of II. Council President Goerger opened the public hearing. No one testified. Council President Goerger closed the public hearing. Libert/Gohman moved approval as recommended. Motion carried unanimously. Resolution was adopted and assigned number 2013-7-101.

20. **ORDINANCE VACATING 19TH AVENUE NORTH FROM 1ST STREET NORTH TO THE DIVISION RIGHT-OF-WAY.** Councilmember Libert recused himself from discussion and vote. Matt Glaesman, Community Development Director, presented the ordinance and noted that the Planning Commission recommended approval. Council President Goerger opened the public hearing. No one testified. Council President Goerger closed the public hearing. Gohman/Masters moved approval. Motion carried 6-0; Councilmember Libert abstained. Ordinance was assigned number 2560.

Old Business:

21. **ENVIRONMENTAL REVIEW OF THE PROPOSED CHARCOAL 3 GRANITE QUARRY ON APPROXIMATELY 30 ACRES LOCATED WITHIN PORTIONS OF SECTION 21, 27 AND 28 OF TOWNSHIP 124 NORTH, RANGE 28 WEST IN THE CITY OF ST. CLOUD, STEARNS COUNTY, MINNESOTA.**

Matt Glaesman, Community Development Director, presented the item and noted that the item was just recently received and there may be a need for time for review. Libert/Masters moved to table the item to August 12, 2013. Motion carried unanimously.

22. **RESOLUTION APPROVING AN APPLICATION BY THE EDA TO THE MN DEPARTMENT OF EMPLOYMENT & ECONOMIC DEVELOPMENT FOR A GRANT UNDER THE REDEVELOPMENT GRANT PROGRAM FOR A PROPOSED PROJECT BY REDEVELOPMENT HOLDINGS ONE, LLC.** Cathy Mehelich, Economic Development Director, gave a detailed PowerPoint presentation and noted that the EDA Board reviewed the proposal at it July 3, 2013 and recommended approval of the above resolution. There were questions from the council in regard to the amount of TIF. Ms. Mehelich noted that the resolution approves applying for a grant

with an “up to” amount. The grant requires a 50 percent match from the City. The district would provide \$284,000 for a 15-year period for the project. The City Council will consider creating a TIF District at a later date. Councilmember Hontos expressed support for the project but also noted that he wants to make sure that the dollar amounts/fees are appropriate. Libert/Masters moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2013-7-102.

Open Discussion:

- Councilmember Hontos brought forward discussion on downtown parking – specifically – 5th Avenue on Friday evenings. He, along with Councilmember Libert, feels that the signs are a mess and confusing. The Administration will look at this issue.

Adjournment: There being no further business to discuss the meeting was adjourned at 7:34 p.m.

City Council President
Jeff Goerger

Jennifer Burrows, Recording Council Secretary