

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

DECEMBER 4, 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 4, 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

### SPECIAL RECOGNITION

4. **TECH HIGH SCHOOL PROPOSAL:** Mayor Dave Kleis and District 742 Superintendent Willie Jett introduced a proposal for district 742 convey, as is and upon vacation of buildings, Tech High School buildings and District 742 Media Services Center, located at 233 12<sup>th</sup> Ave S and 1300 1<sup>st</sup> St S respectively. Requesting a recommendation from council to move forward with letter of intent to acquire buildings and redevelopment accordingly. The city has the necessary tools to redevelop the property in which the school district does not have. Superintendent Jett commented on his appreciation for the city and their willingness to take on this project. No action requested at this meeting. Information only.

### CONSENT AGENDA:

5. **APPROVAL OF AGENDA.** Action Taken: Councilmember Hontos pulled item 13 for discussion and requested a discussion on Council Rules of Order under Old Business. Council President Lewis requested a discussion on T21 under Open Discussion. It was moved by Councilmember Laraway, seconded by Councilmember Masters to approve agenda. Motion passed unanimously. Approved.

It was moved by Councilmember Masters, seconded by Councilmember Goerger to approve items 6 - 12 listed in the Consent Agenda. Motion passed unanimously.

6. **APPROVAL OF THE NOVEMBER 6, 2017 COUNCIL MEETING MINUTES.** Action Taken: Approved.
7. **RESOLUTION AMENDING THE CITY COUNCIL TRAVEL POLICY TO SPECIFY APPLICATION TO OUT OF STATE TRAVEL AS REQUIRED BY MN STATUTE 471.661.** Action Taken: Approved. Resolution adopted and assigned 2017-12-204.
8. **RESOLUTION AUTHORIZING A CHARITABLE GAMBLING PREMISES PERMIT FOR THE WATKINS LIONS CLUB TO CONDUCT EVENTS AT BEST WESTERN KELLY INN 100 4<sup>TH</sup> AVENUE SOUTH.** Action Taken: Approved. Resolution adopted and assigned 2017-12-205.
9. **REQUEST BY OLDE BRICK HOUSE FOR A SPECIAL EVENTS PERMIT TO FACILITATE A ST. PATRICK'S DAY EVENT TO BE HELD OUTDOORS ADJACENT TO THE BAR/RESTAURANT ON 6<sup>TH</sup> AVENUE SOUTH.** Action Taken: Approved.
10. **NUTRIENT RECOVERY AND REUSE PROJECT – CHANGE ORDER #1.** Action Taken: Approved.

- 11. 2018 PUBLIC UTILITIES CHEMICAL PROPOSALS.** Action Taken: Approved.
- 12. PUBLIC WORKS EQUIPMENT PURCHASE – EQUIPMENT TRAINERS (2).** Action Taken: Approved.
- 13. A. RESOLUTION AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN PARTICIPATION PLAN.**
- B. SET PUBLIC HEARING SCHEDULE FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR 2018 ANNUAL ACTION PLAN.**

Action Taken: Councilmember Hontos pulled this item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Laraway to approved. Councilmember Hontos inquired on if the amendment of the CDBG is the inclusion of the planning commission hearing and city council hearing. Community Development Director Matt Glaesman acknowledged and referred to changes made to top of page 3. No change in process. Focus is to reach out to hard to reach population. Councilmember Hontos requested additional information be provided in packet moving forward. Councilmember Hontos inquired on what the actual deadline is in May. Concerned on time the Council has to review and approve. Glaesman indicated comfortable with timeline disclosed. Councilmember Hontos suggested the Public Hearing be moved up to an earlier date (rather than April 23, 2018). Glaesman indicated that this process is dictated by HUD and the timeframe cannot be easily changed. Council President Lewis clarified Glaesman’s statement for Councilmember Hontos and indicated that there is time to table after April 23, 2018. Councilmember Goerger commented that there is time. Councilmember Hontos does not feel one meeting is sufficient. Motion passed unanimously. Approved. Resolution adopted and assigned 2017-12-206.

**OPEN FORUM:**

No one spoke.

**PUBLIC HEARINGS:**

- 14. RESOLUTION ADOPTING THE FINAL TAX LEVY AND BUDGET FOR THE 2018 GOVERNMENTAL FUNDS.** Mayor Dave Kleis introduced this item and reviewed process for budget approval and presented budget. Mayor Kleis shared his property tax statement as an example to provide an indication of how it is broken down. City Finance Director Ruth Wipper shared the breakdown of the tax levy by fund. General Fund shows a 4.14% increase; Library Operating, Gardens, and Airport Operating Fund remains flat; and Debt Service increases by 3.84% due to bonds sold in 2016 and voter approved bonds sold in 2015. City’s policy is to capture the growth in property valuations and shared how the tax is allocated. Council President Lewis opened the Public Hearing.

**John Palmer, 832 Halliday Road, St. Cloud, MN 56301** – questioned on taxes and fees not included on Property Tax Statement. Requests the Council look at the totality of the burden the taxpayer carries.

Council President Lewis closed the public hearing. Mayor Kleis answered Mr. Palmer’s question, indicating that the Enterprise Funds disclose fees questioned. These fees will not increase. The two budgets are separated for transparency. It was moved by Councilmember Masters, seconded by

Councilmember Goerger to approve. Councilmember Masters commented that the budget is actually lower than it has been in previous years. Wipper confirmed. Wipper also clarified what the transfers are. Councilmember Goerger thanked Wipper for presentation. Councilmember Laraway inquired on the debt service relative to other years – is it up a bit from previous years and do we have comparisons to other cities? Wipper commented that we do not have comparisons. Debt service relative to history is not up a lot and will stabilize next year. Councilmember Johnson commented on statement on tax bill totality and the impact on members of the community. Wipper acknowledged and stated that the city is always very conscious on the impact to citizens. Councilmember Hontos commented on concerns brought up throughout the year and how the budget addressed those concerns. He will be supporting the proposed budget. Motion passed unanimously. Approved. Resolution adopted and assigned 2017-12-207.

- 15. ORDINANCE VACATING AN UNUTILIZED PORTION OF WILDFLOWER ROAD RIGHT-OF-WAY DEDICATED WITHIN DEER CREEK CROSSING 7 (VAC-2017-15).** Community Development Director Matt Glaesman introduced this item. Developer would like to straighten out the right-of-way. Recommending approved. Council President Lewis opened the Public Hearing.

**Fred Kruger, 3590 Wildflower Rd, St. Cloud, MN 56301** – concerned about the potential berm around lots 2 and 3.

**John Palmer, 832 Halliday Road, St. Cloud, MN 56301** – requested clarification on road and impact on traffic calming and safety.

Council President Lewis closed the Public Hearing. It was moved by Councilmember Hontos, seconded by Councilmember Goerger to approve. Councilmember Hontos reminded staff to address concerns of applicant and share with Council. Glaesman confirmed. Motion passed unanimously. Ordinance adopted and assigned 2734.

- 16. ORDINANCE VACATING A 17' WIDE STRIP OF 10<sup>TH</sup> STREET SOUTHEAST FROM KILIAN BOULEVARD AND THE ALLEY (ADDRESS: 1001 KILIAN BOULEVARD) (VAC-2017-17).** Council President Lewis recused herself from this item. Councilmember Laraway, as Council Vice President proceeded accordingly. Community Development Director Matt Glaesman introduced this item. Property owner is looking to vacate the strip placed over 100 years ago. Council Vice President Laraway opened the Public Hearing.

**Jacy Zotter, 1001 Kilian Blvd, St. Cloud, MN 56304** – requesting the opportunity to fence in her yard. Neighbors received variances in the 1980s.

Council Vice President Laraway closed the Public Hearing. It was moved by Councilmember Goerger, seconded by Councilmember Libert to approve. Councilmember Masters inquired on clarification on if right-of-way continues on to SE Maintenance Facility? Community Development Director matt Glaesman addressed the question, stating that the Council, at the time 1002 property came forward, were questioned on if they would like to take a vacating action to affect the entire corridor. Council chose not to but rather, choose to address individual properties as they came forward. Corridor affects many blocks west and east. Motion passed unanimously. Approved. Ordinance adopted and assigned 2735.

## **OLD BUSINESS:**

**17. ORDINANCE AMENDING SECTION 365 OF THE 2007 CODE OF ORDINANCES FOR THE CITY OF ST. CLOUD ENTITLED "STORMWATER SYSTEM USE CODE."** Public Services Director Pat Shea introduced this item as Old Business. Public Hearing conducted at previous meeting and item tabled in order to work with CMBA. Presented an overview of why the changes are being proposed and impact to the river without changes. After meeting with CMBA, ordinance was changed for the better. Clarifies exemptions and makes the ordinance more clear. It was moved by Councilmember Goerger, seconded by Councilmember Masters to approve. Councilmember Masters inquired on if sand is put down in winter along with salt. Shea indicated that a blend of sand and salt is used. Storm drains are cleaned out Spring and Fall. Councilmember Hontos inquired on if the standards exceed state minimum requirements? Shea addressed stating that they match what the state requires for the City of St. Cloud. Requested confirmation that CMBA is in agreement with changes. Shea confirmed. Motion passed unanimously. Ordinance adopted and assigned 2736.


## **OPEN DISCUSSION & ANNOUNCEMENTS:**

Councilmember Hontos moved to untable the Council Rules of Order in order to discuss. Councilmember Johnson seconded the motion. Councilmember Hontos suggested either the discussion tonight or hold until Study Session. Councilmember Goerger inquired on if the agenda for the December 11, 2017 Study Session has been set. Mayor Kleis indicated that the only topic of discussion is next year's study session schedule so time will allow discussion on Council Rules of Order. It was moved by Councilmember Hontos, seconded by Councilmember Laraway to discuss at December 11, 2017 Study Session. Motion passed unanimously.

Council President Lewis introduced the T21 Resolution. It was moved by Councilmember Masters, seconded by Councilmember Laraway to approve. Councilmember Goerger stated that he will not support the inclusion of electronic cigarettes, therefore will not support the resolution as is. Councilmember Johnson will not support until the public views the Resolution. City Administrator Matthew Staehling confirmed that it was not distributed to the public. Councilmember Johnson would like to wait to vote and would like to discuss with area cities. Councilmember Masters inquired on when the next joint cities meeting will be held. Staehling indicated that the meeting will be held on January 30, 2018. Councilmember Masters would like to see if other cities will join in the resolution. Councilmember Laraway thought that it wasn't a city issue and wondering why the resolution is being prepared. Councilmember Hontos commented that the position is clear and it was vetoed. It is new business and it can be tabled. Suggested the authority to table should be exercised. Doesn't agree with holding it over until joint area cities. Councilmember Johnson exercised his authority and requested that the item be held over to next meeting. City Administrator Matthew Staehling indicated that this should be treated as new business. Item tabled to December 18, 2017.

**ADJOURNMENT:**

There being no one else to speak, it was moved by Councilmember Masters, seconded by Councilmember Laraway to adjourn. Meeting adjourned at 7:42PM.

  
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Council President Carol Lewis

Respectfully submitted by



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Seth Kauffman  
Recording Council Secretary