

CITY OF ST. CLOUD COUNCIL PROCEEDINGS
Monday, September 14, 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:** Council President Jeff Goerger present in City Hall Conference Room
1. **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: HONTOS PULLED ITEM 16 FOR DISCUSSION. COUNCILMEMBER MASTERS MOVED/COUNCILMEMBER CONWAY SECONDED APPROVAL OF ALL OTHER CONSENT AGENDA ITEMS. APPROVED BY ROLL CALL VOTE OF 7-0. COUNCILMEMBER LEWIS HAD THREE ITEMS UNDER OPEN DISCUSSION.
5. **APPROVAL OF THE MINUTES FROM THE REGULAR MEETING HELD AUGUST 17, 2020.** ACTION TAKEN: APPROVED
6. **APPOINTMENTS OF KING BANAIAH AND RYAN DANIELS TO THE REGIONAL AIRPORT AUTHORITY BOARD OF COMMISSIONERS.** ACTION TAKEN: APPROVED
7. **APPOINTMENT OF CHRIS JACQUES TO THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) AND APPOINTMENTS OF ROBERT RUPRECHT AND THOMAS DOUGHERTY TO THE CIVIL SERVICE BOARD.** ACTION TAKEN: APPROVED
8. **RESOLUTION AUTHORIZING CHARITABLE GAMBLING PREMISES PERMIT FOR THE GRANITE CITY LUMBERJACKS AT MIDTOWN BAR & GRILL, 3333 W. DIVISION STREET.** ACTION TAKEN: APPROVED. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-91.
9. **APPLICATION FOR TOBACCO LICENSE FROM ST. CLOUD TOBACCO SHOP, INC. DBA ST. CLOUD TOBACCO, 3411 WEST DIVISION STREET (MIDTOWN SQUARE).** ACTION TAKEN: APPROVED.
10. **APPLICATION FOR AN ON SALE 3.2% MALT LIQUOR LICENSE AND WINE LICENSE FOR THE BLIZZARD, LLC DBA ST. CLOUD NORSEMEN, 5001 VETERANS DRIVE (MUNICIPAL ATHLETIC COMPLEX ICE ARENAS).** ACTION TAKEN: PUBLIC HEARING SET FOR SEPTEMBER 28, 2020.

- 11. APPLICATION FOR A TEMPORARY INTOXICATING LIQUOR LICENSE FOR THE CHURCH OF THE HOLY SPIRIT FOR AN OUTDOOR MASS/POLKA CONCERT/RAFFLE ON SUNDAY, OCTOBER 11, 2020. ACTION TAKEN: APPROVED.**
- 12. APPLICATION FOR A TOBACCO LICENSE FROM GW COFFEE, LLC DBA GW COFFEE, 3817 RICHTER AVENUE, ST. CLOUD. ACTION TAKEN: APPROVED.**
- 13. RESOLUTION REGARDING THE CLASSIFICATION OF TAX FORFEITED PROPERTY. ACTION TAKEN: APPROVED. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-92.**
- 14. RESOLUTION SETTING DECEMBER 7, 2020, FOR THE PUBLIC HEARING ON THE FINAL 2021 GOVERNMENTAL FUNDS BUDGET AND TAX LEVY. ACTION TAKEN: APPROVED. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-93.**
- 15. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AIRPORT IMPROVEMENT GRANT AGREEMENT, AGREEMENT NUMBER 1044764, RELATED TO STATE PROJECT NO. A7301-130, WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION'S OFFICE OF AERONAUTICS. ACTION TAKEN: APPROVED. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-94.**
- 16. TEMPORARY EXCAVATION PERMIT TO PROCESS WASTE GRANITE MATERIAL INTO AGGREGATE FROM AUGUST 1, 2020, TO JULY 1, 2021 AT 3696 WEST ST. GERMAIN STREET (TEP-2016-01). ACTION TAKEN: HONTOS PULLED ITEM FOR DISCUSSION. HONTOS REVISITED HIS CONCERN ABOUT PROHIBITING CRUSHING OPERATIONS ON SATURDAYS. LEWIS ASKED ABOUT A TIMEFRAME FOR THE GRANITE WASTE EXCAVATING. CONWAY ASKED IF BOULDER RIDGE DEVELOPMENT RESIDENTS ARE INFORMED ABOUT THE QUARRY PLANS. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN HIGHLIGHTED THE REVISED CONDITIONS OF THE DRAFT RESOLUTION AND THE APPLICANT'S LONG-TERM INTENTIONS. COUNCILMEMBER HONTOS MOVED/COUNCILMEMBER LEWIS SECONDED APPROVAL. APPROVED BY ROLL CALL VOTE OF 6-1 WITH LEWIS VOTING AGAINST.**
- 17. (A) ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE CITY OF ST. CLOUD LAND DEVELOPMENT CODE CREATING THE C6, SOUTHSIDE MIXED USE, DISTRICT AND DESIGN STANDARDS:**
 - AMEND ARTICLE 6-ZONING DISTRICTS, SECTION 6.2-DISTRICT CLASSIFICATION, C.-COMMERCIAL ADDING C6, SOUTHSIDE MIXED USE DISTRICT;**
 - ADOPTING ARTICLE 9-COMMERCIAL DISTRICTS, SECTION 9.1-PURPOSE. F.-PURPOSE OF C6 SOUTHSIDE MIXED USE DISTRICT;**
 - AMENDING ARTICLE 9-COMMERCIAL DISTRICTS PERMITTED AND CONDITIOANL USES;**
 - AMENDING ARTICLE 9 – COMMERCIAL DISTRICTS, SECTION 9.3 – BULK AND SETBACK REGULATIONS, TABLE 9-2-COMMERCIAL DISTRICTS BULK AND SETBACK REGULATIONS;**

- **ADOPTING ARTICLE 9 – COMMERCIAL DISTRICTS, SECTION 9.4 – GENERAL STANDARDS OF APPLICABILITY, G. – DESIGN STANDARDS;**
- **ADOPTING ARTICLE 13 – DESIGN STANDARDS, SECTION 13.5 – SOUTHSIDE MIXED USE DISTRICT DESIGN GUIDELINES;**
- **AMENDING ARTICLE 15 – ON-SITE DEVELOPMENT STANDARDS, SECTION 15.2 – USE OF LAND AND BUILDINGS, F. VIEW OBSTRUCTION (LDC-2019-08)**

ACTION TAKEN: READING AND PUBLIC HEARING SET FOR SEPTEMBER 28, 2020.

(B) ORDINANCE AMENDING THE ST. CLOUD ZONING MAP BY REZONING PROPERTIES FROM C4, FRINGE CENTRAL BUSINESS DISTRICT, R3, LODGING HOUSE AND FRATERNITY/SORORITY HOUSE RESIDENTIAL DISTRICT; AND R3A, GENERAL RESIDENTIAL AND LODGING HOUSE DISTRICT TO C6, SOUTHSIDE MIXED USE DISTRICT. (REZ-2020-07)

ACTION TAKEN: READING AND PUBLIC HEARING FOR SEPTEMBER 28, 2020.

18. (A) ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE CITY OF ST. CLOUD LAND DEVELOPMENT CODE CREATING THE SOUTHSIDE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT:

- **AMEND ARTICLE 6 – ZONING DISTRICTS, SECTION 6.2 – DISTRICT CLASSIFICATION, F. – OVERLAY DISTRICTS AND DESIGNATED AREAS;**
- **ADOPTING ARTICLE 8 – RESIDENTIAL DISTRICTS, SECTION 8.5 – GENERAL STANDARDS OF APPLICABILITY, G. – DESIGN STANDARDS;**
- **ADOPTING ARTICLE 12 – OVERLAY DISTRICTS, SECTION 12.6 – SOUTHSIDE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT;**
- **ADOPTING ARTICLE 13 – DESIGN STANDARDS, SECTION 13.6 – SOUTHSIDE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT GUIDELINES;**
- **AMENDING ARTICLE 21 – DEFINITIONS, SECTION 21.5 – GENERAL TERMS DEFINITIONS (LDC-2019-08)**

ACTION TAKEN: READING AND PUBLIC HEARING FOR SEPTEMBER 28, 2020.

(B) ORDINANCE AMENDING THE ST. CLOUD ZONING MAP CREATING THE SOUTHSIDE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT. (REZ-2020-08)

ACTION TAKEN: READING AND PUBLIC HEARING FOR SEPTEMBER 28, 2020.

PUBLIC HEARINGS:

19. RESOLUTION ADOPTING THE PRELIMINARY TAX LEVY AND BUDGET FOR THE 2021 GOVERNMENTAL FUNDS. MAYOR DAVE KLEIS PRESENTED THE 2021 PRELIMINARY TAX LEVY AND GOVERNMENTAL FUNDS BUDGET. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER LARAWAY MOVED/COUNCILMEMBER MASTERS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-95

20. RESOLUTION AUTHORIZING A SPECIAL TAX AND BUDGET FOR THE ST. CLOUD ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR PAYMENT IN 2021. ECONOMIC DEVELOPMENT DIRECTOR CATHY MEHELICH INTRODUCED THE ITEM. COUNCIL

PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER LEWIS MOVED AND COUNCILMEMBER LARAWAY SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-96

- 21. RESOLUTION AUTHORIZING A SPECIAL TAX LEVY FOR THE HOUSING AND REDEVELOPMENT AUTHORITY FOR PAYMENT IN 2021.** KAREN RIZER, HRA FINANCE DIRECTOR, INTRODUCED THE ITEM. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER CONWAY MOVED/COUNCILMEMBER LEWIS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-97.
- 22. RESOLUTION APPROVING A MODIFICATION TO DEVELOPMENT PROGRAM FOR ECONOMIC DEVELOPMENT DISTRICT NO. 3 AND THE CREATION OF THE GATEWAY MOTEL DEVELOPMENT TAX INCREMENT FINANCING DISTRICT.** ECONOMIC DEVELOPMENT DIRECTOR CATHY MEHELICH INTRODUCED THE ITEM. THE CITY HAS BEEN WORKING WITH DEVELOPER, MIDLAND ATLANTIC PROPERTIES, FOR APPROXIMATELY ONE YEAR ON THIS EAST SIDE REDEVELOPMENT DISTRICT PROJECT. PRELIMINARY PLANS INCLUDE A THREE-TENANT COMMERCIAL BUILDING (ONE SPACE ALREADY DESIGNATED TO BE A COFFEE SHOP). BRANDMIRE INDICATED CONCERN FOR THE RELOCATION OF ANY HOMELESS CURRENTLY HOUSED AT THE GATEWAY MOTEL SITE. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN STATED THAT THE DEVELOPER WILL BE REQUIRED TO ADHERE TO A RELOCATION PROCESS ESTABLISHED BY LAW. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER LARAWAY MOVED/COUNCILMEMBER MASTERS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-98.
- 23. RESOLUTION CERTIFYING DELINQUENT UTILITY ACCOUNTS TO THE COUNTIES FOR COLLECTION WITH PROPERTY TAXES PAYABLE IN 2021.** ASSISTANT FINANCE DIRECTOR DEANNA FAH INTRODUCED THIS ITEM NOTING THAT AN UPDATED LIST HAD BEEN PROVIDED TO THE COUNCIL. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER BRANDMIRE MOVED/COUNCILMEMBER MASTERS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-99.
- 24. RESOLUTION CERTIFYING DELINQUENT SNOW REMOVAL CHARGES TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2021.** DIRECTOR OF PUBLIC SERVICES TRACY HODEL INTRODUCED THIS ITEM NOTING THAT AN UPDATE LIST HAD BEEN PROVIDED TO THE COUNCIL. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER LARAWAY MOVED/COUNCILMEMBER BRANDMIRE SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-100.

- IN PERSON TESTIMONY: TERRI LARSON SPOKE ON BEHALF OF HER COUSINS, LEROY AND LLOYD GOHMAN, GOHMAN FARMS, 24150 FRANKLIN ROAD, DISPUTING THE CITATION OF \$3,300.00. SHE SENT AN EMAIL (TODAY'S DATE) TO CITY HEALTH STAFF OUTLINING HER CONCERNS AND LEGAL ISSUES REGARDING THE PROPOSED CODE VIOLATIONS PLACED ON THIS PROPERTY.
- DAN CARLSON, 1020 E. 146TH STREET, BURNSVILLE; OWNER OF A MULTI-FAMILY RENTAL UNIT AT 1011 5TH AVENUE S., ST. CLOUD; DISPUTED THE AMOUNT OF \$4,125.00 AND REQUESTED GRACE DUE TO THE CURRENT PANDEMIC AND GOVERNOR/PRESIDENT EXECUTIVE ORDERS CAUSING THE INABILITY TO COLLECT RENTAL PAYMENTS. HE SAID HE HAS MET ALL OF HEALTH STAFF'S CONCERNS.
- ESTEVAN BEJEVANO, 1011 5TH AVENUE S., APT.#301; SERVES AS THE CARETAKER FOR THE RENTAL UNIT OWNED BY MR. CARLSON, FELT THAT THERE WAS SOME MISCOMMUNICATION WITH HEALTH STAFF SITE VISITS; BUT, HE ALWAYS MADE THE CORRECTIONS TO MEET HEALTH STAFF EXPECTATIONS.

HONTOS ASKED FOR ADDITIONAL INFORMATION REGARDING THE ABOVE TESTIMONY TO BE INCLUDED WITH THE NEXT COUNCIL PACKET. CITY ADMINISTRATOR MATT STAEHLING CONCURRED. ACTION TAKEN: COUNCILMEMBER BRANDMIRE MOVED/COUNCILMEMBER LEWIS SECONDED TO TABLE THIS ITEM TO THE SEPTEMBER 28TH MEETING. APPROVED BY A ROLL CALL VOTE OF 7-0.

28. ORDINANCE VACATING A FIVE-FOOT WIDE DRAINAGE AND UTILITY EASEMENT ALONG THE WEST BOUNDARY LINE OF LOT 1, BLOCK 1, ALVORD AND AQUILINE ESTATES. COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN INTRODUCED THIS ITEM. PLANNING COMMISSION RECOMMENDED APPROVAL. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER BRANDMIRE MOVED/MASTERS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. ORDINANCE ADOPTED AND ASSIGNED NUMBER 2821.

29. (A) RESOLUTION AMENDING THE SCHWINGHAMMER FARMS PUD TO ALLOW TWO 36-UNIT MULTIPLE FAMILY DWELLINGS AT 3135 COUNTY ROAD 136. (DPA-2020-03)

COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN INTRODUCED ITEMS A, B, AND C. HE EXPLAINED THAT THERE ARE TWO 36-UNIT APARTMENT BUILDINGS TO BE CONSTRUCTED ON THE SITE. THE PROPOSED AMENDMENT CHANGES THE ALLOWED LAND USE OF A 5-ACRE SITE FROM COMMERCIAL TO MULTIFAMILY. THE PLANNING COMMISSION RECOMMENDED APPROVAL. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING.

- IN PERSON TESTIMONY: LARRY KLEIN, 3670 PLUM CREEK DRIVE, ST. CLOUD; OWNER OF KLEIN'S LANDSCAPING & NURSERY, 4040 33RD STREET S., ST. CLOUD, A BUSINESS SOUTH OF THE PROPOSED PROJECT. SPOKE IN SUPPORT.
- KYLE MANGEL, 4059 33RD STREET S, ST. CLOUD; LIVED AT HIS RESIDENCE SINCE 2004. SUPPORTS CONSTRUCTION OF OFFICE SPACE, BUT NOT APARTMENT DWELLINGS. ASKED WHAT IT WILL DO TO THE VALUE OF HIS PROPERTY.

25. RESOLUTION CERTIFYING DELINQUENT WEED REMOVAL/GRASS MOWING CHARGES TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2021. HEALTH DIRECTOR MATT O'BRIEN INTRODUCED THE ITEM. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER LARAWAY MOVED/COUNCILMEMBER MASTERS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-101.

26. RESOLUTION CERTIFYING DELINQUENT NUISANCE ABATEMENT CHARGES TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2021. HEALTH DIRECTOR MATT O'BRIEN INTRODUCED THIS ITEM. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING.

- CITY CLERK SETH KAUFFMAN STATED ONE EMAIL WAS RECEIVED FROM DAVID OLSON, CHIEF MANAGER OF THE BEACON GROUP LLC, 1056 EAST ST. GERMAIN, DISPUTING PROPOSED ASSESSMENT AMOUNT OF \$542.51. (SAID DOCUMENT ON FILE IN CITY CLERK'S OFFICE)
- IN PERSON TESTIMONY: PHILLIP ZEHRER, 229 25TH AVENUE N. ST. CLOUD, DISPUTED HIS PROPOSED ASSESSMENT OF \$2,000.00. (BRANDMIRE AND HONTOS ASKED FOR CLARITY ON THE TESTIMONY. HEALTH DIRECTOR MATT O'BRIEN EXPLAINED THAT THE ABATEMENT CHARGE IS FOR A VACANT BUILDING ON MR. ZEHRER'S PROPERTY THAT HAS BEEN IN VIOLATION SINCE 2017.) (AT 7:15 P.M. BRANDMIRE ANNOUNCED THAT MR. ZEHRER HAD DELIVERED A LETTER TO HIS HOME AND WOULD PROVIDE A COPY TO THE COUNCIL MEMBERS UPON REQUEST.)

THE PUBLIC HEARING WAS CLOSED. DURING COUNCIL DISCUSSION CONWAY AND HONTOS SPOKE TO RENTAL LICENSING RENEWAL AS IT RELATES TO UNPAID ABATEMENT AND OTHER DELINQUENT CHARGES. HONTOS REQUESTED THE CITY COUNCIL PACIKET ON-LINE DOCUMENTS APPEAR IN ONE CONSISTENT DIRECTION ON THE MONITOR SCREEN. CITY ADMINISTRATOR MATT STAEHLING RESPONDED THAT STAFF WILL WORK TO PROVIDE A MORE ON-LINE FRIENDLY VERSION OF THE COUNCIL PACKET. ACTION TAKEN: COUNCILMEMBER CONWAY MOVED AND COUNCILMEMBER BRANDMIRE SECONDED TO ADOPT THE RESOLUTION. APPROVED BY A ROLL CALL VOTE OF 7-0. RESOLUTION ADOPTED AND ASSIGNED NUMBER 2020-09-102.

27. RESOLUTION CERTIFYING DELINQUENT ADMINISTRATIVE CITATION CHARGES TO THE COUNTIES FOR COLLECTION WITH TAXES PAYABLE IN 2021. HEALTH DIRECTOR MATT O'BRIEN INTRODUCED THE ITEM. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING.

- CITY CLERK SETH KAUFFMAN STATED THAT ONE EMAIL WAS RECEIVED FROM DAVID OLSON, CHIEF MANAGER OF THE BEACON GROUP, 1056 EAST ST. GERMAIN, DISPUTING CITATION AND CHARGE OF \$330.00. (SAID DOCUMENT ON FILE IN CITY CLERK'S OFFICE)

THE PUBLIC HEARING WAS CLOSED. COUNCILMEMBER LARAWAY MOVED AND COUNCILMEMBER MASTERS SECONDED APPROVAL. CONWAY AND LEWIS WERE CONCERNED ABOUT FUTURE DEVELOPMENT IIN THIS AREA OF MULTI-FAMILY UNITS BUILT IN CLOSE PROXIMITY. COMMUNITY DEVELOPMENT DIRECTOR GLAESMAN REFERENCED FOLLOWING THE GUIDELINES OF THE 2015 COMPREHENSIVE PLAN. APPROVED BY A ROLL CALL VOTE OF 7-0. ADOPTED RESOLUTION ASSIGNED NUMBER 2020-09.

(B) ORDINANCE VACATING A SEGMENT OF 40TH AVENUE SOUTH RIGHT OF WAY AND 14,500 SQUARE FOOT DRAINAGE AND UTILITY EASEMENT. (VAC-2020-06). ACTION TAKEN. COUNCILMEMBER MASTERS MOVED/COUNCILMEMBER LEWIS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. ADOPTED ORDINANCE ASSIGNED NUMBER 2822.

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

ACTION TAKEN: COUNCILMEMBER CONWAY MOVED/COUNCILMEMBER MASTERS SECONDED. APPROVED BY ROLL CALL VOTE OF 7-0.

30. (A) RESOLUTION AMENDING THE JAZZ HOLDINGS PUD TO DEVELOP A NEIGHBORHOOD COMMERCIAL CENTER AT RILLA ROAD, ELBOW LANE, AND COUNTY ROAD 4. (DPA-2020-04);

(B) ORDINANCE VACATING A SEGMENT OF ELBOW LANE. (VAC-2020-07)

(C) PRELIMINARY AND FINAL PLAT OF THEISEN PARK 2ND ADDITION.

COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN INTRODUCED ITEMS A, B, AND C. THE APPLICANT IS SEEKING APPROVAL OF THE SITE PLAN TO CONSTRUCT TWO PROFESSIONAL OFFICE BUILDINGS AND A RESTAURANT WITH OUT DRIVE-THRU SERVICE, THE PLANNING COMMISSION RECOMMENDED APPROVAL. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING.

- IN PERSON TESTIMONY: MARK B. SASSE II, 813 RILLA ROAD, APT. 206; ST. CLOUD, RECOMMENDED USING SOME OF THE LAND IN THIS AREA FOR COMMUNITY AND SCHOOL GARDENING AND GROWING FLORA.
- DEBBIE ORTH SPOKE ON BEHALF OF HER MOTHER, LAVERNE JOHNSON, 5830 ELBOW LANE, ST. CLOUD; READ HER MOTHER'S LETTER STATING OPPOSITION AND REQUESTING AN ENVIRONMENTAL STUDY BE CONDUCTED ALONG WITH A TRAFFIC FLOW STUDY AND WESTWOOD SCHOOL SAFETY STUDY.
- RONALD THEISEN, 5817 ELBOW LANE, ST. CLOUD; LIVES ADJACENT TO THE SITE PROPERTY. HE SPOKE IN OPPOSITION. HE ASKED FOR AN AREA PLANNING ORGANIZATION (APO) STUDY TO BE CONDUCTED AND ADDRESSED THE 2015 COMPREHENSIVE PLAN FOR THIS AREA, HE FURTHER SPOKE TO THE NEED FOR A TRAFFIC STUDY AND STATED CONCERN ABOUT POTENTIAL FLOODING OF THE SAUK RIVER.
- JAY VOGEL, BRADBURY STAMM CONSTRUCTION, 340 HIGHWAY 10, ST. CLOUD; (APPLICANT). STATED HIS INTENTIONS TO WORK CLOSELY WITH CITY STAFF ON THE CONCERNS BROUGHT FORWARD SO THE PROJECT CAN MOVE FORWARD.

THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER CONWAY MOVED/COUNCILMEMBER BRANDMIRE SECONDED TO TABLE ITEM 30 TO AN INDEFINITE MEETING DATE. APPROVED BY A VOTE OF 5 -2 WITH COUNCILMEMBER MASTERS AND PRESIDENT GOERGER VOTING AGAINST.

31. ORDINANCE VACATING A TEN-FOOT WIDE DRAINAGE AND UTILITY EASEMENT CENTERED ON THE COMMON PROPERTY LINE OF LOTS 12 AND 13, BLOCK 2, AYERS MILL POND. (LOCATION: 2957 & 2969 3RD STREET SE) (VAC-2020-09) COMMUNITY DEVELOPMENT DIRECTOR MATT GLAESMAN INTRODUCED THIS ITEM. PLANNING COMMISSION RECOMMENDS APPROVAL. COUNCIL PRESIDENT GOERGER OPENED THE PUBLIC HEARING. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. NO TESTIMONY. THE PUBLIC HEARING WAS CLOSED. ACTION TAKEN: COUNCILMEMBER CONWAY MOVED/COUNCILMEMBER MASTERS SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. ORDINANCE ADOPTED AND ASSIGNED NUMBER 2823

OLD BUSINESS

32. RESOLUTION TO EXTEND THE MAYOR'S LOCAL EMERGENCY DECLARATION. MAYOR DAVE KLEIS COMMENTED THAT THE RESOLUTION EXTENDS THE EXISTING EMERGENCY DECLARATION FROM SEPTEMBER 14, 2020, TO OCTOBER 12, 2020, OR UNTIL THE CITY COUNCIL RESCINDS. ACTION TAKEN: COUNCILMEMBER MASTERS MOVED AND COUNCILMEMBER LARAWAY SECONDED. APPROVED BY A ROLL CALL VOTE OF 7-0. ADOPTED RESOLUTION ASSIGNED NUMBER 2020-09-105.

OPEN DISCUSSION:

COUNCILMEMBER LEWIS BROUGHT UP THREE ITEMS;

- REMINDED THE PUBLIC TO COMPLETE CENSUS FORMS
- COMMENDED THE AMERICORPS ON ITS RIVERSIDE PARK PROJECT
- HIGHLIGHTED THE 100TH ANNIVERSARY OF THE RATIFICATION OF THE 19TH AMENDMENT -AUGUST 18, 2020 - GIVING WOMEN THE RIGHT TO VOTE

ADJOURNMENT:

COUNCILMEMBER CONWAY MOVED/COUNCILMEMBER LARAWAY SECONDED TO ADJOURN THE MEETING AT 8:31 P.M. APPROVED BY A ROLL CALL VOTE OF 7-0.


Seth Kauffman, City Clerk


Jeff Goerger, City Council President