

CITY OF ST. CLOUD CITY COUNCIL PROCEEDINGS
Monday, July 20, 2020
6:00 PM
Virtual Meeting

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, Carol Lewis, George Hontos, Dave Masters**

CONSENT AGENDA:

4. **APPROVAL OF AGENDA**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVED 7-0 VIA ROLL CALL VOTE
5. **APPROVAL OF APPOINTMENT TO THE ARTS COMMISSION**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
6. **APPROVAL OF MINUTES FROM THE REGULAR COUNCIL MEETING HELD JUNE 15, 2020**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
7. **APPLICATION FOR AN OFF-SALE INTOXICATING LIQUOR LICENSE FOR CROWN LIQUOR AND WINE, LLC DBA CROWN LIQUOR AND WINE, 1362 15TH AVENUE SE**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
PUBLIC HEARING SET FOR AUGUST 3, 2020
8. **APPLICATION FOR AN AMUSEMENT DEVICE LICENSE FROM HOPWOK & EAT, INC. CBA HOUSE OF PIZZA-WEST, 4040 2ND STREET SOUTH**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
9. **SET A PUBLIC HEARING AMENDING SECTION 436 OF THE 2007 CODE OF ORDINANCES OF THE CITY OF ST. CLOUD ENTITLED "FIREWORKS"**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
PUBLIC HEARING SET FOR AUGUST 3, 2020
10. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT POWERS AGREEMENT WITH THE CITY OF SARTELL FOR PROVIDING MASSAGE LICENSE INSPECTION SERVICES**
ACTION TAKEN: HONTOS/MASTERS/APPROVED 7-0 VIA ROLL CALL VOTE
RESOLUTION ADOPTED AND ASSIGNED 2020-07-71

Councilmember Hontos pulled item for further discussion. It was moved by Councilmember Hontos, seconded by Councilmember Masters to approve.

Councilmember Hontos inquired on if the staff that inspect for nuisances will be the same staff that provides massage license inspection services for Sartell. City Health & Inspections Director Matt O'Brien commented that it is not the same staff. No further discussion. Motion unanimously passed via roll call vote. Resolution adopted and assigned 2020-07-71.

- 11. **RESOLUTION ACCEPTING BIDS FOR LAKE GOERGE REGIONAL STORMWATER TREATMENT, CONTRACT 2020-20.**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
RESOLUTION ADOPTED AND ASSIGNED 2020-07-72
- 12. **RESOLUTION ACCEPTING BIDS FOR GLENN CARLSON DRIVE RESURFACING IMPROVEMENTS, CONTRACT 2020-18.**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
RESOLUTION ADOPTED AND ASSIGNED 2020-07-73
- 13. **ORDINANCE REZONING PROPERTY LCOATED AT 1775 ROOSEVELT ROAD FROM R5, MULTI-FAMILY RESIDENTIAL DISTRICT TO C1, BUSINESS OFFICE DISTRICT. (REZ-2020-06)**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
PUBLIC HEARING SET FOR AUGUST 3, 2020
- 14. **PRELIMINARY AND FINAL PLAT APPROVAL OF SPECTRUM ADDITION OF ST. CLOUD (LOCATION: 2421 COUNTY ROAD 74) (PLAT-2020-12 & PLAT-2020-13)**
ACTION TAKEN: LEWIS/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE

Councilmember Lewis pulled item for further discussion. It was moved by Councilmember Lewis, seconded by Councilmember Brandmire to approve.

Councilmember Lewis requested clarification on item. City Development Director Matt Glaesman provided clarification indicating property off Hwy 15 on County Road 74 just north of Boulder Ridge Golf Course. No further discussion. Motion unanimously passed via roll call vote.

- 14A. **RESOLUTION CALLING FOR PUBLIC HEARING ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR ECONOMIC DEVELOPMENT DISTRICT NO. 3 AND THE PROPOSED ESTABLISHMENT OF A TAX INCREMENT FINACING DISTRICT (GATEWAY MOTEL DEVELOPMENT)**
ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
RESOLUTION ADOPTED AND ASSIGNED 2020-07-77

PUBLIC HEARINGS:

ALL PUBLIC HEARINGS WERE OPENED AND CLOSED AT 3:15 P.M. PRIOR TO THE MEETING. NO PUBLIC TESTIMONY WAS RECEIVED.

- 15. **APPLICATION FOR ON-SALE INTOXICATING LIQUOR LICENSE WITH SUNDAY SALE FROM HOPWOK & EAT, INC. DBA HOUSE OF PIZZA-WEST, 4040 2ND STREET SOUTH**
ACTION TAKEN: LARAWAY/MASTERS/APPROVE 7-0 VIA ROLL CALL VOTE

City Clerk Seth Kauffman introduced item. Two contingencies regarding occupancy and fee payment. Clean application. It was moved by Councilmember Laraway, seconded by Councilmember Masters to approve. No discussion. Motion unanimously passed via roll call vote.

- 16. **CONDUCT A PUBLIC HEARING AMENDING SECTION 700 OF THE 2007 CODE OF ORDINANCES ENTITLED "TRAFFIC AND PARKING REGULATIONS"**

ACTION TAKEN: MASTERS/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
ORDINANCE ADOPTED AND ASSIGNED 2817

Public Services Director Tracy Hodel introduced item and provided overview of changes to parking enforcement, eliminating gate access and utilizing pay stations. It was moved by Councilmember Masters, seconded by Councilmember Brandmire to approve. Councilmember Brandmire requested clarification on subdivisions regarding limit of 24-hour parking for RVs. Hodel commented that staff will explore language to provide exceptions. Councilmember Hontos suggested that a discussion at a Study Session should be considered. Councilmember Hontos inquired if meters will still exist. Hodel commented that they will, as they are one of three options to pay for parking at single spot locations. Meters will eventually be phased out. Councilmember Masters inquired on if there is a cost to the city for the Electric Vehicle Pay station. Hodel commented covered via grant. Councilmember Lewis inquired on parking permits in ramps and bypassing system. Hodel commented that there will be no gates. Contract parkers will utilize ramp permits. Nothing to bypass. Contract permit holders will utilize designated parking area. Councilmember Hontos inquired on enforcement. No further discussion. Motion unanimously passed via roll call vote. Ordinance adopted and assigned 2817.

17. CONSIDERATION OF RESOLUTION AMENDING ASSESSMENT ROLL 2 FOR 2018 PUBLIC IMPROVEMENTS.

ACTION TAKEN: LARAWAY/BRANDMIRE/APPROVE 7-0 VIA ROLL CALL VOTE
RESOLUTION ADOPTED AND ASSIGNED 2020-07-74

City Attorney Renee Courtney introduced item. Recommending reassessment of property based on appeal by homeowners and independent appraisal. It was moved by Councilmember Laraway, seconded by Councilmember Brandmire to approve. Councilmember Hontos disappointed in process of appeal for homeworkers. No further discussion. Motion unanimously passed via roll call vote. Resolution adopted and assigned 2020-07-74.

18. RESOLUTION AMENDING THE CITY OF ST CLOUD CDBG PROGRAM YEAR 2020 ANNUAL ACTION PLAN SO AS TO PREVENT, PREPARE FOR, AND RESPOND TO THE IMPACTS OF CORONAVIRUS BY MODIFYING PREVIOUSLY AWARDED PROJECTS AND INCORPORATING THE CDBG-CV EMERGENCY FUNDING PLAN

ACTION TAKEN: LEWIS/MASTERS/APPROVE 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-75

City Development Director Matt Glaesman introduced item. Changes due to coronavirus. It was moved by Councilmember Lewis, seconded by Councilmember Masters to approve. Councilmember Lewis inquired on if the city is expecting any additional money for CDBG/coronavirus. Glaesman indicated that no additional funds expected. Councilmember Laraway commented that he would really like to see this approved as proposed to assist Pathways for Youth who are struggling because of coronavirus. Councilmember Hontos requested clarification on modification of usage of Pathways for Youth monies. Glaesman commented that this is simply a different use for the money already awarded. No further discussion. Motion unanimously passed by roll call vote. Resolution adopted and assigned 2020-07-75.

NEW BUSINESS:

**19. REQUEST TO REVOKE PARKING RESTRICTIONS ALONG BOTH SIDES OF 32ND AVENUE
NORTH FROM 8TH STREET NORTH/VETERANS DRIVE TO THE ALLEY ENTRANCE NORTH**

ACTION TAKEN: BRANDMIRE/LARAWAY/APPROVE 7-0
RESOLUTION ADOPTED AND ASSIGNED 2020-07-76

City Engineer Steve Foss introduced item. Long standing restrictions that no is longer needed. It was moved by Councilmember Brandmire, seconded by Councilmember Laraway to approve. No discussion. Motion unanimously passed via roll call vote. Resolution adopted and assigned 2020-07-76.

**20. EMERGENCY ORDINANCE REQUIRING FACE COVERINGS FOR INDOOR SPACES OF
PUBLIC ACCOMMODATION.**

ACTION TAKEN: LEWIS/LARAWAY/APPROVE 5-2 (BRANDMIRE & CONWAY OPPOSED)
ORDINANCE ADOPTED AND ASSIGNED 2818

City Attorney Renee Courtney introduced item. Placed on agenda based on Councilmember Hontos' request to add for Council's consideration. It was moved by Councilmember Lewis, seconded by Councilmember Laraway to approve. Discussion on pros and cons regarding masks with Councilmembers Brandmire and Conway speaking in opposition to the mandate of usage. Motion passed 5-2 with Councilmember Brandmire and Conway opposed. Ordinance adopted and assigned 2818.

OPEN DISCUSSION & ANNOUNCEMENTS:

Motion to add Residential Parking to Study session. It was moved by Councilmember Brandmire, seconded by Councilmember Masters to approve. Motion unanimously passed via roll call vote.

ADJOURNMENT

It was moved by Councilmember Lewis, seconded by Councilmember Brandmire to adjourn. Meeting adjourned at 7:41 PM.



Seth Kauffman, Recording Secretary



Jeff Goerger, Council President

CITY OF ST. CLOUD COUNCIL PROCEEDINGS
Monday, August 3, 2020
6:00 P.M.
Virtual Meeting

1. **PLEDGE OF ALLEGIANCE.**
2. **MOMENT OF SILENCE FOR OUR MEN AND WOMEN SERVING IN THE ARMED FORCES.**
3. **ROLL CALL. COUNCILMEMBERS PRESENT:** Paul Brandmire, Mike Conway, Jeff Goerger, George Hontos, Steve Laraway, Carol Lewis, and Dave Masters. **NOTE:** Vice President Laraway chaired the meeting from CR#1.
4. **MAYOR DAVE KLEIS PRESENTED AN INTRODUCTION AND REVIEW OF THE 2021 GOVERNMENTAL FUNDS BUDGET.**

CONSENT AGENDA:

5. **APPROVAL OF THE AGENDA.** ACTION TAKEN: CONWAY/BRANDMIRE MOVED APPROVAL OF AGENDA ITEMS 5 – 13. APPROVED BY ROLL CALL VOTE OF 7-0.
6. **APPROVAL OF THE MINUTES FROM THE REGULAR MEETING HELD JULY 6, 2020.** ACTION TAKEN: APPROVED
7. **APPOINTMENT OF DR. SANGEETA JHA AND REAPPOINTMENT OF GARY GANJE TO THE CHARTER COMMISSION.** ACTION TAKEN: APPROVED
8. **APPOINTMENTS OF BETSY RAKOTZ TO THE HERITAGE PRESERVATION COMMISSION; DARIAN RICHARDSON TO THE POLICE COMMISSION REVIEW BOARD; AND ABDIAZIZ ODIRIYE, ALICIA MAGES, DONALD OESTREICH, GAIL KUZEL, JOSEPH ZULKOSKY, MARILYN POPP, ROBERT ERICKSON, SOLVEIG KRAFNICK, AND STEVE HOOPER TO THE WHITNEY SENIOR CENTER ADVISORY BOARD.** ACTION TAKEN: APPROVED
9. **SET A SPECIAL CITY COUNCIL MEETING FOR NOON ON FRIDAY, AUGUST 14, 2020, IN CITY HALL CONFERENCE ROOM #1 TO CANVASS RESULTS OF THE PRIMARY ELECTION HELD AUGUST 11, 2020.** ACTION TAKEN: APPROVED
10. **APPLICATION FOR TRANSFER OF AN ON-SALE INTOXICATING LIQUOR LICENSE WITH SUNDAY SALES FROM 12 X'S INC. DBA SOUTHWAY BOWL, 1222 33RD STREET SOUTH TO GRANITE LANES, INC. DBA SOUTHWAY BOWL, 1222 33RD SOUTH.** ACTION TAKEN: PUBLIC HEARING SET FOR AUGUST 17, 2020.
11. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLER TO EXECUTE GRANT AGREEMENT NO. 3-27-0095-032-2020 FOR FEDERAL FINANCIAL ASSISTANCE AT THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: APPROVED. RESOLUTION ADOPTED AND ASSIGNED 2020-08-78

- 12. WATER TREATMENT FACILITY ADVANCED PROCESS IMPROVEMENTS AND UPGRADE:**
(A) AWARD BID TO RICE LAKE CONSTRUCTION GROUP. ACTION TAKEN: APPROVED;
(B) PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION PHASE SERVICES.
ACTION TAKEN: APPROVED; **(C) AN EXEMPTION FROM THE CITY NOISE ORDINANCE.**
ACTION TAKEN: APPROVED; AND **(D) RESOLUTION RELATING TO \$40,055,140**
GENERAL OBLIGATION DRINKING WATER REVENUE NOTE SERIES 2020. ACTION
TAKEN: APPROVED. RESOLUTION ADOPTED AND ASSIGNED 2020-08-79.
- 13. AMENDMENT TO JOINT RESOLUTION AS TO ORDERLY ANNEXATION BY AND BETWEEN**
THE CITY OF ST. CLOUD AND THE TOWN OF HAVEN. ACTION TAKEN: APPROVED.
RESOLUTION ADOPTED AND ASSIGNED 2020-08-80.

PUBLIC HEARINGS:

- 14. APPLICATION FOR AN OFF-SALE INTOXICATING LIQUOR LICENSE FOR CROWN**
LIQUOR AND WINE, LLC DBA CROWN LIQUOR AND WINE, 1362 15TH AVENUE SE.
ACTION TAKEN: VICE PRESIDENT LARAWAY RECOGNIZED CITY CLERK SETH
KAUFFMAN WHO ANNOUNCED THAT NO PUBLIC COMMENTS HAD BEEN RECEIVED
BY 3:30 P.M. AND RECOMMENDED APPROVAL UPON RECEIPT OF FAVORABLE
REPORTS FROM ALL CITY DEPARTMENTS. MASTERS/LEWIS MOVED APPROVAL.
APPROVED BY ROLL CALL VOTE OF 7-0.
- 15. AMENDMENT TO SECTION 436 OF THE 2007 CODE OF ORDINANCES ENTITLED**
"FIREWORKS." ACTION TAKEN: VICE PRESIDENT LARAWAY RECOGNIZED CITY
ATTORNEY RENEE COURTNEY FOR OPENING COMMENTS. SHE REVIEWED THE
PROPOSED LANGUAGE TO SECTION 436:25, ENTITLED "USE AND POSSESSION" -
SUBD. 6, TO READ: **Fireworks will not be discharged in such a manner that may**
create a nuisance between the hours of 10:00 p.m. to 7:00 a.m. Permitted
supervised public displays of fireworks by cities, fair associations, amusement
parks, and other organizations, are exempted from the hours provision. Fireworks
use will also be subject to any additional ordinances such as noise and/or
assembly. BRANDMIRE/CONWAY OFFERED AMENDMENT TO PROPOSED
ORDINANCE FOR AN EXCEPTION ON JULY 4TH (INDEPENDENCE DAY) TO EXTEND
HOURS FOR THAT DAY TO MIDNIGHT. MOTION APPROVED BY ROLL CALL VOTE OF
5-2 WITH GOERGER AND HONTOS VOTING AGAINST. BRANDMIRE/LEWIS MOVED
APPROVAL OF ORDINANCE AS AMENDED. APPROVED BY 7-0 ROLL CALL VOTE.
ADOPTED ORDINANCE ASSIGNED 2819.
- 16. ORDINANCE REZONING PROPERTY LOCATED AT 1775 ROOSEVELT ROAD FROM R-5,**
GENERAL MULT-FAMILY RESIDENTIAL DISTRICT TO C1, BUSINESS OFFICE DISTRICT.
(REZ-2020-06). ACTION TAKEN: VICE PRESIDENT LARAWAY RECOGNIZED
COMMUNITY RECOGNIZED COMMUNITY DEVELOPMENT DIRECTOR MATT
GLAESMAN FOR OPENING COMMENTS. LEWIS/BRANDMIRE MOVED APPROVAL.
APPROVED BY 7-0 ROLL CALL VOTE. ADOPTED ORDINANCE ASSIGNED 2820.

OPEN DISCUSSION:

COUNCILMEMBER LEWIS ASKED COUNCILMEMBER BRANDMIRE TO OFFER A PUBLIC APOLOGY FOR THE COMMENTS HE MADE AT THE JULY 20, 2020 MEETING DURING THE FACE MASK DISCUSSION. COUNCILMEMBER HONTOS CONCURRED. NO ACTION TAKEN.

ADJOURNMENT

It was moved by Councilmember Lewis, seconded by Councilmember Brandmire to adjourn. Meeting adjourned at 7:16 PM.



Seth Kauffman, Recording Secretary



Jeff Goerger, Council President

