

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

January 9, 2017

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on January 9, 2017 at 6:00 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. Councilmembers present: Goerger, Johnson, Hontos, Laraway, Lewis, Libert and Masters.
4. **Oath of Office.** Former Mayor Chuck Winkleman administered the Oath of Office to Mayor Dave Kleis. Mayor Dave Kleis administered the Oath of Office to Councilmembers Hontos, Lewis, Goerger and Laraway.
5. **Election of City Officers.** Council President: Councilmember Johnson nominated Carol Lewis for Council President. Councilmember Laraway nominated Councilmember Goerger for Council President. Vote conducted. Councilmember Hontos voted for Councilmember Lewis; Councilmember Libert voted for Councilmember Goerger; Councilmember Johnson voted for Councilmember Lewis; Councilmember Goerger did not vote; Councilmember did not vote; Councilmember Laraway voted for Councilmember Goerger; Councilmember Masters voted for Councilmember Lewis. By a vote of 3-2, Councilmembers elected Councilmember Lewis as Council President. Council Vice President: Councilmember Libert nominated Councilmember Laraway for Council Vice President. Councilmember Lewis nominated Councilmember Masters for Council Vice President. Voted conducted. Councilmember Hontos voted for Councilmember Laraway; Councilmember Libert voted for Councilmember Laraway; Councilmember Johnson voted for Councilmember Laraway; Councilmember Goerger voted for Councilmember Laraway; Councilmember Laraway voted for Councilmember Masters; Council President Lewis voted for Councilmember Masters; Councilmember Masters did not vote. By a vote of 4-2, Councilmembers elected Councilmember Laraway as Council Vice President.
6. **Neighbor of the Month.** Mayor Dave Kleis introduced Joyce Wittenhagen as January's Neighbor of the Month. Joyce is a resident of the Lake George Neighborhood.

CONSENT AGENDA:

7. **APPROVAL OF AGENDA.** Action Taken: Approved.
8. **APPROVAL OF THE COUNCIL MINUTES FROM THE REGULAR SESSION HELD MONDAY DECEMBER 19, 2016.** Action Taken: Approved.
9. **APPLICATION FOR A TEMPORARY ON-SALE INTOXCATING LIQUOR LICENSE FOR THE PARAMOUNT CENTER FOR THE ARTS FOR A RECEPTION TO BE HELD JANUARY 19, 2017 AT THE GALLERY ST. GERMAIN, 912 WEST ST. GERMAIN.** Action Taken: Approved.
10. **RESOLUTION APPROVING A COOPERATIVE CONSTRUCTION AGREEMENT WITH STEARNS COUNTY FOR CITY COST PARTICIPATION TO CONSTRUCT A BICYCLE AND**

PEDESTRIAN TRAIL. Action Taken: Approved. Resolution adopted and assigned 2017-01-01.

11. A. ORDINANCE REZONING A PORTION OF 1273 SUNRIDGE DRIVE FROM I1, LIGHT INDUSTRIAL DISTRICT TO C5, HIGHWAY COMMERCIAL DISTRICT (REZ-2016-10).

B. PRELIMINARY AND FINAL PLATS OF SUNCREST PARK PLAT 8. Action Taken: Public Hearing set for January 30, 2017.

12. ORDINANCE VACATING A 10' WIDE DRAINAGE AND UTILITY EASEMENT CENTERED ON THE COMMON PROPERTY LINE BETWEEN LOTS 1 AND 2, BLOCK 2, FAIRWAYS 4TH ADDITION. (LOCATED: 5358 & 5342 SAND BUNKER STREET)(VAC-2016-12). Action Taken: Public Hearing set for January 30, 2017.

13. APPLICATIONS FOR RENEWAL OF SPECIAL PARKING ZONE PERMITS IN 2017. Action Taken: Approved.

14. APPLICATION FOR A SPECIAL PARKING ZONE PERMIT AT 1623 TIMBERDOODLE DRIVE. Action Taken: Councilmember Hontos pulled this item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Laraway to approve. Councilmember Hontos thanked staff for responding quickly to his inquiries and creating medical parking permit for winter. The motion carried unanimously. Approved.

15. RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND CALLING FOR A PUBLIC HEARING TO CONSIDER SANITARY SEWER AND WATER MAIN IMPROVEMENTS ALONG CSAH 74 FROM 900 FEET NORTH OF 33RD STREET SOUTH TO 42ND AVENUE SOUTH. Action Taken: Approved. Resolution adopted and assigned 2017-01-02. Public Hearing scheduled for January 30, 2017.

16. RIVER'S EDGE WEST PARKING RAMP PROJECT – CHANGE ORDER #8. Action Taken: Councilmember Johnson pulled this item for further discussion. It was moved by Councilmember Johnson, seconded by Councilmember Masters to approve. Councilmember Johnson requested further clarification on Change Order #62A – Additional General Conditions for September and October – total cost of \$42,658.00. Public Services Director Patrick Shea stated that these funds paid the contractor for work change orders in September and October. Previously approved by Council. Councilmember Masters had the same question. Shea stated that everything is complete. No additional change orders and no additional expenses for city. The motion carried unanimously. Approved.

17. MAIN LIFESTATION REHABILITATION PROJECT – CHANGE ORDER #1. Action Taken: Approved.

OPEN FORUM:

Doctor Julie Anderson, St. Cloud Medical Group spoke requesting the City Council consider changing the purchase age of tobacco to 21. 95% of smokers start prior to age 21 but they make up less than 2% of all sales. Changing the purchase age is legal. The City has the authority to decide.

PUBLIC HEARINGS:

18. APPLICATION FOR THE TRANSFER OF AN ON SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSE FROM ST. CLOUD INN, INC. DBA HOLIDAY INN & SUITES TO ST. CLOUD HOTEL GROUP, LLC DBA HOLIDAY INN – ST. CLOUD, 75 37TH AVENUE SOUTH. City Clerk Gregg Engdahl introduced this item and gave a brief overview of the action before council. Council President Lewis opened the public hearing. Mr. Krause, a representative from Holiday Inn indicated that the property will be purchased in mid-January and will remain a Holiday Inn. The public hearing was closed. It was moved by Councilmember Laraway, seconded by Councilmember Masters to approve. The motion carried unanimously. Approved.

19. ORDINANCE VACATING A 75' WIDE DRAINAGE EASEMENT FROM THE 33RD STREET SOUTH AND TRUNK HIGHWAY 15 INTERSECTION AND 37TH AVENUE SOUTH. (LOCATED: 75 37TH AVENUE SOUTH AND 3850 2ND STREET SOUTH)(VAC-2016-11). Director of Community Development Matt Glaesman introduced this item and gave a brief overview of the action before council stating that future utilities are not needed and recommended approval. Council President Lewis opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmember Masters, seconded by Councilmember Johnson to approve. The motion carried unanimously. Approved. Ordinance adopted and assigned 2689.

20. ORDINANCE VACATING A 20' WIDE DRAINAGE AND UTILITY EASEMENT CENTERED ON THE COMMON PROPERTY LINE BETWEEN LOTS 19 AND 20, BLOCK 2, SOMMERSBY PLAT 2. (LOCATION: 3875 AND 3879 21ST AVENUE SOUTH)(VAC-2016-10). Director of Community Development Matt Glaesman introduced this item and gave a brief overview of the action before council. Council President Lewis opened the public hearing. Richard Dillman, a neighbor of the property requested information on what kind of structure would be built. He also inquired if this would affect his utilities. Glaesman stated that the easement was not occupied, and there was no need for future use of it. Dillman's property will not be impacted. Single family home will be built. The public hearing was closed. It was moved by Councilmember Masters, seconded by Councilmember Goerger to approve. The motion carried unanimously. Approved. Ordinance adopted and assigned 2690.

21. PUBLIC HEARING AMENDING SECTION 570 OF THE 2007 CODE OF ORDINANCES "REFUSE, RECYCLING, AND YARD WASTE COLLECTION AND DISPOSAL CHARGES." Public Services Director Patrick Shea introduced this item and gave a brief overview of the action before council. Green garbage and white yard waste bag fees will increase by \$0.25/ bag. This is the first increase since inception in 1991. Increased revenue of \$120,000. Council President Lewis opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmember Goerger, seconded by Councilmember Masters to approve. The motion carried unanimously. Approved. Ordinance adopted and assigned 2692.

22. PUBLIC HEARING AMENDING SECTION 575 OF THE 2007 CODE OF ORDINANCES "PUBLIC UTILITIES DEPARTMENT FEES." Public Services Director Patrick Shea introduced this item and gave a brief overview of the action before council. Cost for wastewater service

will increase by 2.5%. Increased revenue of \$120,000. Council President Lewis opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmembers Johnson, seconded by Councilmember Laraway to approve. The motion carried unanimously. Approved. Ordinance adopted and assigned 2691.

NEW BUSINESS

23. RESOLUTION APPROVING AN APPLICATION BY THE EDA OF THE CITY OF ST. CLOUD TO THE MN DEPARTMENT OF EMPLOYMENT & ECONOMIC DEVELOPMENT FOR A GRANT UNDER THE REDEVELOPMENT GRANT PROGRAM FOR A PROPOSED PROJECT BY ROBERT C ABEL.

Economic Development Director Cathy Mehelich introduced this item and requested council support to apply for a grant with the MN Department of Employment & Economic Development. The grant will allow for up to 50% of redevelopment cost for the 400 E St Germain block. Application for \$250,000 due end of January. The balance paid by Developer, Bob Abel. Mehelich also stated that the City is working with DutchMaid Bakery on its relocation looking at site and finance options. Bob Abel spoke stating that the grant money would pay for 50% of the cost to demolish buildings between the old Holiday Gas Station and Ace Bar & Grill. It would also help with moving overhead lines underground. The remainder of the cost he will cover. Redevelopment project: Kwik Trip; and renovating and expanding the old Ace Bar & Grill to a Steakhouse with outdoor dining. The new block will also include greenspace, parking, and reconfiguration of traffic. Councilmember Hontos inquired on public financing. Mehelich indicated that the grant is the public's only investment. The developer will not request TIF. Although, \$30,000 from Target TIF district will be used. The state will award the grant money on March 1st. Councilmember Laraway voiced his concern over the Dutchmaid Bakery displacement. Councilmember Johnson surprised by the cost of demolition and movement of utilities lines. He questioned if the bid is conservative. Abel received several bids and is comfortable with cost. Councilmember Johnson questioned environmental impact from previous Holiday Station. Phase I & II completed with no issues. Councilmember Hontos concerned for DutchMaid Bakery and requested that the City and Abel work with DutchMaid. Council President Lewis inquired on the historical significance in building. Mehelich indicated that there is no record of historical significance. Mehelich closed discussion by stated that the market value of the property will increase over \$3 million and bring 50+ new jobs to the area. It was moved by Councilmembers Masters, seconded by Councilmember Laraway to approve. The motion carried unanimously. Approved. Resolution adopted and assigned 2017-01-03.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Hontos inquired on if there is an ordinance on the distribution of newspapers. Mainly, the Shopper News.

Councilmember Hontos also requested that the ordinance regarding Winter Parking Rules be added as a Study Session item within the next 90 days. . It was moved by Councilmembers Hontos, seconded by Councilmember Johnson to add to Study Session. The motion carried 4-3. Approved.

Next City Council Meeting is January 30, 2017 at 6pm.

ADJOURNMENT:

There being no one else to speak, Council President Lewis adjourned the meeting.


Council President Carol Lewis

Respectfully submitted by


Alicia Jelliff
Recording Council Secretary