

## CITY COUNCIL PROCEEDINGS

### AGENDA ITEM

January 27, 2014

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on January 27, 2014 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, Hontos, Johnson, Libert, and Masters. Councilmember Gohman and Lewis were absent.

### Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **A) APPROVAL OF THE MEETING MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 2, 2013.** ACTION TAKEN: Approved.  
**B) APPROVAL OF THE MEETING MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 16, 2013.** ACTION TAKEN: Approved.  
**C) APPROVAL OF THE MEETING MINUTES OF THE REGULAR CIYT COUNCIL MEETING HELD JANUARY 6, 2014.** ACTION TAKEN: Approved.
6. **RENEWAL OF AMUSEMENT CENTER, AMUSEMENT DEVICE, BOWLING ALLEY, PAWN SHOP, POOL TABLE, PREMISE GAMBLING, SKAING AND TOBACCO LICENSES FOR THE PERIOD 1-1-14 TO 12-31-14.** ACTION TAKEN: Approved.
7. **ORDINANCE AMENDING SECTION 700:15 SUBD. 12 OF THE 2007 CODE OF ORDINANCES OF THE CITY OF ST. CLOUD ENTITLED "PARKING PROHIBITED".** ACTION TAKEN: Reading and public hearing were set for February 10, 2014. Assigned proposed ordinance number 2014-02.
8. **APPLICATION FOR A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR MUNSINGER CLEMENS BOTANICAL SOCIETY FOR**

**EVENTS TO BE HELD ON JULY 17 AND AUGUST 19 IN THE RIVERSIDE REGIONAL PARK MUNSINGER GARDENS FACILITY. ACTION TAKEN:**  
Approved.

9. **RESOLUTION ADOPTING THE HEARING OFFICER'S FINDING OF FACT, CONCLUSION, AND RECOMMENDATION REGARDING A TOBACCO VIOLATION OF SECTION 424 OF THE ST. CLOUD CODE OF ORDINANCES. ACTION TAKEN:** Johnson/Masters moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2014-1-06.
10. **ACCEPTANCE OF 2013 STATE HOMELAND SECURITY GRANT IN THE AMOUNT OF \$10,000. ACTION TAKEN:** Approved.
11. **33<sup>RD</sup> STREET SOUTH FROM SOUTHWAY DRIVE TO COOPER AVENUE SOUTH.**
  - A) **RESOLUTION CERTIFYING AVAILABILITY OF LOCAL MATCH AND OTHER LOCAL COSTS FOR FY 2018 AND 2019 FEDERAL TRANSPORTATION PROJECT SUBMITTAL TO THE ST. CLOUD AREA PLANNING ORGANIZATION. ACTION TAKEN:** Hontos/Johnson moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2014-1-07.
  - B) **RESOLUTION CERTIFYING PUBLIC PARTICIPATION FOR A PROJECT SUBMITTED TO THE ST. CLOUD AREA PLANNING ORGANIZATION FOR FY 2018 AND 2019 FEDERAL TRANSPORTATION FUNDING. ACTION TAKEN:** Hontos/Johnson moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2014-1-08.
12. **RESOLUTION CERTIFYING AVAILABILITY OF LOCAL MATCH AND OTHER LOCAL COSTS FOR FY 2018 AND 2019 FEDERAL TRANSPORTATION PROJECT SUBMITTAL TO THE ST. CLOUD AREA PLANNING ORGANIZATION FOR 9<sup>TH</sup> AVENUE SOUTH FROM 4<sup>TH</sup> STREET SOUTH TO 22<sup>ND</sup> STREET SOUTH. ACTION TAKEN:** Approve. Resolution was

adopted and assigned number 2014-1-09.

**Open Forum:**

Jessica Harper, 2600 Clearwater Road; Ms. Harper requested that the City Council look at the possibility of allowing homeowners to have chickens within the city limits. She also noted that she petitioned this to the Zoning Board of Appeals. This matter was forwarded to City Administration.

**Public Hearings:**

13. **APPLICATION FOR AN ON-SALE 3.2 PERCENT MALT LIQUOR LICENSE AND WINE LICENSE FOR ST. CLOUD MONGO'S GRILL #1, LLC, DBA MONGO'S GRILL, 3701 DIVISION STREET, SUITE 103.** Gregg Engdahl, City Clerk, presented the application and noted that all departmental reviews have been completed and recommended approval. Council President Goerger opened the public hearing. No one testifies. Council President Goerger closed the public hearing. Johnson/Libert moved approval. Motion carried unanimously.
14. **ORDINANCE AMENDING SECTION 512:00 SUBDIVISION 4 OF THE 2007 CODE OF ORDINANCES ESTABLISHING A REDUCTION IN FOOD LICENSING FEES FOR BED AND BREAKFASTS.** Matt Glaesman, Community Development Director, presented the ordinance. Council President Goerger opened the public hearing. No one testified. Council President Goerger closed the public hearing. Following a brief discussion Libert/Masters moved approval. Motion carried unanimously. Ordinance was assigned number 2581.
15. **CONSIDERATION OF RESOLUTION ORDERING SPECIAL ASSESSMENT ROLL 1 FOR 2013 PUBLIC IMPROVEMENTS.**  
Steve Foss, City Engineer presented the improvements for approval. Council President Goerger opened the public hearing on following improvements:

- **Washington Memorial Drive** – no one testified; however, Mr. Foss received a letter from Viola Meyer, 1043, which expressed objection to the cost of the assessment, the sidewalk, and the interest rate.

- **10<sup>th</sup> Avenue North Area Improvements** – The following individual testified:

Tammy Lubowitz, 1292 10<sup>th</sup> Ave. N. – Ms. Lubowitz wondered whether the city made adjustments to property that was damaged. Mr. Foss noted that adjustments would not be made but the city come back and redo the work to standard. She also wondered who she should contact about a crack in her home she believes was caused by the improvements.

- **Recertified Assessments** – no one testified.
- **Miscellaneous Assessment Agreements** – no one testified.

Council President Goerger closed the public hearing. Hontos/Johnson moved to table the item to the February 10, 2014 City Council meeting in order for staff to address the two concerns. Motion to table carried unanimously.

**Old Business:**

16. **AUTHORIZE THE PURCHASE OF A FIRE STATION ALERTING SYSTEM FROM RAECOM CRITICAL COMMUNICATIONS IN AN AMOUNT NOT TO EXCEED \$360,000.** Bill Mund, Fire Chief, presented the item to the City Council. Libert/Johnson moved approval. Motion carried unanimously.

**Open Discussion:**

- Masters/Hontos moved to add discussion of Bed & Breakfast establishments to a study session and that current or potential owners of B & B are invited to attend. Motion to add to a study session carried unanimously.
- Councilmember Hontos brought forward a letter from Brian Murphy in regard to rental units and south St. Cloud/University area. Not everyone received this letter; therefore, it was not discussed and Councilmember Hontos requested that everyone receive a copy of the said letter and that it be brought back for discussion at the next City Council meeting.

**Adjournment:** There being no further business to discuss the meeting was adjourned at 6:45 p.m.

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City Council President  
Jeff Goerger

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Jennifer Burrows, Recording Council Secretary