

CITY COUNCIL PROCEEDINGS

AGENDA ITEM:

FEBRUARY 24, 2014

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on February 24, 2014, 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 Gohman, Goerger, Hontos, Johnson, Lewis, Libert, and Masters were present.

PUBLIC SERVICE ANNOUNCEMENT:

Mayor Dave Kleis and Public Services Director Pat Shea spoke to the ongoing problem of frozen pipes/service lines in our area due to the record low temperatures and amount of snowfall received. To reduce the risk of frozen pipes the public is encouraged to run one faucet in the home (leave a cold water tap running at a steady stream of about ¼ inch) until further notice. Concerned residents should report frozen lines and any questions to 320-255-7225. Kudos and appreciation were expressed to the diligent, hard-working staff who are providing assistance during this difficult period.

CONSENT AGENDA:

4. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved with the addition of Open Discussion items as requested by Councilmember Hontos and Councilmember Johnson.
5. **APPOINTMENT TO THE ARTS COMMISSION.** ACTION TAKEN: Confirmed Mayor's appointment of Gary Kostecka to a term to commence immediately and expire September 30, 2015.
6. **APPOINTMENT OF THE BOARD OF APPEALS AND EQUALIZATION BOARD MEMBERS AND APPROVAL OF MAY 7, 2014, AS THE DATE FOR THE ANNUAL MEETING.** ACTION TAKEN: Approved setting Wednesday, May 7, 2014, at 3:30 p.m. as the time and date for the meeting, and approved Board Members George Hontos (City Council), John Libert (City Council), Ron Zitzow (Appraiser), Bob Weisbrich (Appraiser), and Bob Faundeen (Realtor).
7. **APPLICATION FOR A LICENSE TO SELL TOBACCO FOR HIGHWAY 10 LIQUOR, INC. DBA HIGHWAY 10 LIQUOR, 19 HIGHWAY 10 NORTH.** ACTION TAKEN: Approved.
8. **APPLICATION FROM MIDTOWN FITNESS, LLC DBA TUSCAN CENTER AT MIDTOWN SQUARE, 3333 WEST DIVISION STREET FOR EXPANSION OF LIQUOR**

SALES FROM SPECIAL EVENT ONLY TO DAILY BAR SERVICE. ACTION TAKEN: A public hearing was set for March 10, 2014.

9. UPDATED JOB DESCRIPTION FOR FIRE DEPARTMENT ADMINISTRATIVE SECRETARY. ACTION TAKEN: Approved.

10. RESOLUTION REQUESTING FUNDING ASSISTANCE FROM THE MNDNR UNDER THE 2014 FEDERAL RECREATIONAL TRAIL GRANT PROGRAM. ACTION TAKEN: Resolution adopted and assigned number 2014-2-14.

11. UPDATED JOB DESCRIPTION FOR HEALTH & INSPECTIONS DEPARTMENT ENVIRONMENTAL HEALTH TECHNICIAN. ACTION TAKEN: Councilmember Hontos removed this item for a separate discussion. It was moved by Councilmember Hontos, seconded by Councilmember Libert, to approve the job description as presented. Health Director Lisa Schreifels responded to Hontos's query about the number of current staff members in the inspections department. There are two fulltime in the Health/Code Enforcement, one fulltime in Animal Control, and two fulltime in Environmental Health. She noted that there was a deliberate process of reviewing the job description by several staff members prior to posting the position. Hontos stated that he's still awaiting a requested activity report from the department. City Administrator Mike Williams responded that requested data would be provided to the Council prior to the April City Council Retreat. The motion unanimously carried.

12. ORDINANCE REZONING PROPERTY AT 3125 AND 3143 COUNTY ROAD 74 FROM AG, AGRICULTURAL DISTRICT AND I1, LIGHT INDUSTRIAL DISTRICT TO C5, HIGHWAY COMMERCIAL DISTRICT. (REZ-2014-01) ACTION TAKEN: A reading and public hearing was set for March 10, 2014. (Proposed Ordinance 2014-04)

13. APPROVAL OF THE MAYOR AND CITY CLERK TO ENTER INTO A TRANSPORTATION SERVICES AGREEMENT BETWEEN THE CITY OF ST CLOUD AND SKYWEST AIRLINES TO PROVIDE COMMERCIAL AIRLINE SERVICE AT THE ST CLOUD REGIONAL AIRPORT. ACTION TAKEN: Councilmember Hontos removed this item for a separate discussion. It was moved by Councilmember Hontos, seconded by Councilmember Gohman, to approve the Transportation Services Agreement as presented. Councilmember Hontos was pleased with the new air service stating that it is a major victory for the entire area. Airport Director Bill Towle spoke to the two-year agreement and explained the US DOT process for use of the grant monies and for reimbursement. Mayor Dave Kleis and Director Towle also spoke to the reimbursement process and the city's responsibility to achieve local match funding. Following further discussion, the motion unanimously carried.

14. APPROVAL OF THE MAYOR AND CITY CLERK TO ENTER INTO AN AIR SERVICE CONSULTING AGREEMENT BETWEEN FORECAST, INC., AND THE CITY OF ST. CLOUD. ACTION TAKEN: Councilmember Johnson removed this item for a separate discussion. It was moved by Councilmember Johnson, seconded by Councilmember Masters, to approve the Air Service Consulting Agreement as presented. Johnson had dialogue with Airport Director Bill Towle regarding portions of the agreement. He requested a monthly report be provided to the Council. Councilmember Johnson read into the record the following: (1) *“United Continental Holdings Inc. said Saturday that it plans to cut 60% of its flights from its Cleveland hub by June. United also said regional-airline partners are beginning to have difficulty flying their schedules due to reduced new-pilot availability. The shortage has forced United to reduce (regional-airline) flying in our most unprofitable markets, which unfortunately are out of Cleveland* (<http://pilotjobs.atpflightschool.com/2014/02/05/airline-pilot-shortage-arrives-ahead-of-schedule/>) comments are by Chief Executive Jeff Smisek in an employee memo dated February 5th. (2) The next statement read was from the Wall Street Journal dated February 12th highlighting Republic Airways CEO Bryan Bedford’s comments... *“The short-term answer is the aviation industry is just going to get smaller. The pilot shortage is now affecting fliers, with several other airlines also curbing service this month and service cuts will deepen, starting with the elimination of smaller aircraft that serve the smallest cities. If a city can’t support a larger-capacity aircraft, then those airplanes will go where they can be supported.”* (<http://online.wsj.com/news/articles/SB10001424052702304434104579378960356173806>) Prior to the vote, Councilmember Libert noted that the issue of pilot shortage is Councilmember Johnson’s personal agenda and doesn’t reflect the concern of the full Council. The motion unanimously carried.

OPEN FORUM:

No one spoke.

PUBLIC HEARINGS:

15. APPLICATION FOR THE TRANSFER OF AN OFF-SALE INTOXICATING LIQUOR LICENSE FROM FABIAN CORPORATION (FABIAN) DBA HIGHWAY 10 LIQUOR STORE TO HIGHWAY 10 LIQUOR, INCORPORATED (HOLLENCAMP), DBA HIGHWAY 10 LIQUOR. ESTABLISHMENT LOCATED AT 19 NORTH HIGHWAY 10. City Clerk Gregg Engdahl gave a brief overview and recommended approval pending the completion of one remaining building permit with Building Safety office. Council President Goerger opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmember Hontos, seconded by Councilmember Masters, to approve the application as submitted pending the completion of the condition outlined by the City Clerk.

Councilmember Lewis asked about the pending condition. The applicant, Andrew Hollenkamp, 135 7th Avenue S., Sartell, addressed the Council. He said that he was informed by the owner that the roof inspection is delayed due to the amount of snow on the building's roof. However, approval should be granted by the end of March, which is near the closing date. The motion unanimously carried.

16. **APPLICATION FOR AN ON-SALE INTOXICATING AND SPECIAL SUNDAY LIQUOR LICENSE FOR HENNING BROTHERS PIZZA, LLC DBA WALDO'S PIZZA, 823 WEST ST. GERMAIN STREET.** City Clerk Gregg Engdahl reported that favorable departmental reviews had been received on the application and there were only two departmental reviews still pending (Planning office and City Attorney's office). Council President Goerger opened the public hearing. No one spoke. The public hearing was closed. It was moved by Councilmember Lewis, seconded by Councilmember Gohman, to approve the application pending receipt of favorable departmental reviews from the Planning office and the City Attorney's office. Councilmember Lewis asked about the requirement for Sunday Liquor Licenses. City Attorney Matt Staehling responded that state law continues to govern Sunday Liquor sales. The motion unanimously carried.

17. **AN ORDINANCE AMENDING SECTION 275 ENTITLED "TRANSPORTATION INFRASTRUCTURE ADVISORY BOARD" OF THE 2007 CODE OF ORDINANCES.**

Public Services Director Pat Shea offered opening remarks regarding the proposed ordinance that removes the sunset clause language for the Transportation Infrastructure Advisory Board. The Chair of the Transportation Infrastructure Advisory Board, Steve Ludwig, 1817 10th Avenue SE, reported to the Council on the topics that the Board has been discussing and reviewing. He listed topics including the Sidewalk Policy, the APO Long Range Plan, and the area of Hwy 10/Deltone Road intersection as it services traffic to/from the St. Cloud Regional Airport. The established membership now meets on a monthly basis in the City Hall conference room. There is one vacancy on the board. Councilmember Hontos asked that the Council to be emailed the monthly agenda and meeting minutes. Council President Goerger opened the public hearing. No one spoke. The public hearing was closed. City Council President Goerger expressed gratitude to all the board members for their civic participation. Mayor Kleis advised that there is one vacancy on the board. The public can apply to serve on Boards and Commissions by submitting an application. Contact the mayor's office or go on-line to receive the application. It was moved

by Councilmember Johnson, seconded by Councilmember Gohman, to move approval of the ordinance as presented. The motion unanimously carried. The adopted Ordinance was assigned number 2583.

OPEN DISCUSSION & ANNOUNCEMENTS:

Councilmember Hontos addressed a concern with regard to the recent change in the due date for rental license fees to be paid (date changed from January 15th to December 15th). There has been confusion by many landlords on the date change and late fees are now being assessed. Both City Administrator Mike Williams and Community Development Director Glaesman spoke to the development of an appeal process where each situation will be tracked and reviewed on an individual basis. There are 166 properties and 64 owners---approximately 85% of the landlords did pay on time. The landlords that missed the deadline were notified by letter(s) to pay the late fee. Landlords wishing to appeal at this time should contact City staff to have their situation evaluated/assessed through the appeal process.

Councilmember Hontos addressed the next issue of Code enforcement and Inspections. He inquired about the Neighborhood Cabinet that was enacted by the mayor through the Neighborhood Best Practices. Mayor Kleis confirmed that the group (city administrator, planning director, city attorney, police chief, and mayor) met on February 10 to develop a south side “safety lighting zone area” from Hwy 23 to 16th Street S. to 9th Avenue to the Mississippi River. With the zone being created, a cost-out is being worked out on LED lighting. He mentioned that the list of the 50 Worst Rental Properties is being updated and will be provided to the Council prior to the retreat. Emphasis on enforcement will be on those problematic properties with spot checks made on other properties. These items will be discussed in full at the April 4 & 5 City Council Retreat.

Councilmember Johnson requested a copy of the St. Cloud Police Department’s latest comparable worth report. However, neither City Administrator Mike Williams nor City Attorney Matt Staehling were aware of any such formal study/report being done.

Councilmember Johnson paid tribute to Joshua C. Behling who passed away on February 20, 2014, at the age of 33. Mr. Behling ran against Larry Haws for the House of Representatives in 2008 and will always be remembered as a wonderful, caring person.

ADJOURNMENT:

There being no further business to discuss, Council President Goerger adjourned the meeting at 7:20 p.m.

City Council President Goerger

Respectfully submitted by
Sandy Hilsgen, Recording Council Secretary

