

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

November 15, 2010

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on November 15, 2010 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 Berg, Gohman, Hontos, Johnson, Libert, Masters, and Pederson.
4. **Oath of Office administered to the four Ward members.** Mayor Kleis administered the Oath of Office to the four Ward members. Mayor Dave Kleis presented Bob Johnson and Carolyn Garven with keys to the City for their years of service as City Councilmembers.
5. **Election of City Council President.** Councilmember Hontos nominated John Libert for City Council President. There were no other nominations. The Council approved the nomination 6-0-1; Councilmember Libert abstained from the vote.
6. **Election of City Council Vice President.** Councilmember Berg nominated Councilmember Masters for City Council Vice President. There were no other nominations. The Council approved the nomination 6-0-1; Councilmember Masters abstained from the vote.
7. **Appointment of City Council Recording Secretaries.** Berg/Masters moved approval of appointing Sandra Hilsgen and Jennifer Burrows as recording secretaries. Motion carried unanimously.

Consent Agenda:

8. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
9. **APPROVAL OF THE 2011 CITY COUNCIL MEETING SCHEDULE.** ACTION TAKEN: Approved.

10. **JOB DESCRIPTION REVISION FOR POLICE OFFICER.** ACTION TAKEN: Approved.
11. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR GLADYS C. LESTER DOING BUSINESS AS GLADYS C. LESTER CMT, LLC 333 DIVISION ST. SUITE 115, ST. CLOUD, MN 56303.** ACTION TAKEN: Approved.
12. **APPROVAL OF CHANGE ORDER #3 FOR THE WASTEWATER TREATMENT FACILITY REHABILITATION, UPGRADE AND EXPANSION PROJECT.** ACTION TAKEN: Approved.
13. **RESOLUTION ESTABLISHING THE POLICY FOR GRANTING CREDITS AGAINST SPECIAL ASSESSMENTS TO LOW INCOME PROPERTY OWNERS FOR 2011 IMPROVEMENTS.** ACTION TAKEN: Berg/Hontos moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2010-11-197.
14. **APPLICATION FOR A SPECIAL PARKING ZONE PERMIT AT 230 5TH AVENUE NORTH.** ACTION TAKEN: Approved.
15. **APPLICATION FOR A SPECIAL PARKING ZONE PERMIT AT 301 7TH AVENUE SOUTH.** ACTION TAKEN: Approved.
16. **RESOLUTION ESTABLISHING FINAL DATE FOR FILING PETITIONS FOR PUBLIC IMPROVEMENTS.** ACTION TAKEN: Masters/Berg moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2010-11-198.

Open Forum:

- **Chad Carlson, Lumber One Development Co., PO Box 7, Avon;** Mr. Carson spoke in regard to the Stormwater Utility Fee and Stone Gate Development. He

requested that this fee be waived for this site because it contains its own rainwater on site.

- **Mark Frantesl, 4214 255th St., St. Cloud;** Mr. Frantesl expressed concern that the stormwater utility fee was not fair. He also noted that he feels that city services are not provided to him and he shouldn't get an increase in taxes. He stated that he doesn't receive snow-plowing services and never sees St. Cloud City police in the area.
- **Sandy Hodnefield, 23817 County Road 75, St. Cloud;** Ms. Hodnefield does not want to pay the stormwater utility fee because she feels she shouldn't have to since she doesn't have city utility services of sewer and water.

The Administration will respond to these concerns.

Public Hearings:

17. **AN ORDINANCE REPEALING SECTION 449: TATTOING, BODY PIERCING, BRANDING, AND SCARIFICATION IN ITS ENTIRETY EFFECTIVE JANUARY 1, 2011.**

Lisa Schreifels, Health Director, gave a brief overview of the ordinance. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Berg/Masters moved approval. Motion carried unanimously. Ordinance was assigned number 2480.

New Business:

18. **A) FIRE CHIEF BILL MUND'S UPDATE ON FIRE STATION #3.**

Chief Mund gave an overview of the fire at Fire Station #3 and updated how they are currently operation and when they expect to be back in the building. He also spoke of the damage and the cost of rebuilding and where the money will come from.

- B) AUTHORIZATION TO CONTRACT WITH W. GOHMAN CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE RESTORATION OF FIRE STATION #3.**

Hontos/Johnson moved approval. Motion carried 6-0-1; Councilmember Gohman

abstained.

C) AUTHORIZATION TO ESTABLISH A FIRE STATION #3 RESTORATION CONTINGENCY FUND IN THE AMOUNT OF \$25,000.

Hontos/Pederson moved approval. Motion carried 6-0-1; Councilmember Gohman abstained.

Open Discussion:

- Councilmember Hontos requested discussion on the future vacancy of John Pederson's seat. Councilmember Pederson noted that he will serve the remainder of the year and will begin his Senate seat on January 4, 2011. Hontos/Masters moved to have each councilmember submit two questions to ask applicants by November 22 – a total of 7 questions will be used: applications will be accepted from November 25 – December 15, 2010: each applicant must receive 25 signatures of registered voter: and the applications will be processed in the packet for the December 20, 2010 City Council meeting. Motion carried unanimously.
- Councilmember Hontos noted a letter received from east side property managers in regard to Rivercrest and the problems that are arising from this facility. He reminded the Council of the “good neighbor policy” that was a part of their agreement. Mike Williams, City Administrator will follow up on this letter and respond back to the City Council. Councilmember Pederson requested a summary of complaints and police reports.
- Councilmember Hontos, seconded by Pederson, moved to reconsider the motion made at October 25, 2010 meeting in regard to the Land Development Code. Motion carried 6-0-1; Councilmember Berg absent for the vote-. Hontos/Pederson moved to remove all changes from the last meeting in regard to screening (Section 17) for further review. Motion carried 6-1; Councilmember Berg voted against.
- Councilmember Pederson requested an update and progress report on West Metro Corridor road projects. Steve Foss, City Engineer, gave a brief update. He noted that Stearns County is the lead agency and that road work near the bridge will

begin next week.

- Mayor Kleis gave a brief update on the LivCom Awards and that the City received a silver award.

Adjournment: There being no further business to discuss the meeting was adjourned at 7:34 p.m.

City Council President
John Libert

Jennifer Burrows, Recording Council Secretary