

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

December 16, 2013

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on December 16, 2013 at 6 p.m. in the City Council Chambers.
2. Moment of Silence for our men and women serving in the Armed Forces.
3. Councilmember present were Goerger, Gohman, Hontos, Lewis, Libert, and Masters. Councilmember Johnson was absent.

### Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETINGS HELD NOVEMBER 18, 2013.** REQUESTED ACTION: Approved.
6. **CONFIRM MAYOR'S APPOINTMENTS AND RE-APPOINTMENTS TO THE RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP) ADVISORY COUNCIL.** ACTION TAKEN: Confirmed the appointments of Rachel Bogenrief, Randy Kolb, Rose Ann Lommel, and Sheena Funk to their first term to commence January 1, 2014 and expire December 31, 2016; and the re-appointments of Jan Dahl, Therese Haffner, Suzanne Kostanschek, Stacy Lund, Jim McMahon, and Fran Murtley to their second terms to commence January 1, 2014 and expire December 31, 2016.
7. **RESOLUTION AUTHORIZING THE ISSUANCE OF AN OFF-SALE CHARITABLE GAMBLING LICENSE FOR THE STAPLES LIONS FOR ACTIVITIES TO BE CONDUCTED FEBUARY 7 AND 8 AT THE BEST WESTERN KELLY INN.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-183.
8. **RESOLUTION AUTHORIZING THE INCREASE IN THE MUNICIPAL**

**ATHLETIC COMPLEX CHANGE FUND AMOUNT FROM \$3,400 TO \$4,400.**

ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-184.

9. **RESOLUTION GRANTING CHARTER COMMUNICATIONS, INC. A FRANCHISE EXTENSION TO JULY 21, 2014.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-185.

10. **A) ACCEPT DONATION FROM OPTIMUM COMMUNICATIONS CORPORATION TO PROVIDE FOR THE 2014 NEW YEAR'S EVE FIREWORKS DISPLAY;**  
**B) APPROVAL FOR THE SPECIAL EVENT TO BE CONDUCTED; AND**  
**C) APPROVAL OF AN EXEMPTION TO THE ST. CLOUD CITY NOISE ORDINANCE**

ACTION TAKEN: All approved.

11. **AMENDMENT #1 TO THE WHITNEY RECREATION CENTER COOPERATIVE USE AGREEMENT WITH ST. CLOUD TECHNICAL & COMMUNITY COLLEGE.** ACTION TAKEN: Hontos/Libert moved approval. Motion carried unanimously.

12. **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR THE RESTORATION OF THE 1918 ABRAHAM LINCOLN SCULPTURE/MONUMENT.** ACTION TAKEN: Masters/Lewis moved approval. Motion carried unanimously.

13. **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR IMPOUNDMENT AND BOARDING OF ANIMALS.** ACTION TAKEN: Item was withdrawn by Administration.

14. **APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR EMERGENCY AFTER HOURS ANIMAL CONTROL SERVICES.**

ACTION TAKEN: Item was withdrawn by Administration.

15. **RESOLUTIONS DETERMINING VALUE OF PROPERTIES LOCATED NEAR 33<sup>RD</sup> STREET SOUTH AND FRONTAGE ROAD IMPROVEMENTS BETWEEN CSAH 75 AND SOUTHWAY DRIVE:**

**A) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 1203 33<sup>RD</sup> STREET SOUTH.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-186.

**B) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 1045 33<sup>RD</sup> STREET SOUTH.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-187.

**C) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 3627 ROOSEVELT ROAD.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-188.

**D) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 3299 ROOSEVELT ROAD.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-189.

**E) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 2203 SOUTHWAY DRIVE.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-190.

**F) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 3308 AND 3310 SOUTHWAY DRIVE.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-191.

**G) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 1031 AND 1036 33<sup>RD</sup> STREET SOUTH.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-192.

**H) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 1038 AND 1042 33<sup>RD</sup> STREET SOUTH.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-193.

**I) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 1030 33<sup>RD</sup> STREET SOUTH.** ACTION TAKEN: Approved. Resolution was

adopted and assigned number 2013-12-194.

**J) RESOLUTION DETERMINING THE VALUE OF PROPERTY LOCATED AT 33<sup>RD</sup> STREET SOUTH (OUTLOT A, ZINKEN ADDITION).** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2013-12-194.

16. **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR THE SOUTH ST. CLOUD WATER DISTRIBUTUION SYSTEM IMPROVEMENTS.** ACTION TAKEN: Approved.
17. **AN ORDINANCE AMENDING SECTION 575 OF THE 2007 CODE OF ORDINANCES INCREASING THE SECOND WASTEWATER TIER AND AMENDING WASTE STRENGTH CHARGES.** ACTION TAKEN: Reading and public hearing were set for January 6, 2014. Assigned Proposed Ordinance number 2013-29.
18. **AN ORDINANCE AMENDING SECTIONS 245 AND 360 OF THE 2007 CODE OF ORDINANCES CLARIFYING PROPERTY OWNER RESPONSIBILITY FOR SEWER LATERALS, UPDATING LANGUAGE TO MAINTAIN COMPLIANCE WITH FEDERAL AND STATE REGULATIONS, CLARIFYING INDUSTRIAL RATE CALCULATIONS AND INCORPORATING REVISIONS TO THE CITY'S LOCAL MAXIMUM ALLOWABLE CONCENTRATION OF POLLUTANTS.** ACTION TAKEN: Reading and public hearing were set for January 6, 2014. Assigned Proposed Ordinance number 2013-30.
19. **AN ORDINANCE VACATING A 10' WIDE DRAINAGE AND UTILITY EASEMENT BETWEEN LOTS 6 AND 7, BLOCK 1, WILLOW POND THREE. (LOCATION: 1606 AND 1608 28<sup>TH</sup> STREET SOUTH) (VAC-2013-01).** ACTION TAKEN: Reading and public hearing were set for January 6, 2014. Assigned Proposed Ordinance number 2013-31.
20. **AN ORDINANCE VACATING DRAINAGE AND UTILITY EASEMENTS LOCATED ON THE COMMON PROPERTY LINES BETWEEN LOT 1, BLOCK**

**1 STONE GATE PLAZA AND LOT 1, BLOCK 1 STONE GATE PLAZA PLAT 2.**  
ACTION TAKEN: Reading and public hearing were set for January 6, 2014. Assigned Proposed Ordinance number 2013-32.

21. **AN ORDINANCE REZONING PROPERTY LOCATED AT 1230 HIGHWAY 23 EAST FROM R1, SINGLE FAMILY RESIDENTIAL DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD).** ACTION TAKEN: Reading and public hearing were set for January 6, 2014. Assigned Proposed Ordinance number 2013-33.
22. **APPROVAL OF TASK ORDER #13 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MEAD & HUNT, INC. AND THE CITY OF ST. CLOUD TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR RUNWAY 5/23 RECONSTRUCTION AT THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: Approved.
23. **APPROVAL OF TASK ORDER #14 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MEAD & HUNT, INC. AND THE CITY OF ST. CLOUD TO PROVIDE DESIGN SERVICES FOR RUNWAY 31 EXTENSION PROJECT AT THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: Approved.
24. **APPROVAL OF TASK ORDER #16 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MEAD & HUNT, INC. AND THE CITY OF ST. CLOUD TO PROVIDE ENVIRONMENTAL PLANNING, DESIGN ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR ST. CLOUD REGIONAL AIRPORT TEMPORARY PARKING LOT CONSTRUCTION PROJECT.** ACTION TAKEN: Approved.

**Open Forum:**

No one testified.

**Public Hearings:**

25. **APPLICATION FOR THE TRANSFER OF AN ON-SALE 3.2 PERCENT MALT LIQUOR AND WINE LICENSE FROM CENTRAL PERK, LLC (TAPIO/SCHERR) DBA CENTRAL PERK & WINE BAR TO CENTRAL PERK, LLC (SCHERR) DBA CENTRAL PERK COFFEE SHOP & WINE BAR, 912 WEST ST. GERMAIN STREET.** Gregg Engdahl, City Clerk, presented the item. Council President Goerger opened the public hearing. No one testified. Council President Goerger closed the public hearing. Masters/Lewis moved approval. Motion carried unanimously.
26. **APPLICATION FOR TRANSFER OF WHITE HORSE ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSE FROM WHITEHORSE ST. GERMAIN, INC. (LEE/COPA/CONDIT) DBA THE WHITE HORSE TO WHITEHORSE ST. GERMAIN, INC. (LEE) DBA WHITE HORSE, 809 WEST ST. GERMAIN.** Gregg Engdahl, City Clerk, presented the item. Council President Goerger opened the public hearing. No one testified. Council President Goerger closed the public hearing. Gohman/Hontos moved approval. Motion carried unanimously.
27. **RESOLUTION ADOPTING 2014 BUDGETS FOR ENTERPRISE FUNDS.** Mayor Kleis introduced the item. Finance Director John Norman gave a brief summary of the budget. Council President Goerger opened the public hearing. No one testified. Council President Goerger closed the public hearing. Libert/Masters moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2013-12-196.

**Old Business:**

28. **AN ORDINANCE AMENDING ARTICLE 14 – USE STANDARDS, SECTION 14.3 – USE STANDARDS, V. DISTRICTS TO ELIMINATE THE MAXIMUM LENGTH OF STAY FROM 45 TO 90 DAYS BETWEEN JANUARY 1, 2012 TO JANUARY 1, 2014.** Matt Glaesman, Community Development Director, presented the ordinance and gave a brief update. There was a motion on the floor from the December 2, 2013. The motion was made by Hontos/Libert and it was to removed the 10%

allowance and revert to the previous 45 day limit. Hontos/Libert moved to remove the motion from the floor. Motion to remove carried unanimously. Hontos/Masters moved the Planning Commission recommendation which was to approve the Land Development Code amendment continuing the existing 10% allowance without further sunset. Motion carried unanimously. Ordinance was assigned number 2574.

29. **SINGLE FAMILY HOUSING INCENTIVE PROGRAM.**

Michael Williams, City Administrator, gave a brief update. By consensus the City Council took no action which put the issue to rest.

**Adjournment:** There being no further business to discuss the meeting was adjourned at 6:46 p.m.

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City Council President  
Jeff Goerger

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Jennifer Burrows, Recording Council Secretary