

AGENDA ITEM

FEBRUARY 13,2017

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on February 15, 2017 at 6:00 p.m. in the City Council Chambers.
2. A Moment of Silence was held for our men and women serving in the Armed Forces.
3. Councilmembers were present: Goerger, Hontos, Johnson, Laraway, Lewis, Libert and Masters.

Councilmembers absent: None

SPECIAL RECOGNITIONS:

4. NEIGHBOR OF THE MONTH FOR FEBRUARY 2017. Action Taken: Mayor Kleis introduced the Neighbor of the Month for February 2017, Jason Shilhanek & Penny Rubesh.

CONSENT AGENDA: Action Taken: it was moved by councilmember Laraway seconded by councilmember Masters to approve all consent items aside from 5, 12, 13, 16, & 20. Motion passed 7-0.

5. APPROVAL OF AGENDA. Action Taken: it was moved by councilmember Goerger, seconded by councilmember Laraway to approve. Councilmember Goerger noted corrected date in a background memo for item number 14.

6. APPROVAL OF THE COUNCIL MEETING MINUTES FROM 1-30-2017. Action Taken: Approved.

7. MAYOR'S RE-APPOINTMENT TO THE WHITNEY SENIOR CENTER ADVISORY BOARD: JEAN HALEY'S TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON 03/31/2020.MARLY KELLER'S TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON 03/31/2020, MYRON UMERSKI'S TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON 03/31/2020, Action Taken: Approved.

8. MAYOR'S RE-APPOINTMENT TO THE RIVER'S EDGE CONVENTION CENTER ADVISORY BOARD: PATTY GAETZ'S TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON 02/28/2020. MARTIN MAHOWALD'S TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON 02/28/2020. Action Taken: Approved.

9. MAYOR'S RE-APPOINTMENT TO THE POLICE CITIZEN REVIEW BOARD: DEBRA BACKUS' TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON 04/30/2020. ASSISTANT CHIEF JEFF OXTON'S TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON 04/30/2020. Action Taken: Approved.

10. RESOLUTION AUTHORIZING THE ISSUANCE OF AN OFF-SITE CHARITABLE GAMBLING PERMIT TO THE ALL CITY MARCHING BAND FOR ACTIVITIES TO BE CONDUCTED AT THE RIVER'S EDGE CONVENTION CENTER MARCH 23 - 25, 2017. Action Taken: Approved. Resolution adopted and assigned 2016-2-16.

11. REQUEST BY OLDE BRICK HOUSE FOR A SPECIAL EVENTS PERMIT TO FACILITATE A ST. PATRICK'S DAY EVENT TO BE HELD OUTDOORS ADJACENT TO THE BAR/RESTAURANT ON 6TH AVENUE SOUTH. Action Taken: Approved.

12. APPLICATION FOR A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR THE PARAMOUNT CENTER FOR THE ARTS FOR A RECEPTION TO BE HELD ON THURSDAY, MARCH 2ND AT THE PARAMOUNT GALLERY ST. GERMAIN, 912 WEST ST. GERMAIN STREET. Action Taken: Councilmember Lewis pulled this item for further discussion, it was moved by councilmember Lewis, seconded by councilmember Masters to approve. Councilmember Lewis questioned if the Paramount Center falls under the City of St. Cloud liquor license and the city insurance. Motion passed 7-0.

13. APPROVE AND AUTHORIZE EXECUTION OF AMENDED AND RESTATED LOAN AGREEMENT FOR ST. CLOUD AIRPORT BUSINESS PARK. Action Taken: Councilmember Libert pulled this item for further discussion, it was moved by councilmember Libert, seconded by councilmember Goerger to approve. Councilmember Laraway informed the council that he would abstain from voting for this item. Motion Passed 6-0 with councilmember Laraway abstaining.

14. AUTHORIZE MAYOR AND CITY CLERK TO ENTER INTO CONTRACT WITH CMACC FOR BOARDING OF ANIMALS. Action Taken: Approved.

15. REPAYMENT RESOLUTION FOR A CLEAN WATER REVOLVING FUND LOAN FOR THE NUTRIENT RECOVERY AND REUSE PROJECT AT THE WASTEWATER TREATMENT FACILITY. Action Taken: Approved. Resolution adopted and assigned 2017-2-17.

16. RESOLUTION ACCEPTING AND AUTHORIZING DISTRIBUTION OF AN ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW) FOR A NEW HIGH SCHOOL SITE IN SECTION 33, TOWNSHIP 124 NORTH, RANGE 28 WEST. Action Taken: Councilmember Hontos pulled this item for further discussion. It was moved by councilmember Hontos, seconded by councilmember Laraway to approve. Councilmember Hontos questioned staff on the details of the EAW. Motion Passed 7-0. Resolution adopted and assigned 2017-2-18.

17. RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE NECESSARY DOCUMENTS FOR THE SALE OF OUTLOTS C & D OF FIRST STREET SOUTH PLAT. Action Taken: Approved. Resolution adopted and assigned 2017-2-19.

18. RESOLUTION DECLARING THAT PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT IS NOT NEEDED FOR THE PROPOSED EXPANSION OF CLEARWATER ROAD FROM CLEARWATER ROAD/HEATHERWOOD ROAD TO 60TH STREET SOUTH IN THE I94 BUSINESS PARK. Action Taken: Approved. Resolution adopted and assigned 2017-2-20.

19. ORDINANCE VACATING A 10' WIDE DRAINAGE AND UTILITY EASEMENT CENTERED ON THE COMMON PROPERTY LINE BETWEEN LOTS 5 & 6 AND LOTS 6 & 7, BLOCK 2, BEAR RIDGE SECOND ADDITION. (LOCATION: 3738 BEAR RIDGE COURT) (VAC-2017-02). Action taken: Approved. A public hearing was set for February 27, 2017.

20. ADOPTION OF 2016 DOWNTOWN STREETScape & URBAN DESIGN PLAN. Action Taken: it was pulled by councilmember Hontos, seconded by councilmember Masters to approve. Councilmember Hontos questioned the streetscape plans and the responsibility that the city will have for the maintenance. Councilmember Laraway questioned the members of the downtown council that were present at the meeting. Downtown council chair and director spoke fondly of the plan. Motion passed 7-0.

21. PROFESSIONAL SERVICES AGREEMENT WITH MEAD & HUNT, INC. TO PROVIDE CONSULTANT SERVICES RELATED TO OBSTRUCTION TREE REMOVAL AT THE ST. CLOUD REGIONAL AIRPORT. Approved: Resolution adopted and assigned 2017-2-21.

OPEN FORUM:

Rober Eschen 1404 Maine Prairie Rd. St. Cloud: Mr. Eschen spoke to homeless concerns and items regarding the skate park.

PUBLIC HEARINGS:

22. RESOLUTION AUTHORIZING THE MINNESOTA DEPARTMENT OF COMMERCE TO RENEW THE CURRENCY EXCHANGE LICENSE FOR PAWN AMERICA MINNESOTA, LLC LOCATED AT 2550 W. DIVISION STREET. City Clerk Gregg Engdahl introduced this item for the council. Council president Lewis opened the public hearing, no one spoke, the public hearing was closed. It was moved by councilmember Goerger, seconded by councilmember Laraway to approve. The motion carried 7-0. Resolution adopted and assigned 2017-2-22.

23. CONSIDERATION OF RESOLUTION ORDERING 5TH AVENUE SOUTH BETWEEN TH 23 AND ST. GERMAIN STREET AND 1ST STREET SOUTH FROM 4TH AVENUE SOUTH TO 175 FEET WEST OF 5TH AVENUE SOUTH SURFACE AND UTILITY RECONSTRUCTION. City Engineer Steve Foss introduced this item for the council. Council president Lewis opened the public hearing;

Mark Barth 5th ave Property owner: Mr. Barth discussed the openness with staff to meet and discuss the project, and that the final product will be worth it when the improvements are complete.

The public hearing was closed. It was moved by councilmember Masters, seconded by councilmember Hontos to approve. Councilmember masters questioned the project timeline. Councilmember Hontos questioned overnight work that could be done. The motion carried 7-0. Resolution adopted and assigned 2017-2-23

24. CONSIDERATION OF RESOLUTION ORDERING RIVERSIDE DRIVE SE FROM EAST ST. GERMAN STREET TO UNIVERSITY DRIVE BITUMINOUS RESURFACING IMPROVEMENTS.

City Engineer Steve Foss provided opening remarks for the council. Council president Lewis opened the public hearing;

Kari Robateck 532 Riverside Drive. Ms. Robateck discussed the speed reducing improvements and the possibility of looking into a stop sign for an intersection.

The public hearing was closed. It was moved by councilmember Masters, seconded by councilmember Hontos to approve. Councilmember Masters questioned the stop sign issue and the possible plan. Councilmember Hontos questioned excessive speed throughout that area, and city vehicles using the public roadway, in that area. The motion carried 7-0, resolution adopted and assigned 2017-2-24.

25. CONSIDERATION OF RESOLUTION ORDERING 2017 SEALCOAT IMPROVEMENTS.

City Engineer Steve Foss provided opening remarks regarding sealcoat improvements. Council president Lewis opened the Public hearing, no one spoke, the public hearing was closed. It was moved by councilmember Libert, seconded by councilmember Johnson. The motion carried 7-0. Resolution adopted and assigned 2017-2-25.

26. CONSIDERATION OF RESOLUTION ORDERING 73RD AVENUE NORTH DRAINAGE IMPROVEMENTS.

City Engineer Steve Foss provided opening remarks regarding drainage improvements. Council president Lewis opened the Public hearing, no one spoke, the public hearing was closed. It was moved by councilmember Laraway, seconded by councilmember Masters to approve. The motion carried 7-0 Resolution adopted and assigned 2017-2-26.

27. CONSIDERATION OF RESOLUTION ORDERING 1ST STREET NE AT WILSON AVENUE NE IMPROVEMENTS.

City Engineer Steve Foss provided opening remarks regarding the Wilson Ave. improvements. Council president Lewis opened the Public hearing, no one spoke, the public hearing was closed. It was moved by councilmember Masters, seconded by councilmember Libert. The motion carried 7-0. Resolution adopted and assigned 2017-2-27.

OLD BUSINESS:

28. AMENDMENT OF THE CITY'S LEGISLATIVE PRIORITIES TO INCLUDE A REQUEST FOR AUTHORIZATION TO LEVY AN ADDITIONAL FOOD AND BEVERAGE TAX. Mayor Dave Kleis introduced this item for the council. Councilmember Johnson discussed that this action does not bind the city to raise taxes but just give the opportunity at a later date. It was moved by councilmember Goerger, seconded by councilmember Laraway to approve.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Hontos discussed the city of Sartell withdrawing from the Joint resolution to the legislature. City Administrator Staehling discussed the joint area cities meetings and when they should meet appropriately.

Councilmember Hontos questioned Mayor Kleis on the issue of if the City of St. Cloud is a sanctuary city. Mayor Kleis discussed that the city is not a sanctuary city and that it would be essentially impossible to become a sanctuary city because of taking an oath to uphold the constitution, state laws, and local laws.

Councilmember Hontos questioned the cleanliness of the downtown and if the committee surrounding the governors fishing opener is doing anything in the downtown.

Councilmember Hontos questioned when there will be a charter commission meeting. Mayor Kleis discussed that there will be one within the next three months.

Councilmember Hontos questioned when the council will be receiving the administrators' monthly update. City Administrator Staehling informed council that they will be receiving one by the end of the week.

Councilmember Hontos questioned the MAC contract with the St. Cloud Rox. Mayor Kleis discussed the contract and the charter.

Councilmember Johnson discussed local taxes representation at the state level.

Councilmember Goerger discussed Roberts rules of order and the overlying guidelines that they provide to the council.

Councilmember Johnson discussed open meeting laws. City administrator Matt Staehling discussed that they will have a refresher at the upcoming council retreat

Councilmember Johnson discussed SCSU and the institutions financial viability.

ADJOURNMENT:

There being no one else to speak, Council President Lewis adjourned the meeting at 8:26 p.m.



Carol Lewis – Council President

Respectfully submitted by

Seth Kauffman

Recording Council Secretary