

"We have received revised plans and specifications from the owner's engineer. We recommend approval of these plans and specifications subject to the following:

1. A suitable detail for manholes should be included in the plans (48 inch diameter with aluminum steps 16 inch on center).
2. The engineer(owner's) specified a special adjustable man hold casting unlike others the city now has in service. We (City) recommend that this casting be approved for this project due to its flexibility, subject to the approval of the utilities department.
3. The PVC sanitary sewer should be bedded in an approved granular encasement rather than with Class C bedding as specified in paragraph 3 of the sanitary sewer specifications.

The developer's agreement should include a requirement that easement documents be submitted and approved prior to construction beginning."

The motion also includes Staff's recommendation for them to draw up a development agreement with the following criteria:

Exhibits: Plans and Specs, Permanent Easement, Construction Easements, Legal Descriptions, Time Deadlines

Bonding Letters of Credit or Cash:

20,000 for improvement; 1,000 for inspection; 1,000 for Administrative; Contractors Bond to read in favor of the City. Then, to approve the Administrator and Mayor to execute the agreement when it is prepared.

Ayes-4
Nays-0

The motion was carried

(MOTION CARRIES)

The Council recessed for a break at 8:48 P.M.

The Council reconvened at 9:11 P.M.

Council reviewed the City Engineer's recommendations in a letter dated May 8, 1980. The Mayor stated he will take the responsibility of organizing the brush clean-up and the marking of the trees that are to be removed. Then, Virgil Beyer(Excavator) can come in to do his part of the job. Official Rose will check out the insurance coverage for Mr. Beyer for this procedure. The date for excavation was tentatively set for June 7, 1980.

11. ARDEN AVENUE DITCH CLEANING

Official Rose had no report.

12. REPORT OF THE BUILDING AND ZONING OFFICIAL

Attorney Meyers reminded Council that the City becomes obligated to fund minimum requirements for pension plans if they become a part of the Fireman's Relief Association Board.

13. REPORT OF THE CITY ATTORNEY

Rowley:

14. REPORT OF THE COUNCILPERSONS

1. Reminded Council of the Ramsey County League Local Government meeting regarding what can and cannot be done in the Watershed District on Wednesday, May 21, 1980. Contact Bruce Anderson for more information.

2. She will need lodging facilities in order to attend the League of Minnesota Cities Conference in Duluth in June.

Forslund:

1. She will also need lodging facilities for the conference in June (League of Minnesota Cities).

2. Reminded Council of the Met Council meeting at 5:00 P.M. on May 22, 1980, to review the water quality management program.

3. There was a meeting in Shoreview on the condominium issue. She will get copies of the minutes for Council to review.

4. The buffer fence located at the apartment complex on Highway 10 between Sunnyside Road and Eastwood is a health and safety threat to the children of the apartment complex. Due to their playing and climbing on the fence, a police report shows an incident where a child was injured after falling off the fence onto the homeowner's property next to the apartment complex. The fence is in poor condition and Councilmember Forslund requests that Council look into requiring a childproof fence and that this fence be extended on the east and west side of the apartment property. Attorney Meyers suggested to Official Rose that the initial step would be to review the developer's agreement to see whose responsibility it is to maintain that fence.

5. Northwestern Bell is having a National Handicap Awareness Week function on May 23, 1980, which will explain the programs and facilities available in this area for the handicapped. This will be on an RSVP basis.

Hodges:

1. Youth Service Bureau (handout) is having an open house on May 15, 1980.

Mayor McCarty:

1. Asked Official Rose to invite Mr. Hamilton from Rice Creek Watershed District to the meeting on May 21, 1980.

2. The fifth annual community education meeting will be held on May 22 and the Mayor needs someone to attend for him.

3. There is a meeting on county-wide criminal and justice planning this Friday through Ramsey County.

4. Referred Council to the agenda handout which explained Mr. Lawrence Bulinskis' request (7801 Eastwood Drive) to waiver the late fee charged to him on a utility bill because he states he never received the bill. After discussion, Mayor McCarty directed Staff to contact this person and inform him that, lacking more solid evidence that he did not receive a bill, at this point in time no action can be taken.

Mayor called for any other business to come before the City Council; upon hearing none he requested a motion for adjournment. Rowley moved for adjournment and Hodges seconded the motion.

Ayes-4
Nays-0 The motion was carried.

The meeting was adjourned at 10:10 P.M.

15. ADJOURNMENT

(MOTION CARRIES)

Respectfully submitted,



Bruce K. Anderson
Acting City Administrator

/ret

Mounds View / City Council Meeting Minutes
Minnesota Historical Society

City Council Meeting
City of Mounds View
May 27, 1980

A G E N D A

1. Call to Order
2. Roll Call
3. Approval of Minutes: March 24, 1980
May 12, 1980
4. Residents requests and comments from the floor

CITIZENS: BEFORE SPEAKING, PLEASE GIVE YOUR FULL
NAME AND ADDRESS FOR THE MINUTES

5. Approval of Consent Agenda

Item A. Ardan Avenue Ditch Cleaning Contract Approval

- B. Approval of Amendment to Contract with Northwest Associated Consultants, Inc.
- C. Amendment to Resolution 1057 - Interim Period Compensation
- D. Denial of Compensation Request of 8339 Knollwood Drive
- E. Approve installation of "NO PARKING" sign on Woodlawn Drive
- F. Set Public Hearing for Metropolitan Waste Control Commission for Relocation of Building
- G. Appointment of Part-time summer work for Public Works Department
- H. Adoption of Resolution #1110 Approving Development Agreement 80-33 Regarding the Water Improvement by Glenn Karlen
- I. Adoption of Resolution #1113 Approving Development Agreement 80-34 Regarding the Sewer and Water Improvement by Leonard Kremer
- J. Adoption of Resolution #1111 Approving Securities Provided by the City's Official Depository
- K. Approval of Waiving Softball Fees for Moose Lodge
- L. Adoption of Resolution #1114 Approving Application for 1980-81 LAWCON Funds
- M. Licences for Approval
- N. Bill for Payment - Resolution #1112

6. Public Hearing - 8:00 p.m. - Tax Exempt Mortgage for Wolf and Associates, Inc.
7. Public Hearing - 8:10 p.m. - Variance Appeal of Thomas J. Johnson
at 8025 Red Oak Drive

8. Edgewood Jr. High Joint Powers Agreement
9. Review of Project 1978-9 Progress and Specifications
10. Approval of Contract Amendment for Project 1980-3 Seal Coating
11. Report of Building & Zoning Official
12. Report of Attorney
13. Report of Administrator
14. Reports of Councilpersons
15. Adjournment

Mounds View / City Council Meeting Minutes
Minnesota Historical Society

CONSENT AGENDA

May 27, 1980

The consent agenda is a technique designed to expedite handling of routine and miscellaneous official business of the City Council. The entire agenda may be adopted by the Council in one motion. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual Council-member, any item can be removed from the consent agenda and placed upon the regular agenda for debate.

- ITEM A: Approve Contract with Virgil Beyer to Clean Ardan Avenue Ditch in the Amount of \$350.00. Authorize the Mayor and Clerk signatures for Execution of the Contract. Copy is attached.
- ITEM B: Approve Amendment to Northwest Associated Consultants, Inc. Contract not to Exceed an Additional \$3000.00 or a total of \$10,684.97. Authorize the Mayor and Clerk signatures for Execution of the Amendment. Copy is attached.
- ITEM C: Adopt Resolution 1109 Regarding Interim Compensation for the Parks, Recreation, and Forestry Director, Finance Director and Building and Zoning Official.
- ITEM D: Denial of Compensation Request of 8339 Knollwood in Letter dated May 2 from Stephen and Connie Lauterbach in the amount of \$399.76.
- ITEM E: Approve Installation of "NO PARKING" Signs 25 Feet North of 7640 Woodlawn Drive lot line and 5 Feet South of the Driveway of 7636 Woodlawn Drive.
- ITEM F: Set Public Hearing at 8:00 p.m. on June 9, 1980 for Metropolitan Waste Control Commission Regarding Relocation of a Building.
- ITEM G: Appoint Lloyd Scott, Jr. for part-time Summer Help in the Sewer Department. The rate shall be \$4.00 per hour not to Exceed 100 Eight hour Working Days.
- ITEM H: Adopt Resolution #1110 Approving the Execution of Development Agreement 80-33 by the Mayor and Clerk-Administrator.
- ITEM I: Adopt Resolution #1113 Approving the Execution of Development Agreement 80-34 by the Mayor and Clerk-Administrator.
- ITEM J: Adopt Resolution #1111 Approving the Securities Provided by the City's Official Depository.

- ITEM K: Approve the Waiving of Softball Fees for Field Rental for Softball Tournament on June 7-8, 1980 for the Spring Lake Park Moose Lodge Benefit Tournament.
- ITEM L: Adopt Resolution #1114 Requesting Release of 1980 LAWCON Funds and to Restore the 1981 LAWCON Funding Level.
- ITEM M: Approve the Following Licenses thru the periods noted:
- Garbage Hauling License - expire 3/31/81
 - Walter's Disposal Service, Inc. - Renewal
2830 - 101st Avenue N.E.
Blaine, Minnesota 55434
 - Woodlake Sanitary Service, Inc. - Renewal
3800 Restwood Road
New Brighton, Minnesota 55112
 - Larry's Quality Sanitation - Renewal
17210 Driscoll St. N.W.
Anoka, Minnesota 55303
 - Contractor License - expire 6/30/81
 - Brunn Construction Co., Inc. - New
509 - 4th Avenue N.W.
New Brighton, Minnesota 55112
 - Amusement Devices License - expire 12/31/81
 - Twin City Novelty Co. - Renewal
9549 Penn Avenue S.
Minneapolis, Minnesota 55431
- ITEM N: Adopt Resolution #1112 Approving Bills for Payment Attached.

PROCEEDINGS OF THE CITY COUNCIL
CITY OF MOUNDS VIEW
RAMSEY COUNTY, MINNESOTA

DRAFT COPY #1 (6-2-80)
DRAFT COPY #2 (6-6-80)
FINAL DRAFT (6-9-80)

Regular Meeting
May 27, 1980
Mounds View City Hall
2401 Hwy. 10, Mounds View, MN 55112

The Mounds View City Council was called to order at 7:45 P.M. on May 27, 1980, by Mayor McCarty.

1. CALL TO ORDER

Members Present: Forslund, Rowley, Hodges, Ziebarth, and McCarty.

2. ROLL CALL

Also Present: City Attorney Meyers, Acting Clerk-Administrator Anderson, and Building and Zoning Official Rose.

Ziebarth made a motion to adopt the corrected minutes (dated Draft Copy #2, 5-27-80) and the motion was seconded by Hodges.

3. APPROVAL OF MARCH 24, 1980
REGULAR MEETING MINUTES

5-eyes
0-nays

The motion was carried.

(MOTION CARRIES)

Corrections:

Forslund: Agenda Item #14 (Report of the Councilmembers), #4 under Forslund's Report should read as follows:

4. APPROVAL OF MAY 12, 1980
REGULAR MEETING MINUTES

"The buffer fence located at the apartment complex on Highway 10 between Sunnyside Road and Eastwood is a health and safety threat to the children of the apartment complex. Due to their playing and climbing on the fence, a police report shows an incident where a child was injured after falling off the fence onto the homeowner's property next to the apartment complex. The fence is in poor condition and Councilmember Forslund requests that Council look into requiring a child-proof fence and that this fence be extended on the east and west side of the apartment property. Attorney Meyers suggested to Official Rose that the initial step would be to review the developer's agreement to see whose responsibility it is to maintain that fence."

Forslund made a motion to adopt the minutes (dated Draft Copy #2, 5-21-80) with the noted correction from Councilmember Forslund. Hodges seconded the motion.

5-eyes
0-nays

The motion was carried.

(MOTION CARRIES)

Neil Loeding, 5046 Longview Drive, stated there were no copies of the May 12th meeting available for him to read. Council-member Ziebarth gave Mr. Loeding a copy.

5. RESIDENTS REQUESTS AND COMMENTS FROM THE FLOOR

Ernie Gustafson, 2525 County Road I, expressed concern regarding the high speed traffic on County Road I from Highway 10 to Quincy. He asked Council to consider adding a blacktop strip for a pedestrian walkway, to make it a no parking area, and to reduce the speed limit.

Mayor McCarty directed Clerk-Administrator Anderson to inform the police chief of this situation and also directed Official Rose to get information to Mr. Gustafson on the proposed sidewalks for this road.

The regular meeting closed for the public hearing.

The public hearing opened at 8:04 P.M.

6. PUBLIC HEARING-TAX EXEMPT MORTGAGE FOR WOLF AND ASSOCIATES, INC.

Mayor McCarty informed the audience that a tax exempt mortgage is allowable by law to the developer from the city. This gives the developer a lower cost mortgage but there is no monetary obligation on the part of the city. The tax levy, also, may not be used to pay off this mortgage should the development fail. The Mayor encouraged remarks regarding this request from the audience.

There were no remarks from the audience, Staff, or Councilmembers.

The public hearing closed at 8:06 P.M.

The regular meeting re-opened at 8:06 P.M.

Mayor McCarty reported that Wolf and Associates had provided their balance sheets (dated March, 1980) for his review. According to Dave Novack, Sec./Treasurer for Wolf and Associates, the records are audited on a monthly basis, but are not certified until the end of their fiscal year.

Rowley made a motion to approve the tax exempt status for Wolf and Associates, Res. #1115. The motion was seconded by Ziebarth.

3-eyes
2-nays
(Forslund, McCarty)

The motion was carried.

(MOTION CARRIES)

Forslund stated she voted Nay because she understood the tax exempt financing was made available to entice industry into out-lying communities and blighted areas to provide a broader tax base and provide employment. She does not feel Mounds View has to be competitive in the area for Industrial Revenue Bonding and Tax Exempt Mortgages as we are a community within a large metropolis.

McCarty stated he voted Nay because the balance sheets were not audited and because, at present, Council does not have any guidelines for approval of these projects. He felt this should be addressed by the Council as soon as possible since it actually was lending the credit reputation of the city. He also stated that this was no reflection on the Wolf and Associates proposal.

The regular meeting closed for the public hearing.

The public hearing opened at 8:11 p.m.

7. VARIANCE APPEAL OF
THOMAS J. JOHNSON
8025 RED OAK DRIVE
PUBLIC HEARING

Comments:

Tom J. Johnson, 8025 Red Oak Drive, referred Council to a map which indicated that the third and fourth houses north of his residence had setbacks which would match his proposed setback. He is appealing to Council because his proposal is similar to those particular houses and also because the Planning Commission (5-5-80) could not agree on the actual interpretation of Code Section 40.05 Subd. C.

Peg Mountin, 8287 Red Oak Drive, stated she did not feel it was the Planning Commission or the City Council's intent to create a Code which could not be applicable to every resident. She, therefore, asked Council for their remarks on the original intent of the Code so the Planning Commission could have their input.

Cindy Winum, 8028 Red Oak Drive, indicated she lives directly across from Tom Johnson and that she approves of his request. She also expressed frustration with the differing interpretations of Codes from different (previous) Councils.

Dean Krogh, 8060 Red Oak Drive and Don Swanson, 8039 Red Oak Drive, both indicated their approval of Tom Johnson's request (neighbors of Mr. Johnson).

Sharon McCarthy, 7760 Long Lake Rd., felt that more requests of this type would be coming in and that the rights of the citizens to develop their property, as well as the right of present citizens, not to have a neighbor destroy their property values, needed to be protected by the Council and Mayor.

Forslund stated she voted NAY because she understood the tax exempt financing was made available to entice industry into the community. She does not feel Mounds View has to be competitive in this area.

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Ken Breske, 2280 Terrace Drive, indicated an interest in what was going to happen to this issue since he was planning on developing his property also.

Councilmember Forslund suggested using the original words from the original Code "minimum setback shall be a reasonable average of the adjacent structures" rather than referring to "range".

The public hearing closed at 8:52 P.M.

The regular meeting re-opened at 8:52 P.M.

Ziebarth made a motion to table the request for variance until such time that the Council had an opportunity to see what kinds of problems this particular ordinance was creating for the residents in the community and to determine if some adjustment in this ordinance (Code Section 40.05 Subd. C.) was warranted. This motion was seconded by Rowley.

5-eyes
0-nays

MOTION WAS CARRIED.

(MOTION CARRIES)

Mayor McCarty amended the motion to include: The Council referred this to the Planning Commission for them to address at their June 4th meeting. The Council asked them for recommendations and alternatives for the setback requirement in an effort to alleviate some problems caused by this Code. This was seconded by Hodges.

5-eyes
0-nays

AMENDMENT TO THE MOTION WAS CARRIED.

(AMENDMENT TO MOTION CARRIES)

The Council will address this issue at their June 9th regular meeting.

The regular meeting closed for a recess at 9:27 P.M.

The regular meeting re-opened at 9:41 P.M.

Councilmember Hodges presented the American flag to Donna Bowman, Chairperson of the Lakeside Park Commission, and Jay McCluskey, Park Manager.

8. PRESENTATION OF AMERICAN FLAG
TO LAKESIDE PARK COMMISSION

Staff is recommending to the City Council to enter into the proposed joint powers agreement, as submitted (Draft copy dated 3/4/80) with the Parks and Recreation Commissions five stipulations and one additional rider:

9. JOINT POWERS AGREEMENT WITH
SCHOOL DISTRICT #621

1. That the City forward the \$25,000 to School District #621 that was earmarked for construction of four lit tennis courts at Edgewood Jr. High in the 1979 federal revenue sharing account.

2. That the tennis courts be constructed in 1980.

3. That School District #621 would assume any and all additional costs for the tennis courts construction beyond the City's share of \$25,000.

4. That School District #621 design and construct the multipurpose building as proposed in 1981 at the School District's expense.

5. That School District #621 would design and construct the four lane running track as proposed in 1981 at their expense.

Additional rider: That the School District would be required to reimburse the City for any capitol costs incurred if the school district should ever sell the school and adjacent properties to a private concern.

Dr. George Christiansen, Assistant Superintendent in charge of Community Education and John Aslough, Community Education Coordinator for Edgewood Junior High were present. Dr. Christiansen expressed Edgewood School's appreciation for the past cooperation of the City Council.

Mayor McCarty stated he hoped to continue the cooperative efforts between Moundsview and School District #621 but that it would need to be under different budgetary considerations.

Ziebarth made a motion to recommend that the City Council enter into the proposed joint powers agreement with School District #621 as submitted (Draft copy dated 3/4/80) with the five stipulations and one additional rider as noted above. Hodges seconded the motion.

Ayes-0
Nays-5

MOTION FAILS

(MOTION FAILS)

Each councilmember indicated his/her nay vote was because he/she wanted to see the final contract form before voting on it.

McCarty made a motion to table this agenda item until after the mid-term budgetary reviewal was reviewed by Council. The motion was seconded by Forslund.

Ayes-2
Nays-3 (Rowley, Ziebarth, Hodges)

MOTION FAILS

(MOTION FAILS)

Dr. Christiansen noted that it might be advisable to specify if the \$25,000 value to the city was a "life-time" value or if there would be a depreciation value assigned to it. Councilmember Ziebarth agreed that a depreciation or appreciation value should be included in the new contract.

Attorney Meyers asked Dr. Christiansen if this contract was to supplement or rescind the old contract. Dr. Christiansen replied that it would replace the old contract.

Ziebarth made a motion to ask School District #621 (i.e. Dr. George Christiansen) to prepare another draft of the contract including the five stipulations and additional rider (noted before) as well as the maintenance agreement, Resolution #902. This will be reviewed at the June 9th Council meeting. The motion was seconded by Rowley.

Ayes-4
Nays-1 (McCarty) MOTION CARRIES.

(MOTION CARRIES)

McCarty voted nay because he felt it was unwise to enter into a contract at this time without reviewing the mid-term budget.

Mayor McCarty noted a typographical error on Item E. The memo dated May 14, 1980 (handout) should read (4th sentence) "25 feet west of 7640 Woodlawn and the other would be installed east".

10. APPROVAL OF CONSENT AGENDA

Mayor McCarty asked that Items A, B, and C be removed from the consent agenda for discussion.

Councilmember Forslund added another name to Consent Agenda Item M: License approval for DJM Pipe Service, Inc. through 6/30/81 (new request).

Ziebarth made a motion, seconded by Rowley to approve the consent agenda with Items A, B, and C removed and Items E and M corrected.

Ayes-5
Nays-0 MOTION CARRIES

(MOTION CARRIES)

DISCUSSION:

Item A - Ardan Avenue Ditch Cleaning Contract

Mayor McCarty asked that the words "approximately" be used on the drawings instead of the symbol \approx . He would also like the completion date to be left open-ended

instead of specifying June 29th. He would also like to have the city engineer to review the situation and clearly state to Mr. Beyer what the City wants completed.

Neil Loeding, 5046 Longview Drive, asked Council for the definition of 3:1 slope. Official Rose stated this was drawn up according to SEH recommendations by the city engineer. It is a horizontal to vertical comparison and is done to prevent yearly maintenance of the area. It will avoid heavy erosion until the grass grows back.

Mayor McCarty made a motion to table approval of this contract until Staff can stake the ditch and Mr. Beyer can review it to ascertain that he understands what the City is requesting to be done. Ziebarth seconded the motion.

Ayes-5
Nays-0

MOTION CARRIES

(MOTION CARRIES)

Item B- Amendment to Northwest Associated Consultants Inc. Contract

Peg Mountin, 8287 Red Oak Drive, asked Council to discuss this item before making a decision. After a brief discussion, Council removed the item for further discussion. The Planning Commission will discuss this on June 4th (with as many Council members present as can attend). This item will again be discussed at the June 9, 1980, City Council meeting.

Item C- Interim Compensation Resolution #1109. Ziebarth made a motion to approve Item C of the consent agenda (interim compensation resolution #1109) and Hodges seconded it.

Ayes-5
Nays-0

MOTION CARRIES

(MOTION CARRIES)

Official Rose reported that he had received a request from Larry Decheine, Public Works Superintendent, regarding the sandblasting of Tower #1. As work has progressed, the contractors have noted the paint is not adhering properly and the surface is bubbling and peeling off. This is resulting in an uneven exterior surface of new paint. The contractor is suggesting that the entire paint surface be removed down to the original prime coat by a brush-off sandblasting technique. He is also requesting an additional charge for this procedure.

11. REVIEW OF PROJECT 1978-9 PROGRESS AND SPECIFICATIONS (Cleaning of Tower #1)

Council directed Official Rose to get the specifications and charges for the additional work from

the contractor and bring this to the Council for approval.

Ziebarth made a motion, seconded by Rowley, to extend the meeting time adjournment to 11:30 P.M. for the Council meeting this evening (5-27-80).

Ayes-5
Nays-0

MOTION CARRIES

12. TIME LIMIT SET FOR MEETING

(MOTION CARRIES)

Hodges made a motion, seconded by Forslund, to approve the additional \$2,675.72 to complete the project and these monies shall be taken from the contingency fund.

Ayes-5
Nays-0

MOTION CARRIES

13. APPROVAL OF CONTRACT AMENDMENT FOR PROJECT 1980-3 SEAL COATING

(MOTION CARRIES)

Official Rose noted that correspondence from DNR indicated that the Sunrise United Methodist Church did not need a permit from them for filling and grading.

14. REPORT OF THE BUILDING AND ZONING OFFICIAL

Official Rose also noted the correspondence from Spring Lake Park indicating their decision not to participate in the cost of the study for the drainage problem at 8280 Pleasant View Drive. Council asked Official Rose to notify Mr. Sandahl.

Official Rose called the Council's attention to the letter from Dynamic Developers dated May 13, 1980 asking to be included on the Council agenda for their proposal (Case 43-79). Council agreed that no action could be taken before the permits were granted, and, therefore, it would not be beneficial to come before Council until the permits were in hand.

15. REPORT OF THE CITY ATTORNEY

Attorney Meyers reported that the Brighton Veterinarian Hospital had increased their rates, effective February, 1980. Since the City has a contract with this company, the contract should be amended to reflect these changes. Attorney Meyers will refer this back to Don Brager, Finance Director.

Attorney Meyers also suggested that a special meeting be held to discuss the long term financial plan with Don Brager, Finance Director. This meeting will be set for Tuesday, June 17, at 7:00 P.M.

Attorney Meyers also suggested discussing the MSA funding at the June 2nd agenda session.

Attorney Meyers noted the deadline for applications for

clerk-administrator was June 1, 1980. The criteria for selecting the appropriate person will be discussed at the June 2nd agenda session.

Several reports of informational-type items were briefly given by the Councilmembers

16. REPORT OF COUNCILMEMBERS

Mayor McCarty made a motion to accept the letter of resignation from Walter Skiba, Planning Commissioner, and that the application deadline for filling this vacancy be set for June 14, 1980. This was seconded by Hodges.

Ayes-5
Nays-0

MOTION CARRIES

(MOTION CARRIES)

Forslund made a motion, seconded by Hodges to adjourn the May 27, 1980 City Council meeting

17. ADJOURNMENT

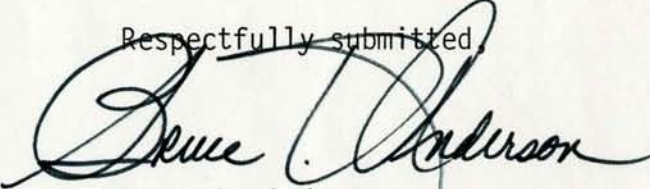
Ayes-5
Nays-0

MOTION CARRIES

(MOTION CARRIES)

The meeting was adjourned at 11:41 P.M.

Respectfully submitted,



Bruce K. Anderson
Acting Clerk-Administrator

/ret

Mounds View / City Council Meeting Minutes
Minnesota Historical Society

City Council Meeting
City of Mounds View
June 9, 1980

A G E N D A

1. Call to Order
2. Roll Call
3. Approval of Minutes: May 27, 1980
4. Residents Requests and Comments from the Floor
CITIZENS: BEFORE SPEAKING, PLEASE GIVE YOUR FULL
NAME AND ADDRESS FOR THE MINUTES
5. Approval of Consent Agenda
 - Item A. Adoption of Resolution No. 1115 Approving the Preliminary Concept of the Tax Exempt Mortgage for Wolf and Associates
 - B. Approval of Vacation Request
 - C. Adoption of Resolution No. 1116 Requesting Metropolitan Council for a Time Extension for the Submission of the Comp Plan Update
 - D. Reschedule Public Hearing for Metropolitan Waste Control Commission's Relocation of Building
 - E. Hiring Recreational Summer Help - Resolution No. 1118
 - F. Bills for Payment - Resolution No. 1117
 - G. Licenses for Approval
6. Review of Project 1978-9/H&A Water Tank Specialists, Inc.
7. Edgewood Jr. High Joint Powers Agreement
8. City Car Policy
9. Report of Building & Zoning Official
10. Report of Attorney
11. Report of Administrator
12. Reports of Councilpersons
13. Adjournment

CONSENT AGENDA

June 9, 1980

The consent agenda is a technique designed to expedite handling of routine and miscellaneous official business of the City Council. The entire agenda may be adopted by the Council in one motion. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual Councilmember, any item can be removed from the consent agenda and placed upon the regular agenda for debate.

- ITEM A: Adopt Resolution No. 1115 Approving the Preliminary Concept of the Tax Exempt Mortgage for Wolf and Associates in the amount of \$600,000.00. Copy is attached.
- ITEM B: Approve Vacation Request of Jack Shields, City Forester, for June 9 through 13, 1980
- ITEM C: Adopt Resolution No. 1116 Requesting a 9 Month Time Extension for the Submission of the City's Comp Plan Update to the Metropolitan Council. Copy is attached.
- ITEM D: Reschedule Public Hearing for Metropolitan Waste Control Commission Relocation of Building Request from June 9, 1980 at 8:00 p.m. to June 23, 1980 at 8:00 p.m.
- ITEM E: Adopt Resolution No. 1118 Authorizing the Hiring of Summer Recreational Help. Copy is attached.
- ITEM F: Adopt Resolution No. 1117 Approving Bills for Payment. Copy is attached.
- ITEM G: Approve the Following Licenses Through the Periods Noted:
- General Construction - expire 6/30/80
Brunn Construction
 - Cement Contracting - expire 6/30/80
Barry Bjugstad Cement
Chas Wallace Cement
 - Concrete & Masonry - expire 6/30/80
Quality Cement

ITEM G (continued)

-Rubbish Removal - expire 3/31/81

Richies Rubbish, Inc.
Walters Disposal
Woodlake Sanitary Service
Larry's Quality Sanitation

-Blacktop - expire 6/30/80

Viking Blacktop

-Mechanical Amusement Devices - expire 6/30/80

Twin City Novelty Co.

Mounds View / City Council Meeting Minutes
Minnesota Historical Society

PROCEEDINGS OF THE CITY COUNCIL
CITY OF MOUNDS VIEW
RAMSEY COUNTY, MINNESOTA

Corrections:
Draft #1) June 13, 1980
Final Draft) June 23, 1980

Regular Meeting
June 9, 1980
Mounds View City Hall
2401 Hwy. 10, Mounds View City Hall

The Mounds View City Council was called to order at 7:32 P.M. on June 9, 1980 by Mayor McCarty.

1. CALL TO ORDER

Members Present: Forslund, Rowley, Hodges, Ziebarth, and McCarty.

2. ROLL CALL

Also Present: City Attorney Meyers, Acting Clerk-Administrator Anderson, and Building and Zoning Official Rose.

Corrections:

3. APPROVAL OF MAY 27, 1980
REGULAR MEETING MINUTES

Forslund: Agenda Item #6, page 3, first paragraph should read as follows:

"Forslund stated she voted Nay because she understood the tax exempt financing was made available to entice industry into out-lying communities and blighted areas to provide a broader tax base and provide employment. She does not feel Mounds View has to be competitive in the area for Industrial Revenue Bonding and Tax Exempt Mortgages as we are a community within a large metropolis."

Hodges made a motion, seconded by Forslund, to adopt the minutes (dated Draft Copy #2, 6-6-80) with the noted correction from Councilmember Forslund.

5-ayes
0-nays

The motion was carried.

(MOTION CARRIES)

Walter Czichray, 7879 NE Firwood Way, Fridley, stated his truck had been parked in the vicinity of the City Hall when the water tower was being painted and some paint had splattered unto his vehicle. He asked what procedure he was to follow to make his complaint known. Attorney Meyers informed him that he should complete a complaint form (which he could receive from the Clerk-Administrator), his name would then be added to the list of complaints and presented to the contractor for rectification. Mayor McCarty also informed Mr. Czichray that this subject was on the agenda for the meeting and the contractor would also be available for comments later on in the meeting.

4. RESIDENT REQUESTS FROM THE
FLOOR

Ziebarth made a motion, seconded by Rowley to accept the items as presented in the consent agenda.

5. APPROVAL OF CONSENT AGENDA

5-ayes
0-nays The motion was carried.

(MOTION CARRIES)

Acting Clerk-Administrator Anderson briefly reviewed the history of the Joint Powers Agreement with School District #621 (as noted in his memo of May 23, 1980 to the City Council). Dr. George Christiansen, Assistant Superintendent, indicated the School District would construct the building in the Spring of 1982 rather than the Spring of 1981. This was approved by an informal meeting of the School Board.

6. EDGEWOOD JR. HIGH JOINT POWERS AGREEMENT

Mr. Jerry Linke, representative from the Park and Recreation Board, was also present.

Mayor McCarty stated there were certain requirements such as a public hearing and auditing of financial records if the City of Moundsview was designated as the primary recipient and Edgewood Junior High was designated as the secondary recipient of federal revenue sharing funds. Attorney Meyers said he would have to review the definitions of primary and secondary recipients before he could give an opinion. Dr. Christiansen stated that if a public hearing and auditing of financial records were required, he would be willing to comply with the regulations.

Rowley made a motion, seconded by Hodges to enter into the proposed joint powers agreement with School District #621 as presented to this meeting (dated 6-9-80) with the additional modification that under Point #5 be added:

"Straight line depreciation would be on a fifteen year schedule".

Councilmember Ziebarth called for the question, seconded by Councilmember Rowley. The motion failed 3-2 with Mayor McCarty and Councilmember Forslund dissenting. A two-thirds majority is required to call for the question.

3-Ayes
2-Nays The motion was carried
 (Forslund, McCarty)

(MOTION CARRIES)

McCarty voted nay because he felt a financial commitment should be deferred until the budget review was completed.

Attorney Meyers stated that some complaints have been registered with the City regarding damages to their homes and vehicles during the painting of the water tower by the City Hall. The procedure the Council will follow is:

7. REVIEW OF PROJECT 1978-9/
H & A WATER TANK SPECIALISTS,
INC.-COMPLAINTS REGARDING
DAMAGES TO VEHICLES/HOMES
FROM WATER TOWER PAINTING

- 1) Citizens should register their complaints (in writing) to the City and include estimated costs for damage repairs.
- 2) The City will act as a coordinating body in this matter. They will refer these complaints to the contractor (who has the ultimate financial responsibility for the repairs).
- 3) Complainants should file their claims before the end of June (1980)
- 4) If the claims have not been resolved by June 30th, the City can then determine whether monies should be withheld from the contractor's agreement or whether the contractor's insurance company should be contacted.

Gene Anderson, from the H & A Water Tank Specialists, presented his proposal on handling this situation:

- 1) He assume responsibility for the damages.
- 2) He will contact each person who has filed a complaint with the City by the end of this week.
- 3) He will then contact some body shops to find out where he could bring the vehicles to be repaired. He would like to select one body shop to do all the repairs.
- 4) He will refer the complainants to this body shop for their repairs. He will pay the body shop directly.
- 5) If a satisfactory arrangement cannot be made through this procedure, then the individual's recourse would be to contact his (the contractor's) insurance carrier. However, Mr. Anderson stated, he would prefer to handle it without contacting the insurance company.

Some individuals who had filed complaints with the City were in the audience. They expressed concern about:

- 1) The reliability of the body shop that Mr. Anderson would select. (Mayor McCarty suggested that all the complainants meet with Mr. Anderson to discuss a mutually agreeable body shop).
- 2) They also were concerned about a potential lien on their car if the bill was not paid. (Mayor McCarty suggested they receive a receipt and/or full payment from Mr. Anderson in advance of repairing their car). Mr. Anderson also responded that he was able and willing to pay the bills, but, regardless of that fact, he was fully insured and the complainant would still have final recourse to contact his insurance company.

- 3) They questioned the right of Mr. Anderson to assign a particular body shop to do the repairs. Council suggested that the individuals who questioned this should contact their personal insurance company for clarification.

After further discussion, Council asked Mr. Anderson to return on June 30, 1980, at a Council Agenda Meeting to update them on the situation. Residents who are interested in attending may do so at that time.

The discussion closed and complainants moved to the foyer to file their complaints with Mr. Anderson.

A discussion of this policy included the suggestion that this be accepted in resolution form now and later incorporated into the administrative code when it is completed. Forslund mentioned the necessity of clarifying the need for a beeper versus extra manpower. Rowley suggested this be included as an agenda item at the next agenda session (6-16-80).

8. CITY CAR POLICY

Rowley made a motion, seconded by Ziebarth to authorize Staff to prepare Resolution #1119 (a resolution for vehicle use policy) for presentation at the next Council meeting (6-23-80).

5-eyes
0-nays

The motion was carried.

(MOTION CARRIES)

Official Rose stated he had no report.

9. REPORT FROM BUILDING AND ZONING OFFICIAL

Attorney Meyers reviewed his memo (dated June 6, 1980) stating his opinion on Zoning Ordinance 40.05, Sub.C(a). In his presentation, he indicated a need to determine the meaning of "adjacent" that clearly identified what the ordinance was stating. He concluded with the suggestion that front yard setbacks be required to fit within the range of the setbacks established within the same block, and that setback requirements can rarely be modified by variance.

10. REPORT FROM CITY ATTORNEY

(ZON.ORD.40.05
Sub.Ca)

Sharon McCarthy(Planning Commission) was in the audience and responded to Attorney Meyers that the Planning Commission's original intent was to limit the setback requirements to the two adjacent boundary structures.

Attorney Meyers has received a bill for membership fees for 1981 for the Association of Metropolitan Municipalities. The Council indicated they would like to maintain this membership and to go ahead with payment of the bill.