

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
Monday, January 6, 2020
6:00 PM
City Council Chambers

1. **PLEDGE OF ALLEGIANCE**
2. **MOMENT OF SILENCE FOR OUR MEN AND WOMEN SERVING IN THE ARMED FORCES**
3. **ROLL CALL: COUNCILMEMBERS PRESENT:** Mike Conway, Paul Brandmire, Jeff Goerger, Steve Laraway, Dave Masters, Carol Lewis, George Hontos
COUNCILMEMBER ABSENT: None

SPECIAL RECOGNITION:

4. **RECOGNITION OF THE 2019 REFLECTION OF THE YEAR AWARD RECIPIENT**
Mayor Dave Kleis recognized the St. Cloud Area Chamber of Commerce as the recipient of the 2019 Reflection of the Year Award. Mayor Kleis also swore in Commander Martin Sayre and Sgt. Dan McClure. Although also promoted, Lt. Dingmann was not present for ceremony.

CONSENT AGENDA:

5. **APPROVAL OF THE AGENDA**
ACTION TAKEN: CONWAY/MASTERS/APPROVED 7-0
6. **APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING HELD DECEMBER 16, 2019.**
ACTION TAKEN: CONWAY/MASTERS/APPROVED 7-0
7. **RESOLUTION AUTHORIZING THE ISSUANCE OF AN OFF-SITE CHARITABLE GAMBLING PERMIT TO THE WATKINS LIONS CLUB, FOR ACTIVITIES TO BE HELD AT THE KELLY INN FEBRUARY 7-9, 2020.**
ACTION TAKEN: CONWAY/MASTERS/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-01-001
8. **POTENTIAL LOCAL OPTION SALES TAX PROJECTS – 2020 LEGISLATIVE SESSION**
ACTION TAKEN: LARAWAY/LEWIS/APPROVED 7-0

Councilmember Laraway pulled item for further discussion. It was moved by Councilmember Laraway, seconded by Councilmember Lewis to approve. Councilmember Laraway commented that he had hoped to resolve the road issues and not cut back on funding for other road projects. Engineer Steve Foss explained each project being submitted to State Legislature for potential ½ cent sales tax increase. All are large, regional projects. Councilmember Hontos does not support everything included in the resolution. He believes it is critical for the voters to decide. No further discussion. Motion unanimously passed.

9. RESOLUTION APPROVING BENTON COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS.

ACTION TAKEN: CONWAY/MASTERS/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-01-002

10. APPLICATIONS FOR RENEWAL OF SPECIAL PARKING ZONE PERMITS FOR 2020.

ACTION TAKEN: CONWAY/MASTERS/APPROVED 7-0

PUBLIC HEARINGS:

11. CONDUCT A PUBLIC HEARING AMENDING SECTION 580 OF THE 2007 CODE OF ORDINANCES ENTITLED "PARKING FEES"

ACTION TAKEN: MASTERS/LEWIS/APPROVED 4-3 WITH HONTOS, CONWAY, LARAWAY OPPOSED
ORDINANCE ADOPTED AND ASSIGNED 2805

Public Services Director Tracy Hodel introduced item. Provided overview of what the parking system fund does and the major expenditures with ramp maintenance being the highest expenditure. Proposing an increase in 2020 of \$.25/hour for parking meters, \$.20/hour for ramp parking, and a 10% increase in permits/contracts. Further, proposing a future increase of \$.25/hour for parking meters in 2021 and an increase of 5% in 2021 and 5% in 2022 for permits/contracts. Major purpose to raise rates is to cover operating expenditures. Revenues currently exceed expenditures and reserve spending continues.

Economic Development Director Cathy Mehelich spoke regarding business attraction and expansion stating that parking rates have not been a deterrent in downtown investment. Demand for parking has increased.

Finance Director Ruth Wipper addressed the financial situation. It is currently being subsidized by property taxes. System needs to pay its own expenses in order to expand.

Council President Goerger opened Public Hearing.

Brian Myres, 7491 86th Ave SE, St. Cloud – requested that increase not occur as the downtown is struggling to rebuild and attract businesses

Steve Gottwalt, 1753 Cottonwood Circle, St. Cloud – Government Affairs for Central MN Builders Assn., recognizes that the city has to make money. Fee increases adds to the cost of living in St. Cloud. This is something to consider.

Teresa Bohnen, 3287 Cty Rd 115, St. Cloud – Chamber moved from downtown because of the cost of parking.

Council President Goerger closed Public Hearing. It was moved by Councilmember Masters, seconded by Councilmember Lewis to approve, increasing the fee to \$1.00 versus \$.75. Councilmember Hontos clarified the motion. Councilmember Masters commented that parking should not be supplemented by property taxes. Councilmember Conway commented that he'd like to increase to \$.75 now and increase another \$.25 later, as administration is recommending. Councilmember Lewis commented that it would be easier for those paying the meters to just have it

increase to \$1.00 right now. Councilmember Laraway in agreement with Councilmember Conway, understands the need to increase the fee but is not in favor to increasing to \$1.00 at this time. Councilmember Conway commented on increases. There is only a 10% increase on ramps but a 100% increase on meters. Not in support of this immediate increase. Councilmember Brandmire commented that he would propose a difference change - \$.75 for ramps and \$1.00 for meters. Councilmember Masters inquired on if the meters will handle an increase to \$.75/hour. Hodel commented that the rate will work with existing meters. Council President Goerger commented that users should pay for services whenever possible. Although raising it 100% sounds terrible, moving from \$.50 to \$1.00 doesn't sound terrible. The system is in trouble and needs to be fixed. Inquired on if TIF can be used on an existing building. Wipper responded that TIF has strict rules it can be used for. Some TIF is being used to help pay for the Centre Square Ramp. It can only be used for construction, not maintenance. Must be a TIF district established ahead of time. The City is limited in the opportunities it has to collect enough money to support the system. City Administrator Matthew Staehling suggested to treat Councilmember Masters' motion as a motion to amend. Councilmember Hontos inquired on TIF. Wipper addressed questions. Councilmember Hontos commented that he is comfortable with rate increase as it hasn't occurred for over 20 years. Councilmember Conway requested clarification on what they are voting on. Additional discussion on increasing to \$1.00 versus \$.75. The motion to amend the resolution is to use City Council recommendation for meters and ramps and City staff recommendation for permits and contracts. No further discussion. Motion to amend passed 4-3 with Conway, Laraway, and Hontos opposed. Ordinance adopted and assigned 2805.

12. CONDUCT A PUBLIC HEARING AMENDING SECTION 576 OF THE 2007 CODE OF ORDINANCES ENTITLED "STREET LIGHT UTILITY"

ACTION TAKEN: CONWAY/LARAWAY/APPROVED 7-0
ORDINANCE ADOPTED AND ASSIGNED 2806

Public Services Director Tracy Hodel introduced item. Provided an overview of purpose of street lighting utility fund. Pays for constructions, repair, replacement, maintenance, enlargement, and improvement. Anybody benefiting for the safety and convenience of street lights pay the utility fee. Last fee increase was in 2015. Staff proposing \$.25/month increase in 2020 and \$.25 increase in 2021.

Council President Goerger opened Public Hearing. No one spoke. Council President Goerger closed Public Hearing.

It was moved by Councilmember Conway, seconded by Councilmember Laraway to approve. Councilmember Hontos inquired on if any lights will be replaced in 2020. Hodel commented that major repairs were removed from the budget in 2020. Inquired on what constitutes an appropriate fund balance for the Street Lighting Fund. Currently reserve fund balance of approximately \$500,000. Finance Director Wipper commented that the policy is a 20% reserve with a separate equipment replacement reserve. The city does not currently have an equipment replacement reserve. Will be established with this fee increase. Further discussion on establishing fund for improvements. Councilmember Conway commented that the city still has neighborhoods that does not have street lighting and requested a plan for when that

will occur. Council President Goerger commented that this utility benefitted the citizens of St. Cloud as everybody pays for it, not just those on the tax roll. Will support this fee increase. Councilmember Masters inquired if the city has converted 100% to LED. Hodel commented that the City is nearly at 100% LED. Councilmembers Masters requested clarification on difference in enhanced lighting versus standard lighting. City Engineer Steve Foss addressed question – either more lighting or decorative lighting triggers placing in an enhanced lighting situation. Councilmember Hontos inquired on the rational of varied percentage increase. Hodel commented that it is all \$.25. No further discussion. Motion unanimously passed. Ordinance adopted and assigned 2806.

13. A. ORDINANCE REZONING 1700, 1712, AND 1718 7TH AVENUE SOUTH FROM R2, SINGLE AND TWO-FAMILY RESIDENTIAL, TO PUD, PLANNED UNIT DEVELOPMENT TO CREATE CONSISTENT ZONING ACROSS THE THREE NEWLY PLATTED PARCELS

ACTION TAKEN: LEWIS/CONWAY/APPROVED 7-0
ORDINANCE ADOPTED AND ASSIGNED 2807

B. RESOLUTION AMENDING THE CHILDREN'S HOME RESIDENTIAL PUD TO ADD THREE PARCELS AND ALLOW R2 ZONING DISTRICT PERMITTED AND CONDITIONAL USES

ACTION TAKEN: LEWIS/LARAWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-01-003

Community Development Director Matt Glaesman introduced item. Property expanded to allow for expansion to Children's Home. Items before Council to make zoning consistent. Planning Commission recommends approval.

Council President Goerger opened Public Hearing. No one spoke. Council President Goerger closed Public Hearing.

It was moved by Councilmember Lewis, seconded by Councilmember Conway to approve Item A. Councilmember Masters requested Glaesman to provide information on intended use. Glaesman commented that any changes such as physical expansion to property will need to come back to Council for approval. Motion unanimously passed. Ordinance adopted and assigned 2807.

It was moved by Councilmember Lewis, seconded by Councilmember Laraway to approve Item B. Motion unanimously passed. Resolution adopted and assigned 2020-01-003.

14. RESOLUTION AMENDING THE O'HARA'S PLANNED UNIT DEVELOPMENT GENERAL DEVELOPMENT PLAN TO ALLOW A GROCERY STORE ON THE MAIN FLOOR OF 3306, 3308, 3310, 3312, 3316, AND 3320 3RD STREET NORTH.

ACTION TAKEN: LEWIS/LARAWAY/APPROVED 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-01-004

Community Development Director Matt Glaesman introduced item. Proposed change to convert former kitchen space to a grocery store. Does not include changes to lower level. Planning Commission tabled lower level discussion. Only action before Council is adding a grocery to building. Glaesman addressed several concerns presented in Planning Commission meeting including on-site parking, off-site parking, outdoor seating, fence erection, and emergency exit door.

Council President Goerger opened Public Hearing.

Igor Lenzner, Attorney, Rinke Noonan – Represents applicant. Commented on conditions and would like to discuss with staff on item #2 and #7 as they are not doable in winter months. Other conditions are acceptable.

Elizabeth Baklaich, 1615 25th St SE, St. Cloud – commented on concerns regarding traffic and inadequate parking.

Peter Joseph Wilson, 1108 Celebration Dr, Sartell – concerned with traffic patterns in area

Pat Morin, 917 13th Ave SE, St. Cloud – concerned that this area is turning into a potential “no go” zone and going down to Islam.

Lowell Sell, 311 32nd Ave N, St. Cloud – resident in area for over 25 years. Concerned about traffic.

Jason Jacques, 1945 N Benton Dr, Sauk Rapids – any type of food grocery in that neighborhood is greatly needed.

Council President Goerger closed Public Hearing.

It was moved by Councilmember Lewis, seconded by Councilmember Laraway to approve. Councilmember Hontos requested review of list of conditions that Glaesman presented. Inquired on fence and ensuring that it will be erected. Inquired on space, Lenzner commented that the space is currently vacant. Applicant intends to turn it into a grocery and butcher shop. Councilmember Hontos also inquired on parking and delivery trucks. Lenzner indicated that this is a small grocery and delivery trucks will park parallel to the building. Councilmember Brandmire inquired on clarification if there is going to be a butcher shop and if they are going to be cutting up meat. Lenzner commented that it will be comparable to other grocery stores. Property owner Nasir Khan commented that the butcher service is just like every other grocery store. Councilmember Brandmire commented that the streets will not allow a semitruck and concerned that the grocery store is not good business as there are several in the area. Councilmember Masters requested clarification on the area of the grocery store – is it just in the area of the former kitchen? Khan commented that the grocery will use half kitchen/half former seating area. The butcher shop will be located in the old kitchen area. Glaesman commented that all facilities are up to code and have been inspected. Councilmember Lewis commented on delivery trucks and stated that it is not the Council's role to make sure a good business decision is made. Councilmember Conway inquired on where the front door will be located and if access will be available from the outside. Glaesman commented that it was staff's recommendation to not allow access from the outside in consideration of the neighborhood. Councilmember Conway concerned about lanes being marked appropriately on 3rd Street N. Also inquired on crosswalk and if it was installed. City Engineer Steve Foss commented that the crosswalk was installed and there are lights set to flash if patrons are intending to cross. Councilmember Conway requested that patrons use the crosswalks. Councilmember Hontos congratulated Mr. Khan and requested that he take care of his parking lot, maintain good order, and be a good

neighbor. No further discussion. Motion unanimously passed. Resolution adopted and assigned 2020-01-004.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Lewis announced that the Public Utilities Department has been awarded a United States Environmental Protection Agency award for the nutrient recovery and reuse project.

ADJOURNMENT:

It was moved by Councilmember Lewis, seconded by Councilmember Laraway to adjourn. Meeting adjourned at 8:10 PM.



Seth Kauffman, Recording Secretary



Jeff Geerger, Council President

OPEN FORUM

Patricia Moran, 917 13th Ave SE, St. Cloud - PUD questions, questioning why you can live at a PUD (15 seconds)

Jeremy Gunn, 53 7th St S, St. Cloud - Peace Data Collection and Reporting, Confidants of Peace and working to address underlying issues for tensions. Working to recognize issues and address the issues around religious and other issues.

Keri Lein, 2113 3rd St N, Sartell - Parking comments, works at Mexican Village and customers don't know of the ramps, discussed inconsistencies in the ramp

Becky, 3345 Cty Rd 3, Avon - Continued discussion of parking from the above.

Greg, 319 Cty Rd, St. Joseph - Owner of Mexican Village and discussed the issues that have occurred in the past years to keep them competitive in their working staff.