

**CITY OF ST. CLOUD COUNCIL PROCEEDINGS**  
**MONDAY, AUGUST 17, 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: PRESIDENT JEFF GOERGER PRESENT IN CITY HALL CONFERENCE ROOM 1. OTHER COUNCILMEMBERS PRESENT BY TELECONFERENCE PARTICIPATION: PAUL BRANDMIRE, MIKE CONWAY, GEORGE HONTOS, STEVE LARAWAY, CAROL LEWIS AND DAVE MASTERS.**

**CONSENT AGENDA:**

4. **APPROVAL OF THE AGENDA. ACTION TAKEN: LARAWAY/LEWIS MOVED APPROVAL OF ALL AGENDA ITEMS EXCEPT FOR ITEM 18 (PULLED BY LEWIS), ITEM 20 (PULLED BY CONWAY), AND ITEM 21 (PULLED BY LARAWAY). APPROVED BY ROLL CALL VOTE OF 7-0.**
5. **APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETINGS HELD JULY 20, 2020 AND AUGUST 3, 2020. ACTION TAKEN: APPROVED.**
6. **APPLICATION FOR OFF-SALE LIQUOR 3.2% MALT LIQUOR LICENSES FOR COBORN'S GROCERY & CONVENIENCE STORES. ACTION TAKEN: APPROVED CONTINGENT UPON FAVORABLE DEPARTMENTAL REVIEWS AND RECEIPT OF INSURANCE.**
7. **APPLICATIONS FROM GRANITE LANES, INC. DBA SOUTHWAY BOWL, 1222 33<sup>RD</sup> STREET SOUTH, FOR BOWLING ALLEY LICENSE AND AMUSEMENT DEVICE LICENSE. ACTION TAKEN: APPROVED.**
8. **RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH STEARNS COUNTY TO SHARE A JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$29,209.00. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-81.**
9. **RESOLUTION SETTING SEPTEMBER 14, 2020, FOR THE PUBLIC HEARING ON THE PRELIMINARY 2021 GOVERNMENTAL FUNDS BUDGET AND TAX LEVY. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-82.**

10. **RESOLUTION SETTING SEPTMEMBER 14, 2020, FOR THE PUBLIC HEARING ON THE 2021 SPECIAL TAX LEVY AND BUDGET FOR THE ST. CLOUD ECONOMIC DEVELOPMENT AUTHORITY (EDA). ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-83.**
11. **RESOLUTION SETTING SEPTEMBER 14, 2020, FOR THE PUBLIC HEARING ON THE 2021 SPECIAL LEVY FOR THE ST. CLOUD HOUSHING AND REDEVELOPMENT AUTHORITY (HRA). ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-84.**
12. **RESOLUTION SETTING SEPTEMBER 14, 2020, FOR THE PUBLIC HEARING ON THE CERTIFICATION OF DELINQUENT UTILITY ACCOUNTS TO COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2021. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-85.**
13. **RESOLUTION SETTING SEPTEMBER 14, 2020, FOR THE PUBLIC HEARING ON THE CERTIFICATION OF DELINQUENT ADMINISTRATIVE CITATION CHARGES TO THE COUNTIES FOR COLLECTION. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-86.**
14. **RESOLUTION SETTING SEPTEMBER 14, 2020, FOR THE PUBLIC HEARING ON THE CERTIFICATION OF DELINQUENT WEED REMOVAL/GRASS MOWING CHARGES TO THE COUNTIES FOR COLLECTION. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-87**
15. **RESOLUTION SETTING SEPTEMBER 14, 2020, FOR THE PUBLIC HEARING ON CERTIFICATION OF DELINQUENT NUISANCE ABATEMENT CHARGES TO THE COUNTIES FOR COLLECTION. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-88.**
16. **PUBLIC UTILITIES EQUIPMENT PURCHASE OF SEWER CLEANING EQUIPMENT. ACTION TAKEN: APPROVED.**
17. **RESOLUTION SETTING SEPTEMBER 14, 2020, FOR THE PUBLIC HEARING FOR CERTIFICATION OF DELINQUENT SNOW REMOVAL CHARGES TO THE COUNTIES FOR COLLECTION. ACTION TAKEN: RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-89.**
18. **SUPPLEMENTAL AGREEMENT NO. 1 TO 25<sup>TH</sup> AVENUE NORTH FROM 8<sup>TH</sup> TO 12<sup>TH</sup> STREET NORTH AND UPPER PAN SANITARY SEWER REROUTING IMPROVEMENTS, CONTRACT 2020-02, S.A.P. 162-132-021. ACTION TAKEN: LEWIS/MASTERS MOVED. APPROVED BY ROLL CALL VOTE OF 7-0.**
19. **A.) RESOLUTION AMENDING THE SCHWINGHAMMER FARMS PUD TO ALLOW TWO 36-UNIT MULTIPLE FAMILY DWELLINGS AT 3135 COUNTY ROAD 136; AND**

**B) ORDINANCE VACATING A SEGMENT OF 42<sup>ND</sup> AVENUE SOUTH RIGHT OF WAY AND 14,500 SQUARE FOOT DRAINAGE AND UTILITY EASEMENT; AND**

**C) PRELIMINARY AND FINAL PLAT OF SCHWINGHAMMER FARMS SECOND ADDITION.**

ACTION TAKEN: READING AND PUBLIC HEARING SET FOR SEPTEMBER 14, 2020.

20. **TEMPORARY EXCAVATION PERMIT FROM AUGUST 1, 2020, TO JULY 1, 2021, TO PROCESS WASTE GRANITE MATERIAL INTO AGGREGATE AT 3696 WEST ST. GERMAIN STREET (TEP-2016-01).** ACTION TAKEN: CONWAY MOVED TO TABLE THIS ITEM. COMMUNITY DEVELOPMENT DIRECTOR GLAESMAN CLARIFIED ACTION TAKEN BY THE PLANNING COMMISSION. CONWAY RESCINDED HIS MOTION. CONWAY/MASTERS MOVED APPROVAL OF THE ITEM. CONWAY INQUIRED WHETHER APPLICANT WOULD CONSIDER CHANGING DAILY OPERATING HOURS AND ELIMINATE SATURDAY HOURS. CONWAY/BRANDMIRE MOVED TO TABLE THIS ITEM. MOTION TO TABLE CARRIED BY ROLL CALL VOTE OF 7-0.
21. **A) RESOLUTION AMENDING THE JAZZ HOLDINGS PUD TO DEVELOP A NEIGHBORHOOD COMMERCIAL CENTER AT RILLA ROAD, ELBOW LANE, AND COUNTY ROAD 4.**  
**B) ORDINANCE VACATING A SEGMENT OF ELBOW LANE. (VAC-2020-07)**  
**C) PRELIMINARY AND FINAL PLAT OF THEISEN PARK 2<sup>ND</sup> ADDITION.**  
ACTION TAKEN: LARAWAY RECALLED PAST NEIGHBORHOOD CONCERNS AND ASKED FOR THE TRAFFIC STUDY TO BE COMPLETED AND RESULTS BY THE PUBLIC HEARING. LARAWAY/BRANDMIRE MOVED TO SET THE READING AND PUBLIC HEARING FOR SEPTEMBER 14, 2020. MOTION CARRIED BY ROLL CALL VOTE OF 7-0.
22. **ORDINANCE VACATING A FIVE-FOOT WIDE DRAINAGE AND UTILITY EASEMENT ALONG THE WEST BOUNDARY LINE OF LOT 1, BLOCK 1, ALVORD AND AQUILINE ESTATES. (LOCATION: 2651 PARK AVENUE) (VAC-2020-08)** ACTION TAKEN: APPROVED READING AND PUBLIC HEARING FOR SEPTEMBER 14, 2020.

**PUBLIC HEARINGS:**

23. **APPLICATION FOR THE TRANSFER OF AN ON-SALE INTOXICATING LIQUOR LICENSE WITH SUNDAY SALES FROM 12 X'S, INC. DBA SOUTHWAY BOWL, 1222 33<sup>RD</sup> STREET SOUTH TO GRANITE LANES, INC. DBA SOUTHWAY BOWL, 1222 33<sup>RD</sup> STREET SOUTH.** ACTION TAKEN: CITY CLERK SETH KAUFFMAN INTRODUCED ITEM. OWNER SOLD BUSINESS TO FORMER OWNER. NO PUBLIC COMMENTS. RECOMMEND APPROVAL.

MASTERS/BRANDMIRE MOVED TO APPROVE. MOTION UNANIMOUSLY APPROVED VIA ROLL CALL VOTE.

**OLD BUSINESS:**

24. **RESOLUTION TO EXTEND THE MAYOR'S LOCAL EMERGENCY DECLARATION.** ACTION TAKEN: MAYOR DAVE KLEIS INTRODUCED ITEM. NO CHANGES AND NO UPDATES TO DECLARATION. SIMPLY AN EXTENSION. LARAWAY/BRANDMIRE MOVED TO APPROVE. COUNCILMEMBER HONTOS COMMENTED ON CONCERNS REGARDING METHOD OF WHICH THE COUNCIL IS CONDUCTING PUBLIC HEARINGS. WOULD LIKE TO FACILITATE LIVE PUBLIC HEARINGS. MAYOR KLEIS COMMENTED THAT THIS IS THE DECISION OF THE COUNCIL. FURTHER DISCUSSION HELD. MOTION UNANIMOUSLY PASSED VIA ROLL CALL VOTE. RESOLUTION ADOPTED AND ASSIGNED 2020-08-90.
  
25. **COUNCILMEMBER LEWIS REQUEST – CENSURE.** COUNCILMEMBER LEWIS MOVED TO CENSURE COUNCILMEMBER BRANDMIRE. COUNCIL PRESIDENT GOERGER SECONDED THE MOTION. COUNCILMEMBER LEWIS COMMENTED ON COUNCILMEMBER BRANDMIRE'S REMARKS AT JULY 20<sup>TH</sup> MEETING ON YELLOW STAR COMPARISON TO MASK REQUIREMENT. COUNCILMEMBER BRANDMIRE WAS GIVEN THE OPTION TO APOLOGIZE AND CHOSE NOT TO. COUNCIL CANNOT BE COMPLICIT. COUNCILMEMBER MASTERS SHARED HIS CONCERNS REGARDING COUNCILMEMBER BRANDMIRE'S COMMENTS AND REQUESTED COUNCILMEMBER BRANDMIRE TO RETRACT HIS STATEMENT. COUNCILMEMBER CONWAY COMMENTED THAT COUNCILMEMBERS SHOULD HAVE CONTACTED COUNCILMEMBER BRANDMIRE REGARDING THEIR CONCERNS ON HIS COMMENTS. FURTHER DISCUSSION HELD. MOTION TO CENSURE COUNCILMEMBER BRANDMIRE APPROVED 5-2 WITH COUNCILMEMBERS BRANDMIRE AND CONWAY OPPOSED.

**ADJOURNMENT**

It was moved by Councilmember Lewis, seconded by Councilmember Brandmire to adjourn. Meeting adjourned at 6:58 PM.



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Seth Kauffman, Recording Secretary



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Jeff Goerger, Council President