

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

October 12, 2009

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on October 12, 2009 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, Garven, Hontos, Johnson, Libert, Masters, and Pederson.

Consent Agenda:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
5. **APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON SEPTEMBER 14, 2009.** ACTION TAKEN: Approved.
6. **SET PUBLIC HEARING FOR THE ISSUANCE OF (A) A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR THE DOWNTOWN COUNCIL; AND (B) AN APPLICATION FROM THE GREEN MILL FOR AN EXEMPTION FROM THE CITY'S NOISE ORDINANCE, BOTH TO BE USED IN CONJUNCTION WITH A SINGLE EVENT TO CELEBRATE THE OPENING OF THE GRANITE CITY CROSSING BRIDGE SCHEDULED FOR OCTOBER 29, 2009.** ACTION TAKEN: Public hearing was set for October 26, 2009.
7. **RESOLUTION ADOPTING THE HEARING OFFICER'S FINDINGS OF FACT, CONCLUSION, AND RECOMMENDATION REGARDING VIOLATIONS OF THE LANDLORD RESPONSIBILITY ORDINANCE, SECTION 1051, THAT OCCURRED AT THE PROPERTY LOCATION OF 517 8TH AVENUE SOUTH, ST. CLOUD, MINNESOTA.** ACTION TAKEN: Approved at the Administrative Hearing at 5 p.m. Following several preliminary motions Libert/Hontos moved approval. Motion carried 4-3; Councilmembers Berg, Johnson, and Pederson voted against. Resolution was adopted and assigned number 2009-10-155.
8. **RESOLUTION ADOPTING THE HEARING OFFICER'S FINDINGS OF FACT, CONCLUSION, AND RECOMMENDATION REGARDING ALLEGED VIOLATIONS OF THE LANDLORD RESPONSIBILITY ORDINANCE, SECTION 1051, THAT OCCURRED AT THE PROPERTY LOCATION OF 1522 9TH AVENUE NORTH, ST. CLOUD, MINNESOTA.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2009-10-156.

9. **ORDINANCE AMENDING OR REPEALING THE FOLLOWING SECTIONS OF THE 2007 CODE OF ORDINANCES:**
SECTION 510 BUSINESS LICENSES, PERMITS, & FEES (AMENDMENT)
SECTION 520 POLICE & FIRE DEPARTMENT FEES (AMENDMENT)
SECTION 525 FIRE DEPARTMENT FEES (AMENDMENT)
SECTION 540 MUNICIPAL ATHLETIC COMPLEX FEES (AMENDMENT)
SECTION 544 AIRPORT FEES (AMENDMENT)
SECTION 555 MISCELLANEOUS LICENSES AND PERMIT CHARGES (AMENDMENT)
SECTION 561 RECREATION DEPARTMENT FEES (AMENDMENT)
SECTION 571 EROSION AND SEDIMENT CONTROL (REPEAL)
SECTION 572 WATER AND SEWER SYSTEM AVAILABILITY CHARGES (REPEAL)
SECTION 573 CITY WASTEWATER TREATMENT CHARGES (REPEAL)
SECTION 574 STORMWATER UTILITY (REPEAL)
SECTION 575 CITY WATER CHARGES (AMENDMENT)
SECTION 580 PARKING FEES (AMENDMENT)
 ACTION TAKEN: Reading and public hearing set for October 26, 2009. Assigned proposed ordinance number 2009-17

10. **PROPOSED ORDINANCE AMENDMENTS TO THE PUBLIC UTILITY ORDINANCES: PUBLIC UTILITIES DEPARTMENT, SECTION 245; SEWER USE CODE, SECTION 360; ILICIT DISCHARGE DETECTION AND ELIMINATION, SECTION 365; PROPOSED APPROVAL OF A NEW ORDINANCE, SECTION 370, ENTITLED "WATER USE CODE."** ACTION TAKEN: Reading and public hearings set for October 26, 2009. Assigned proposed ordinance numbers 2009-18, 2009-19, 2009-20, and 2009-21.

11. **PROPOSED AMENDMENTS TO THE SCHEDULE OF CIVIL FINES FOR ADMINISTRATIVE OFFENSES, SECTION 1100 OF THE 2007 CODE OF ORDINANCES.** ACTION TAKEN: Reading and public hearing set for October 26, 2009. Assigned proposed ordinance number 2009-22.

12. **TOBACCO COMPLIANCE RESOLUTIONS: PETRO WASH, SPEEDSTOP CENTRAL, SPEEDSTOP 10, VUKES PROFUEL.** ACTION TAKEN: Approved. Resolutions were assigned numbers 2009-10-157, 2009-10-158, 2009-10-159, and 2009-10-160.

13. **SETTING A PUBLIC HEARING ON A RESOLUTION AMENDING THE STONE GATE PLANNED UNIT DEVELOPMENT GENERAL DEVELOPMENT PLAN TO ALLOW CONSTRUCTION OF A K-9 SCHOOL.** ACTION TAKEN: Public hearing was set for October 26, 2009.

14. **(A) ORDINANCE REZONING FROM I2, GENERAL INDUSTRIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT PROPERTY LOCATED AT 217 OSSEO AVENUE NORTH (REZ-2009-04); AND**

(B) RESOLUTION AMENDING THE YOUTH FOR CHRIST PLANNED UNIT DEVELOPMENT GENERAL DEVELOPMENT PLAN TO INCLUDE PROPERTY LOCATED AT 217 OSSEO AVENUE NORTH AND ALLOW FOR EXPANSION OF AN INDUSTRIAL USE. (DPA-2009-08).

REQUESTED ACTION: Reading and public hearings set for October 26, 2009. Item A assigned proposed ordinance number 2009-23.

15. **AN ORDINANCE REZONING PROPERTY LOCATED AT 1715 VETERANS DRIVE FROM R2, SINGLE AND TWO FAMILY RESIDENTIAL TO PUD, PLANNED UNIT DEVELOPMENT. (LOCATION: 1715 VETERANS DRIVE).** ACTION TAKEN: Reading and public hearing set for October 26, 2009. Assigned proposed ordinance number 2009-24.
16. **PROPOSED AMENDMENTS TO SECTION 670 OF THE 2007 CODE OF ORDINANCES RELATING TO TREES, PLANTINGS, RAIN GARDENS AND SPRINKLER SYSTEMS PLACED IN BOULEVARDS.** ACTION TAKEN: Reading and public hearing set for October 26, 2009. Assigned proposed ordinance number 2009-25.
17. **APPLICATION FOR A SPECIAL PARKING ZONE PERMIT AT 1227 4TH AVENUE SOUTH.** ACTION TAKEN: Approved.
18. **AGREEMENTS FOR RENTAL OF SNOW REMOVAL EQUIPMENT FOR THE STREET DIVISION AND AIRPORT DIVISION FOR THE 2009-2010 YEAR.** ACTION TAKEN: Approved.
19. **ACCEPTANCE OF PROPOSAL FOR SIDEWALK SNOW REMOVAL SERVICES FRO THE PERIOD NOVEMBER 1, 2009, THROUGH MAY 1, 2010.** ACTION TAKEN: Approved.
20. **RESOLUTION RECEIVING CITY ENGINEER'S REPORT AND CALLING FOR A PUBLIC HEARING TO BE HELD ON OCTOBER 26, 2009, TO CONSIDER 33RD AVENUE NORTH SIDEWALK IMPROVEMENTS.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2009-10-161.
21. **RESQUEST FROM THE DOWNTOWN COUNCIL TO CLOSE A PORTION OF ST. GERMAIN STREET FOR THE WINTER NIGHTS AND LIGHTS PARADE ON SATURDAY, DECEMBER 5, 2009.** ACTION TAKEN: Masters/Berg moved approval. Motion carried unanimously.
22. **AMENDMENT TO SECTION 700 – TRAFFIC AND PARKING REGULATIONS OF THE 2007 CODE OF ORDINANCES.** ACTION TAKEN: Reading and public hearing set for October 26, 2009. Assigned proposed ordinance number 2009-26.
23. **SET PUBLIC HEARING TO OBTAIN CITIZEN INPUT ON THE SUBMITTAL OF A REGIONAL PARK GRANT AND REGIONAL PARK LEGACY GRANT**

FOR IMPROVEMENTS AT ST. CLOUD RIVER BLUFFS REGIONAL PARK.
ACTION TAKEN: Public hearing set for October 26, 2009.

24. **APPROVE THE MAYOR AND CITY CLERK TO ENTER INTO AGREEMENT AMENDMENT NO. 1 BETWEEN THE DELTA AIR LINES AND THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: Berg/Garven moved approval. Motion carried unanimously.
25. **APPROVAL OF CHANGE ORDER GROUP 1 RELATED TO THE PASSENGER BOARDING BRIDGE PROJECT AT THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: Approved.
26. **APPROVE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED LETTER OF AGREEMENT (LOA) BETWEEN ST. CLOUD AIR TRAFFIC CONTROL AND THE ST. CLOUD REGIONAL AIRPORT RELATED TO FIELD CONDITION REPORTING.** ACTION TAKEN: Approved.
27. **APPROVE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED LETTER OF AGREEMENT (LOA) BETWEEN ST. CLOUD AIR TRAFFIC CONTROL AND THE ST. CLOUD REGIONAL AIRPORT RELATED TO JURISDICTIONAL BOUNDARIES.** ACTION TAKEN: Pederson/Berg moved approval. Motion carried unanimously.
28. **APPROVE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED LETTER OF AGREEMENT (LOA) BETWEEN ST. CLOUD AIR TRAFFIC CONTROL AND THE ST. CLOUD REGIONAL AIRPORT RELATED TO MAINTENANCE AND SNOW REMOVAL.** ACTION TAKEN: Approved.

Open Forum:

No one testified.

Open Discussion:

- Council President Johnson requested conversation about the Council agenda and the process of establishing the agenda at an upcoming study session.
- Councilmember Pederson was wondering when they would be receiving information on health benefits for the City Council members. It was a consensus of the Council that they would like to review this information before a public hearing is held.

Adjournment: There being no further business to discuss the meeting was adjourned at 6:17 p.m.

City Council President
Bob Johnson

Jennifer Burrows, Recording Council Secretary