

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

January 9, 2012

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on January 9, 2012 at 6 p.m. in the City Council Chambers; and a Moment of Silence for our men and women serving in the Armed Forces.
2. Moment of Silence for our men and women serving in the Armed Forces.
3. Councilmember present were Berg, Goerger, Gohman, Hontos, Johnson, Libert, and Masters.

Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.

5. **APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEEETING HELD DECEMBER 5, 2011.** ACTION TAKEN: Approved.

6. **APPLICATION FOR AN OFF-SALE INTOXICATING LIQUOR LICENSE FOR VINO REGALE, INC. DBA THE WINE SHOP BY NICHOLAS BARTH, 218 6TH AVENUE SOUTH.** ACTION TAKEN: Public hearing set for January 30, 2012.

7. **RENEWAL OF MISCELLANEOUS BUSINESS LICENSES AND PERMITS FOR THE PERIOD 1-1-12 TO 12-31-12.** ACTION TAKEN: Approved with conditions as noted on an attached listing.

8. **RESOLUTION AUTHORIZING A CHARITABLE GAMBLING PREMISE PERMIT FOR ALL-CITY MARCHING BAND FOR ACTIVITIES TO BE CONDUCTED AT LEGENDS BAR & GRILL AT THE HOLIDAY INN.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2012-1-01.

9. **RESOLUTION CALLING FOR A PUBLIC HEARING ON A PROPOSED TIF SPENDING PLAN BY THE ECONOMIC DEVELOPMENT AUTHORITY.**
ACTION TAKEN: Approved. Resolution was adopted and assigned number 2012-1-02.
10. **APPROVAL OF A NEW MASSAGE FACILITY LICENSE FOR PAULA SARA SOK DBA PETITE SPA, 2014 8TH STREET NORTH, ST. CLOUD, MN.** ACTION TAKEN: Approved.
11. **RESOLUTION IN SUPPORT OF FY 2016/2017 FEDERAL TRANSPORTATION FUNDING FOR THE EXTENSION OF ROAD AND TRAIL IMPROVEMENTS WITHIN HEATHERWOOD ROAD FROM CLEARWATER ROAD TO 8TH AVENUE SOUTH.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2012-1-03.
12. **APPLICATIONS FOR RENEWAL OF SPECIAL PARKING ZONE PERMITS FOR 2012.** ACTION TAKEN: Approved.
13. **RESOLUTION SETTING PUBLIC HEARING FOR JANUARY 30, 2012, TO CONSIDER SPECIAL ASSESSMENT ROLL 1 FOR 2011 PUBLIC IMPROVEMENTS.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2012-1-04.

Open Forum:

No one testified.

Public Hearings:

14. **ETHICS/CONFLICT OF INTEREST POLICY FOR ELECTED OFFICIALS, BOARDS AND COMMISSIONS.**

Matt Staehling, City Attorney, addressed the City Council on the policy and noted that the City Administration recommended no change to the policy. Council President Libert opened the public hearing. The following individuals testified:

Carolyn Garven 624 Riverside Drive NE; Ms. Garven was on the City Council when this was adopted and wonders why it is being looked at. What has changed? She feels that this policy gives the message that the City will not tolerate even the appearance of a conflict. She expressed the opinion that the policy should stay as it is.

Mayor Dave Kleis Mayor Kleis commented that policy should stay the same. He also mentioned that when appointing board and commission members he will follow this policy because he feels it is very important. He believes the City should have as strong ethical standards as possible. He feels so strongly about this that he is going to make all those that he appoints to boards and commissions follow the policy that they will not do business with the City.

Dave Gruenes Mr. Gruenes is the chair of the Economic Development Authority. He feels that the policy should be changed and that the City should follow the policy adopted by the State. He is also concerned that this policy may limit many qualified people from serving on boards. In his opinion the portion that mentions "... any City board, commission or committee..." should be removed from line two.

Council President Libert closed the public hearing. Councilmember Goerger commented that he agrees that city boards, commissions or committees should be eliminated from this policy. Berg/Hontos moved approval of the language as presented in the packet. Councilmember Hontos stated that the City has been working under this policy for the last few years but has not been enforced. He said he can think of board members that would need to resign if this policy is in place. Councilmember Hontos has the opinion that the City should follow the State guidelines. Goerger/Berg moved to strike the following language as presented in the packet "...or the member of any City board, commission or committee..." There was a friendly amendment to leave in the proposed stricken language of "Also, your business cannot sell goods and services to the City – even if you do not participate in the process." The motion, including the friendly

amendment, carried 5-2; Councilmembers Johnson and Masters voted against. The original motion as amended carried 4-3; Councilmembers Hontos, Johnson, and Masters voted against.

Old Business:

15. **PROPOSED CSAH 120 SAFETY IMPROVEMENTS.**

Steve Foss, City Engineer, updated the Council on the improvements. He noted that Centra Care will not be allowing a frontage road access from Hennens. Masters/Libert moved approval. Motion carried 4-3; Councilmembers Goerger, Gohman, and Hontos voted against.

Adjournment: There being no further business to discuss the meeting was adjourned at 7:16 p.m.

City Council President

John Libert

Jennifer Burrows, Recording Council Secretary