

AGENDA ITEM

MAY 08, 2017

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on May 8, 2016 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 were present: Hontos, Johnson, Lewis, Libert and Masters.

Councilmembers absent: Goerger, Laraway

SPECIAL RECOGNITIONS:

4. NEIGHBOR OF THE MONTH FOR MAY 2017. Mayor Kleis introduced Steve Dinndorf and Steve Hoy as the neighbors of the month.

CONSENT AGENDA:

5. APPROVAL OF AGENDA. It was moved by councilmember Masters seconded by councilmember Johnson to approve all consent agenda items with the exception of item number 22. The motion carried 5-0.

6. APPROVAL OF THE APRIL 24, 2017 COUNCIL MEETING MINUTES. Action Taken: Approved.

7. AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE CODE OR ORDINANCES FOR THE CITY OF ST. CLOUD, MINNESOTA: SECTION 800:55 ENTITLED "HOURS OF OPERATION" AND SECTION 810:35 ENTITLED "TIME WHEN SALES ARE PROHIBITED" Action Taken: Approved, a public hearing was set for May 22, 2017.

8. APPLICATION FOR TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR THE CITY OF ST. CLOUD TO BE USED IN CONJUNCTION WITH A JUNE 24TH CITY FESTIVAL SINGING COMPETITION. EVENT TO BE HELD IN FRONT OF THE OUTDOOR STAGE AREA AT LAKE GEORGE.

RESOLUTION DESIGNATING "SING ST. CLOUD" AN OFFICIAL PART OF GRANITE CITY DAYS FESTIVAL. Action Taken: Approved. Resolution adopted and assigned 2017-5-63.

9. APPROVAL TO ACCEPT LOW PROPOSAL FOR MAINTENANCE WORK AT SCOTT DRIVE AND 18TH STREET SOUTH. Action Taken: Approved.

10. COTTAGE PLACE ADDITION ALLEY SANITARY SEWER IMPROVEMENTS, CONTRACT 2017-02.

A. RESOLUTION ACCEPTING LOW BID FOR COTTAGE PLACE ADDITION ALLEY SANITARY SEWER IMPROVEMENTS, CONTRACT 2017-02. Action Taken: Approved. Resolution adopted and assigned 2017-5-64.

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 2017-02. Action Taken: Approved. Resolution adopted and assigned 2017-5-65.

11. 2017 MISCELLANEOUS IMPROVEMENTS, CONTRACT 2017-06.

A. RESOLUTION ACCEPTING LOW BID FOR 2017 MISCELLANEOUS IMPROVEMENTS, CONTRACT 2017-06. Action Taken: Approved. Resolution adopted and assigned 2017-5-66.

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 2017-06. Action Taken: Approved. Resolution adopted and assigned 2017-5-67.

12. 6TH AVENUE NORTH FROM BNSF TO 12TH STREET NORTH BITUMINOUS RESURFACING IMPROVEMENTS, CONTRACT 2017-08.

A. RESOLUTION ACCEPTING LOW BID FOR 6TH AVENUE NORTH FROM BNSF TO 12TH STREET NORTH BITUMINOUS RESURFACING IMPROVEMENTS, CONTRACT 2017-08. Action Taken: Approved. Resolution adopted and assigned 2017-5-68.

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 2017-08. REQUESTED ACTION: INTRODUCE RESOLUTION, WAIVING READING, AND ADOPT. Action Taken: Approved. Resolution adopted and assigned 2017-5-69.

13. EAST ST. GERMAIN STREET RAILROAD CROSSING SAFETY IMPROVEMENTS.

A. RESOLUTION ACCEPTING LOW BID FOR EAST ST. GERMAIN STREET RAILROAD CROSSING SAFETY IMPROVEMENTS, CONTRACT 2017-11. Action Taken: Approved. Resolution adopted and assigned 2017-5-70.

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 2017-11. Action Taken: Approved. Resolution adopted and assigned 2017-5-71.

14. RIVERSIDE DRIVE SE BITUMINOUS RESURFACING IMPROVEMENTS, CONTRACT 2017-07.

A. RESOLUTION ACCEPTING LOW BID FOR RIVERSIDE DRIVE SE BITUMINOUS RESURFACING IMPROVEMENTS, CONTRACT 2017-07. Action Taken: Approved. Resolution adopted and assigned 2017-5-72.

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 2017-07. Action Taken: Approved. Resolution adopted and assigned 2017-5-73.

15. RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND CALLING FOR A PUBLIC HEARING TO CONSIDER ALLEY BITUMINOUS RESURFACING IMPROVEMENTS FOR ALLEY BETWEEN 9TH AND 10TH AVENUE SOUTH FROM 13TH TO 14TH STREET SOUTH. Action Taken: Approved. Resolution adopted and assigned 2017-5-74.

17. AN ORDINANCE REPEALING SECTION 300:40 RENTAL DWELLING LICENSING. Action Taken: Approved, a public hearing was set for May 22, 2017.

18. AN ORDINANCE AMENDING SECTION 1100 SCHEDULE OF CIVIL FINES FOR ADMINISTRATIVE OFFENSES. Action Taken: Approved, a public hearing was set for May 22, 2017.

19. AN ORDINANCE AMENDING SECTION 1000 NUISANCES. Action Taken: Approved, a public hearing was set for May 22, 2017.

20. AN ORDINANCE AMENDING SECTION 1005 PUBLIC NUISANCES AFFECTING HEALTH AND SAFETY. Action Taken: Approved, a public hearing was set for May 22, 2017.

21. AN ORDINANCE ADOPTING SECTION 445 RENTAL DWELLING LICENSING. Action Taken: Approved, a public hearing was set for May 22, 2017.

22. AN ORDINANCE AMENDING SECTION 1051 LANDLORD RESPONSIBILITY.
Councilmember Hontos pulled this item for further discussion. It was moved by councilmember Hontos, seconded by councilmember Libert to approve. Councilmember Hontos asked for a clarification on the ordinance numbering that staff was using. The motion unanimously carried 5-0. A public hearing was set for May 22, 2017.

23. APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR KIA MARIE HELGET DBA: MASSAGE BY KIA 203 COOPER AVENUE NORTH, SUITE 160. Action Taken: Approved.

24. AN ORDINANCE ADOPTING SECTION 1052 EXCESSIVE USE OF PUBLIC SERVICES.
Action Taken: Approved, a public hearing was set for May 22, 2017.

OPEN FORUM: No one spoke

PUBLIC HEARINGS:

25. APPLICATION FOR AN ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR

LICENSE FOR HAJIME ASIAN BISTRO, INC., DBA HAJIME ASIAN BISTRO, 4170 W DIVISION

STREET, SUITE 130. City Clerk Seth Kauffman introduced this item for the council. Council president Lewis opened the public hearing:

Hajimi Owners - introduced themselves and discussed the location and types of food they would be serving.

The public hearing was closed. It was moved by councilmember Masters seconded by councilmember Johnson to approve. The motion unanimously carried 5-0.

26. APPLICATION FOR THE TRANSFER AND RENEWAL OF ON-SALE WINE AND 3.2 PERCENT

MALT LIQUOR LICENSES FROM JULES' CAFE DBA JULES' BISTRO TO WESTLANDIA, LLC DBA

JULES' BISTRO, 921 WEST ST. GERMAIN STREET. City clerk Seth Kauffman introduced this item for the council. Council president Lewis opened the public hearing, no one spoke, and the public hearing was closed. It was moved by councilmember Hontos, seconded by councilmember Johnson to approve.

27. PUBLIC HEARING TO CONSIDER OF AN ORDINANCE AMENDING SECTION 244:15 OF

THE 2007 CODE OF ORDINANCES ENTITLED "REFUSE SERVICE" Director of Public services

Pat Shea introduced this item for the council. Council president Lewis opened the public hearing, no one spoke, the public hearing was closed. It was moved by councilmember Hontos, seconded by councilmember Johnson to approve.

Councilmember Hontos commented on his gratitude for the amendment change. The motion unanimously carried 5-0. Ordinance adopted and assigned 2700.

28. ORDINANCE REZONING THE PROPERTIES LOCATED 3023, 3031, 3075 ROOSEVELT ROAD, 1102 AND 1104 SUNCREST DRIVE, AND 1117 KUHN DRIVE FROM C5, HIGHWAY COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD). (REZ-2017-04)

Community Development Director Matt Glaesman introduced this item for the council. Council president Lewis opened the public hearing, no one spoke, the public hearing was closed. It was moved by councilmember Hontos, seconded by councilmember Johnson to approve. Councilmember Hontos commented on his gratitude for the amendment change. The motion unanimously carried 5-0. Ordinance adopted and assigned 2701.

29. A. RESOLUTION AMENDING THE WATERS EDGE AT DONOVAN LAKE PLANNED UNIT DEVELOPMENT (PUD) TO CHANGE PROPOSED TOWNHOUSES INTO SINGLE FAMILY DETACHED LOTS. (LOCATION: 949 - 1029 45TH AVENUE NE) (DPA-2017-02)

Community Development Director Matt Glaesman introduced this item for the council. Council president Lewis opened the public hearing,

Tami Ladine – property owner – discussed the changes in the building style and the reasoning behind the change.

The public hearing was closed it was moved by councilmember Masters, seconded by councilmember Libert to approve. The motion unanimously carried 5-0. Resolution adopted and assigned 2017-5-75.

B. PRELIMINARY AND FINAL PLATS OF WHISPERING MEADOWS. It was moved by councilmember Hontos, seconded by councilmember Johnson to approve. The motion unanimously carried 5-0.

C. ORDINANCE VACATING OF THE DRAINAGE AND UTILITY EASEMENT THAT COVERS ALL OF LOT 34, BLOCK 3, WATERS EDGE AT DONOVAN LAKE 4TH ADDITION. (VAC-2017-08) It

was moved by councilmember Masters, seconded by councilmember Hontos to approve. The motion unanimously carried 5-0. Ordinance adopted and assigned 2702.

D. SUBDIVISION AGREEMENT It was moved by councilmember Johnson, seconded by councilmember Libert to approve. The motion unanimously carried 5-0.

30. RESOLUTION AMENDING THE WESTWOOD PARKWAY PLANNED UNIT DEVELOPMENT (PUD) TO CHANGE A FUTURE RESTAURANT LOCATION INTO A SELF-STORAGE FACILITY.

(LOCATION: 6501 RIDGEWOOD ROAD - COUNTY ROAD 134) (DPA-2017-03) Community Development Director Matt Glaesman introduced this item for the council. Council president Lewis opened the public hearing,

Dan Miller – Dan Miller Architects: Mr. Miller spoke of the fencing and landscaping and hours of operation that this facility would be used.

Amy 64 24 Savannah Court: Ms. Amy discussed the trees that would be removed and the general landscaping questions on the property.

Bruce Stronbrook – Storage Facility Management arm: Mr. Stronbrook discussed the hours of operation and the management perspective of the facility.

The public hearing was closed. It was moved by councilmember Masters, seconded by councilmember Hontos to approve. Councilmember Hontos questioned the landscaping and the concerns the neighbors brought up. It was moved by councilmember Hontos, seconded by councilmember Libert to amend the motion to include additional tree landscaping along the perimeter of the property as staff sees fit.

The motion to amend carried 5-0. The amended motion carried 5-0. Resolution adopted and assigned. 2017-5-76.

31. ORDINANCE VACATING CULVERT EASEMENTS LOCATED AT 332 AND 340 5TH AVENUE

SOUTH AND 371 4TH AVENUE SOUTH) (VAC-2017-07) Community Development Director Matt Glaesman introduced this item for the council. Council president Lewis opened the public hearing, no one spoke, the public hearing was closed. It was moved by councilmember Masters, seconded by councilmember Hontos to approve. The motion unanimously carried 5-0. Ordinance adopted and assigned 2703.

NEW BUSINESS:

32. APPEAL OF ZONING BOARD OF APPEALS' DENIAL OF A REQUEST FROM INDEPENDENT SCHOOL DISTRICT 742 FOR A VARIANCE FROM ARTICLE 18, SECTION 18.3, C. – SIZE OF AN IDENTIFICATION SIGN LOCATED WITHIN A RESIDENTIAL ZONING DISTRICT. (3015 3RD STREET NORTH) (VAR-2017-04)

It was moved by councilmember Libert seconded by councilmember Johnson to set a public hearing May 22, 2017 to hear the appeal of a Zoning Board of Appeals decision. Councilmember Masters abstained from the item. The motion unanimously carried 4-0. A public hearing was set for May 22, 2017.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Hontos questioned the lady slipper lot and the EDA's hotel study

Councilmember Hontos inquired from staff the schedule for the charter commission and the items that will be discussed.

Councilmember Hontos questioned the use of the Sartell compost site for residents from the north east area of St. Cloud.

Councilmember Masters discussed raising the tobacco age. It was moved by councilmember Masters, seconded by councilmember Hontos to initiate a discussion with area cities to raise the minimum tobacco age.

ADJOURNMENT:

There being no one else to speak, Council President Lewis adjourned the meeting at 7:15 p.m.



Carol Lewis – Council President

Respectfully submitted by



Seth Kauffman

Recording Council Secretary