

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

DECEMBER 18, 2017

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on December 18, 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: Lewis, Goerger, Laraway, Johnson, Libert, Hontos, and Masters

CONSENT AGENDA:

4. **APPROVAL OF AGENDA.** Action Taken: Councilmember Hontos pulled item 15 and 16 for discussion. Councilmember Johnson pulled item 12 for discussion. It was moved by Councilmember Goerger, seconded by Councilmember Laraway to approve agenda. Motion passed unanimously. Approved.

It was moved by Councilmember Laraway, seconded by Councilmember Masters to approve items 5 – 11, 13-14, 17-19 listed in the Consent Agenda. Motion passed unanimously.

5. **APPROVAL OF THE NOVEMBER 20, 2017 COUNCIL MEETING MINUTES.** Action Taken: Approved.
6. **APPROVAL OF THE 2018 MEETING SCHEDULE FOR THE ST. CLOUD CITY COUNCIL.** Action Taken: Approved.
7. **RESOLUTION DESIGNATING THE ST. CLOUD TIMES AS THE OFFICIAL NEWSPAPER FOR THE CITY OF ST. CLOUD FOR THE YEAR 2018.** Action Taken: Approved. Resolution adopted and assigned 2017-12-208.
8. **RESOLUTION DESIGNATING POLLING PLACES FOR ELECTIONS TO BE HELD IN 2018.** Action Taken: Approved. Resolution adopted and assigned 2017-12-209.
9. **RESOLUTION AUTHORIZING A CHARITABLE GAMBLING PREMISES PERMIT FOR THE ST. CLOUD SENIOR MEN'S RUGBY CLUB TO CONDUCT EVENTS AT THE WHITE HORSE, 809 W. ST. GERMAIN.** Action Taken: Approved. Resolution adopted and assigned 2017-12-210.
10. **RESOLUTION DECLARING HOCKEY DAY MINNESOTA AN OFFICIAL CITY FESTIVAL.** Action Taken: Approved. Resolution adopted and assigned 2017-12-211.
11. **BEAVER ISLAND TRAIL PHASE #8 PROJECT.** Action Taken: Approved.
12. **A. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GRANT AGREEMENT BETWEEN THE MINNESOTA DEPARTMENT OF TRANSPORTATION AND THE CITY OF ST. CLOUD RELATED TO AN AIRPORT PLANNING SUTDY FOR THE ST. CLOUD REGIONAL AIRPORT.**

B. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT BETWEEN STEVEN BALDWIN ASSOCIATES AND THE CITY OF ST. CLOUD RELATED TO AN AIRPORT PLANNING STUDY FOR THE ST. CLOUD REGIONAL AIRPORT.

Councilmember Johnson questioned on how the consultant and sub-consultants will be paid. Airport Director Bill Towle addressed the question, stating that the consultant, Baldwin Associates, will have discretion to pay, and will pay, all sub-consultants. Councilmember Hontos requested clarification on the discrepancy of grant numbers. \$250,000 is 95% of the grant with GSDC covering an additional 5% to total \$263,158.00. Motion passed unanimously. Approved. Resolution adopted and assigned for Item A 2017-12-212. . Resolution adopted and assigned for Item B 2017-12-213.

REQUEST TO PURCHASE TWO (2) 2018 FORD POLICE INTERCEPTOR SQUAD VIDEOS.
Action taken: Approved.

RESOLUTION AUTHORIZING EXECUTION OF MNDOT AGREEMENT NO. 1030093 AUTHORIZING MNDOT TO ACT AS THE CITY'S AGENT IN ACCEPTING FEDERAL AID FOR TRANSPORTATION IMPROVEMENTS. Action taken: Approved. Resolution adopted and assigned 2017-12-214.

- 13. RESOLUTION CERTIFYING AVAILABILITY OF LOCAL MATCH AND OTHER LOCAL COSTS FOR FY 2022 AND 2023 FEDERAL TRANSPORTATION PROJECT SUBMITTAL TO THE ST. CLOUD AREA PLANNING ORGANIZATION FOR 22ND STREET SOUTH FROM OAK GROVE ROAD (COUNTY ROAD 136) TO COOPER AVENUE SOUTH.** Councilmember Hontos pulled this item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Masters to approve. Councilmember Hontos requested a brief explanation of the scope of this project as well as the project listed under item 16. City Engineer Steve Foss responded, stating that both projects are full reconstructions, including an in-kind replacement, adding bike lanes to both sides, and sidewalks. Motion passed unanimously. Resolution adopted and assigned. 2017-12-215.
- 14. RESOLUTION CERTIFYING AVAILABILITY OF LOCAL MATCH AND OTHER LOCAL COSTS FOR FY 2022 AND 2023 FEDERAL TRANSPORTATION PROJECT SUBMITTAL TO THE ST. CLOUD AREA PLANNING ORGANIZATION FOR COOPER AVENUE SOUTH FROM TRAVERSE ROAD TO CSAH 75.** Councilmember Hontos pulled this item for further discussion. It was moved by Councilmember Masters, seconded by Councilmember Hontos to approve. Councilmember Hontos requested verification that this project is also a two-lane road, bike lane, and sidewalk. City Engineer Steve Foss responded, federal funding for surface only. Water and sewer may be considered. Resolution in front of council tonight is limited to solely surface project. Councilmember Goerger inquired on if money is awarded for this project, is it specific for this project? Foss confirmed that the funds are project specific. Applying for the funds in January and resolution needed to be considered for the funds. Councilmember Johnson inquired on if the project would favor assessments on the roadway. Foss confirmed. Motion passed unanimously. Resolution adopted and assigned. 2017-12-216.
- 15. JOINT RESOLUTION AS TO ORDERLY ANNEXATION BY AND BETWEEN THE CITY OF ST. CLOUD AND LESAUK TOWNSHIP (LOCATION: FORMER FOLEY STREET).** Action Taken: Approved. Resolution adopted and assigned. 2017-12-217.

16. ORDINANCE VACATING A 10' WIDE DRAINAGE AND UTILITY EASEMENT CENTERED ON THE COMMON PROPERTY LINE BETWEEN LOTS 8 AND 9, BLOCK 3, FAIRWAYS 4TH ADDITION (LOCATION: 491 AND 503 53RD AVENUE SE) (VAC-2017-17).
Action Taken: Public Hearing set for January 8, 2018.

17. ORDINANCE VACATING A 10' WIDE DRAINAGE AND UTILITY EASEMENTS ALONG THE COMMON LOT LINE BETWEEN LOTS 10 AND 11, AND LOTS 11 AND 12, BLOCK 5, SOMMERSBY PLAT 2 (VAC-2017-16). Action Taken: Public Hearing set for January 8, 2018.

OPEN FORUM:

No one spoke.

PUBLIC HEARINGS:

18. RESOLUTION ADOPTING 2018 BUDGETS FOR ENTERPRISE FUNDS. Action Taken: Mayor Dave Kleis introduced this item. Additional fees will not be added. Over half of the funds are allocated to Wastewater and Water Utility. Of area cities, total monthly average costs for water and utility less in St. Cloud than area cities. City tries to be as efficient as possible with each dollar spent. Council President Lewis opened the Public Hearing. There being no one wishing to speak, Council President Lewis closed the public hearing. It was moved by Councilmember Masters, seconded by Councilmember Laraway to approve. Motion passed unanimously. Approved. Resolution adopted and assigned 2017-12-218.

OLD BUSINESS:

19. APPROVAL OF AMENDED COUNCIL RULES OF ORDER. Councilmember Hontos introduced this item as old business, highlighting specific changes for public: 1) move open forum to end of agenda prior to adjournment to allow additional time for speakers and eliminate confusion; 2) when a conflict of interest occurs, ask councilmember to leave the dais; 3) Recognition of speakers formalized; 4) time limit for open forum changed to 3 minutes per person; and 5) formal process for residents to sign up and speak at meetings. It was moved by Councilmember Masters, seconded by Councilmember Laraway to approve revised Council Rules of Order. Councilmember Masters requested clarification on the process for councilmembers when a conflict of interest occurs. Requested media broadcast the meeting in separate room for councilmembers who have abstained from discussion and voting. Councilmember Johnson inquired on if discussion on speakers at Public Hearings and if time limits will be set to minimize disparity. Council President Lewis indicated that council will request at time of public hearing that speakers limit their time. Councilmember Goerger offered an amendment to limit open forum time frame to 2 minutes per person. Councilmember Libert seconded the motion. Motion failed 1-6 with Councilmembers Libert, Lewis, Hontos, Laraway, Masters, and Johnson opposed. Councilmember Johnson recognized Dr. John Palmer to speak to the matter.

John Palmer, 832 Halliday Road, St. Cloud, MN 56301 - thanked the council for listening to the citizens and changing the open forum limits.

Motion to approve amended Council Rules of Order passed unanimously.

20. RESOLUTION FROM THE SAINT CLOUD CITY COUNCIL WHICH HIGHLY RECOMMENDS THAT STATE OF MINNESOTA RAISE THE MINIMUM LEGAL SALES AGE FOR TOBACCO PRODUCTS TO 21. Council President Lewis introduced the item. It was moved by Councilmember Hontos, seconded by Councilmember Masters to approve. Councilmember Masters commented on resolution and fully supports the measure. Councilmember Johnson inquired on who the council is representing and why exactly the Council is moving forward with the resolution. Councilmember Masters responded indicating that this is an issue that needs to be addressed and is effecting our community. Councilmember Hontos inquired on the distribution of the resolution. Mayor Dave Kleis indicated that the resolution will be sent to all members of legislature. But, he will also send a proclamation with his argument that this is not the role of council. Councilmember Laraway intended to distribute to all members of the house and senate and have individual conversations with members who represent St. Cloud. Councilmember Hontos inquired on how the Mayor's proclamation will be distributed. Concerned that administration's opinion will overshadow the council's opinion. Mayor Kleis stated that the distributions will be sent separately. Councilmember Johnson inquired on why the veto override attempt made by council. Council President Lewis stated that 5 votes are needed for override and there was only 4. Councilmember Hontos stated that the council was never notified of the veto which makes it difficult for an override. Councilmember Johnson inquired on why there was not a public hearing on the matter. Council President Lewis stated that this is not an ordinance, but a resolution of the council. Councilmember Johnson concerned about the timing and how effective the resolution will actually be. Councilmember Goerger voted to end to discussion. Passed.

Motion to pass resolution on T21 passed 4-3.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Hontos inquired on Council Retreat scheduled for May 12th. This is 4 days prior to Spalt and he will not be in attendance. Mayor Dave Kleis stated that this is a placeholder only and a new date can be selected in which everyone can attend.

Councilmember Goerger commented on Hockey Day Minnesota – looking forward to the event.

Councilmember Johnson requested that his vote to end discussion on T21 be a 'no' vote.

ADJOURNMENT:

There being no one else to speak, it was moved by Councilmember Goerger, seconded by Councilmember Libert to adjourn. Meeting adjourned at 7:11PM.


Council President Carol Lewis

Respectfully submitted by


Seth Kauffman
Recording Council Secretary