

PUBLIC HEARING ON  
ZONING ORDINANCE  
SUBDIVISION ORDINANCE  
ADULT ESTABLISHMENT REGULATION ORDINANCE

AND

City Council Meeting Minutes (Approved)  
August 13, 2007

Present at the meeting: Kim Ebnet, Mike Odden, Lloyd Rausch, Dick Paggen, Ernie Schmit, Vicki Statz, Louis Walz, Shirley Graveen, Jill Sinner, Joe Scepaniak, Janice Paggen, Dan Kobylnski.

Mayor Ernie Schmit called the public hearing to order at 7:05 p.m. Public comments were received on the Zoning Ordinance. The intent of the zoning ordinance is to protect the public health, safety and general welfare of the city and its people through the establishment of minimum regulations governing land development and use.

Hearing no comments from the general public on the zoning ordinance, the mayor introduced the Subdivision Ordinance for public comment. The intent of the subdivision regulation ordinance is to assist the orderly, efficient and integrated development of the city in compliance with the Holdingford Comprehensive Plan. It is also being instituted to promote the health, safety, morals and general welfare of the residents of the city. To secure equitable handling of all subdivision plans by providing uniform minimum standards and procedures.

Hearing no comments from the general public on the subdivision ordinance, the mayor introduced the ordinance providing for the regulation of Adult Establishments in the city of Holdingford. The purpose and intent of regulating adult establishments is to protect the health, safety, morals and general welfare of the city and its people. It was suggested by Councilman Mike Odden to include Subdivision 1 wording that the city of Freeport uses in its adult establishment ordinance. Hearing no further comments from the general public, Kim Ebnet made a motion to close the public hearing, seconded by Dick Paggen. AIF. The public hearing closed at 7:25 p.m.

Mayor Schmit opened the regular monthly council meeting at 7:25 p.m. Dick Paggen made a motion to accept the Zoning Ordinance as printed, seconded by Lloyd Rausch. AIF

Lloyd Rausch made a motion to accept the Subdivision Ordinance as written, seconded by Mike Odden. AIF

Mike Odden requested that the Adult Establishment Ordinance include wording in Subdivision 1 that the city of Freeport used. Kim Ebnet made a motion to include the city of Freeport Subdivision wording in Holdingford's Adult Establishment Ordinance, seconded by Mike Odden. AIF The wording that is to be added is as follows: Subdivision 1. Authority. The United States Supreme Court has ruled that sexually-explicit speech, including nude dancing is entitled to some level of protection under the First Amendment to the United States Constitution. As a result, municipalities may not ban adult establishments. However, the Supreme Court has ruled that cities may adopt content-neutral zoning and licensing provisions to regulate and control the adverse secondary effects of adult establishments on the community.

One change was brought up on the council approval report for paying bills for the Internet Planners, we paid for the host name, not the domain name. The change is noted. Mike Odden made a motion to pay all bills, seconded by Lloyd Rausch. AIF.

One change on the minutes for the July 9, 2007 council minutes. Insert the words 'representing the Lion's Club' where Al Leinen came before the council requesting a gambling license. A motion was made by Kim Ebnet, seconded by Dick Paggen to accept the minutes for July 9, 2007 council meeting with notation. AIF

A motion was made by Mike Odden, seconded by Kim Ebnet to accept the minutes for the special meeting of July 23<sup>rd</sup>, 2007 regarding the Central MN Housing Partnership Rehab Program. AIF

Liquor store report was given by Mayor Schmit in the absence of Manager Pat Meier.

On August 25<sup>th</sup>, the Liquor Store will be having another Game Day, the first one was well attended, so we will be doing another one. August sales in general are going well. We are planning a bus to Norwood, MN on Saturday, August 18<sup>th</sup>, to cheer on the Holdingford Express baseball team in the state tournament.

		August 13, 2007	LIQUOR STORE REPORT	
		GROSS RECEIPTS		
JULY	2007	\$ 41,497.75	GROSS RECEIPTS, JULY	\$41,497.75
JUNE	2007	\$ 32,885.06		
JULY	2006	\$ 41,287.94	PREVIOUS GROSS	\$ 165,511.57
Lottery'07 July		\$ 556.29	'07 GROSS	\$ 207,009.32
'07 YTD		\$ 3,157.39	07 EXPENSES	\$ 203,914.02
GT BANK		\$ 9,201.50	NET PROFIT	\$ 3,095.30
			NET PROFIT LOTTERY	\$ 3,157.39
				\$ 6,252,.69
			BAND REIMBURSE FOR H.D	\$ 1,333.00
'06 CD	\$10,000	'07 CD \$10,000	TOTAL PROFIT	\$ 7,585.69

Fire report was given by Mayor Ernie Schmit. So far this year there have been 50 fire calls: 7 for Brockway, 15 for Holding, 21 for city of Holdingford; 5 for Krain, 1 Two Rivers and 1 good intention. Fire Truck fund has \$11,208.98. There is also a \$40,000 CD for the Fire special truck fund. The Relief Association has donated \$4,000 for a RAM and Blox. Next month the fire fighters will be giving a demonstration for the council and media pictures.

Thursday, August. 16, at 6:30 there will be the budget meeting for the fire department and liaison, city clerk and mayor for 2008 budgeting.

Relief Association required contribution for 2008 will be \$0. The investments are doing well. Have received 2<sup>nd</sup> quarter payments from Holding Township \$7,500; and Brockway Township \$2,700.

A request is made for the Fire Department to send one fire fighter to FFI class. A motion was made by Kim Ebnet, seconded by Lloyd Rausch to send this fire fighter to FFI class. AIF

Sewer cleaning lines was discussed. The council wants to see a more complete bid from Infratech before making a final decision. Herman is to take care of this. They are also requesting referrals from other cities that have worked with this company. (Infratech) A motion was made by Kim Ebnet, seconded by Dick Paggen to table this until September council meeting. AIF

Home rehab update. We have run into a challenge with DEED (Department of Employment and Economic Development) of MN. The city clerk and mayor are looking into it. It seems that there should have been some reporting from the earlier home rehab project the city did in 1997. There has not been an updated report since 2004. The city clerk will be checking into this more thoroughly in the coming days. Holding Township is in favor of doing a home rehab as well as the city of Upsala. There are community informational meetings set up for our areas. Small businesses are also eligible for this rehab.

Repair of the city center roof was discussed. It was decided on a motion by Mike Odden, seconded by Kim Ebnet to fund all of the center's roof repair this year. This will mean using some of the Truck Fund \$s now and also hopefully putting the Fire Department portion in its budget for 2008. A motion was made by Mike Odden, seconded by Kim Ebnet to repair the entire roof. Kim Ebnet, Mike Odden, Lloyd Rausch voted yes, Dick Paggen voted no. Total cost for the repairs are:

Base Bid: (includes the foyer, city offices, city center, \$44,851 This price includes Alternate #1 area which is the hallway  
 Alternate #2 \$18,175  
 Alternate #3 \$22,940  
**TOTAL BID \$85,966**

\$40,000 of this will come from our Equipment Fund, \$22,940 will be for the Fire Department roofing. The rest of it (\$23,026) will come out of our Building Fund account #8054679. The Equipment Fund will be left with approximately \$39,000.

Karen Larsen needs council approval to deed the north 15 feet of the vacated Grove Street to Vernon and Delores Voss. Ms. Larsen was deeded this property when the city closed that street. At that time, Voss' were not part of the city, so the city could not split this street between Voss' and Larsen's. Kim Ebnet made a motion to the city was aware of this transaction and approves of it. Lloyd Rausch seconded the motion. AIF

Jill Sinner asked the council if there was anything that could be done with the 'jake breaking' that goes on at all the incoming roads to the city. The city clerk will contact the county highway department to see if they would put up signs disallowing the 'jake breaking.' If the county will not do it, the city council said they would provide the signs on a motion by Kim Ebnet, seconded by Mike Odden. AIF There will be four signs, two on the north and south end of the city on Co. Rd 9 and two on the east and west end of town on Co. Rd. 17.

The issue of farmers hauling farm products through town and losing some of it on the city streets was discussed. Lloyd Rausch stated that if that happens residents can call the Stearns County Sheriff's Department (the non-emergency line) to report it. They will contact the farmer and have them clean it up.

Comments were received on the building inspector survey sent out last month. The city clerk will do a compilation of the answers and bring it to the next meeting. No action on this until the next meeting.

The Initiative Foundation is giving a Leadership training opportunity. Mayor Schmit will be going on Thursday, October 4, in Little Falls from 4-9 p.m. Mike Odden will also be going. The rest of the council is encouraged to attend also.

The Minnesota Pollution Control Agency have given the City of Holdingford an okay to pull the monitoring wells around Well #1. We have been working to get this completed for a long time. The Site ID# is LEAK00013957. The MPCA staff has closed the release site file which means there will be no additional investigation and/or cleanup work for this site. The city has been working with Braun Intertec for some time on this project. They will be overseeing the closing of these monitoring wells and also doing the paperwork for the city to get reimbursement from the Petro Fund.

Jerry Schueler, our Wastewater Supervisor has requested the purchase of a new blower for the wastewater treatment plant. It would be to replace an old blower bought in 1960. Jerry would do the install and Gene Cipala will be doing the electrical work. Kim Ebnet made a motion to purchase the blower, seconded by Dick Paggen. AIF

Dick Paggen made a motion to adjourn the meeting, seconded by Lloyd Rausch. AIF. Meeting adjourned at 9:35 p.m.

Respectfully submitted by,

Victoria Statz, City Clerk