

DATE: December 10, 1979


TO: Robert A. Mood, Manager of Building and Inspection

FROM: Arlyn J. Grussing, Director of Planning

SUBJECT: LETTER OF TRANSMITTAL
Case 8620A-79
Toma Investment
Rezone from R-1 to R-1(PD); and preliminary development plan,
and final development plan (single-family portion)

At its regular meeting of September 24, 1979 the City Council adopted an ordinance rezoning property at West Bush Lake Road, Texas Avenue and Marth Road from R-1 to R-1(PD) and approved the preliminary development plan and final development plan for the single-family portion at 8135, 8109, 8023, 7941 West Bush Lake Road, 7901, 8007, 8010, 8009, 7943 Texas Avenue and 7401 and 7411 Marth Road with the following conditions:

- 1) property be platted in accordance with the requirements of Chapter 16 of the City Code;
- 2) covenants restricting mowing, cutting of non-diseased trees, grading, fencing and erection of structures on the southerly 30 feet of Lots 21, 22, 23, 24 and 35, and the easterly 20 feet of Lots 36 and 37, all of Block 1, be provided;
- 3) covenants restricting mowing, cutting of non-diseased trees, grading, fencing and erection of structures be provided on the westerly 30 feet of Lots 16 through 21, the easterly 30 feet of Lots 28 through 35, the southerly 30 feet of Lots 37 and 38, the westerly 30 feet of Lots 38 through 43, and the easterly 30 feet of Lots 44, 46 and 47, all in Block 1, be provided;
- 4) fifteen-foot walkway easement connecting Rhode Island Circle and Texas Circle be provided along the side lot lines of Lots 13, 14, 26 and 27, Block 1, be provided with sidewalk to be installed at the developer's expense;
- 5) fifteen-foot walkway easement be provided between Lots 37 and 38, Block 1;
- 6) a minimum 50-foot setback be provided along West Bush Lake Road;
- 7) a total 40-foot side yard setback be provided on Lots 28 through 35, Block 1, with a minimum side yard setback of ten feet;
- 8) a 25-foot front yard setback be permitted on Lot 36, Block 1, provided that the garage door face the north;
- 9) berming for the townhouse area be shown on the final development plan and be approved by the Director of Planning.


Arlyn J. Grussing
Director of Planning

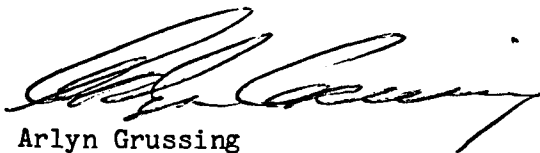
ch

8620 A 79

INTER-OFFICE CORRESPONDENCE

Date: April 10, 1985
To: Robert A. Mood, Manager of Building and Inspection
From: Arlyn J. Grussing, Director of Planning
Subject: LETTER OF TRANSMITTAL
Case 8620A-85
Planned Development Revision

On April 9, 1985 Arlyn Grussing, the Acting Director of Community Development, administratively approved for Landico Inc. revisions to the planned development to allow a 25 foot setback for a dwelling.



Arlyn Grussing
Acting Director of Community Development

jb



2215 West Old Shakopee Road • Bloomington MN 55431-3096 • (612)948-8700 • TDD: 948-8740

June 23, 1997

Knut Horneland
Landico, Inc.
7835 Telegraph Road
Bloomington, MN 55438

RE: Case 8620A-97

Dear Mr. Horneland:

On this date, the Director of Community Development administratively approved the revised final development plan to install 23 parking spaces four feet from the north property line (I-494 right-of-way) at 7845 Telegraph Road.

Should you have any questions regarding this action, please contact Bob Hawbaker, Senior Planner at (612) 948-8922.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Clark Arneson'.

Clark Arneson
Planning Manager

planning\pc\amit97\862097.doc

8620 A 97

INTER-OFFICE CORRESPONDENCE

DATE: January 12, 1984

TO: Robert A. Mood, Manager fo Building and Inspection

FROM: Arlyn J. Grussing, Director of Planning

SUBJECT: LETTER OF TRANSMITTAL
Case 8620A-83 - Amend Comprehensive Plan
Case 8620B-83 - Preliminary and Final Development Plans

At its regular meeting of December 19, 1983 the City Council denied the request to amend the 1980 Comprehensive Plan at 7801 Telegraph Road from Medium-Density Residential to Office land use designation.

At the same meeting the Council postponed indefinitely the revised preliminary development plan and final development plan for two office buildings for Landico, Inc. at the above address.


Arlyn Grussing
Director of Planning

jb

8 6 2 0 A 8 3

8 6 2 0 B 8 3

INTER-OFFICE CORRESPONDENCE

Date: May 14, 1984

To: Robert A. Mood, Manager of Building and Inspection

From: Arlyn J. Grussing, Director of Planning

Subject: LETTER OF TRANSMITTAL
 Case 8620A-84 - Amend Comprehensive Land Use Plan
 Case 8620B-84 - Revised Preliminary and Final Development Plans

At its regular meeting of May 7, 1984 the City Council adopted a resolution amending the 1980 Comprehensive Plan to change the land use designation of property at 7801 Telegraph Road from medium-density residential to office use.

At the same meeting the Council approved the revised preliminary and final development plans for three office buildings for Landico, Inc. at the above address and with the following conditions:

- 1) building be totally sprinklered, as approved by the Fire Marshal;
- 2) trash facilities be provided within the buildings;
- 3) no outside storage be allowed.

The following Code requirements will need to be complied with:

- 1) lighting and building security plans be as approved by the Crime Prevention Officer, Bloomington Police Department;
- 2) fire lanes be posted at locations, as approved by the Fire Marshal;
- 3) handicapped parking be provided with standard handicapped signs, as approved by the Director of Planning;
- 4) utility plans with existing and proposed waterlines and hydrants be at locations as approved by the Fire Marshal and Utilities Engineer;
- 5) traffic, circulation and parking plans be as approved by the Traffic Engineer;
- 6) property be platted in accordance with the requirements of Chapter 16 of the City Code;
- 7) landscape plan be as approved by the Director of Planning.



Arlyn Grussing
 Director of Planning

jb

8620 A 84

8620 B 84

DATE: December 10, 1979

BH


TO: Robert A. Mood, Manager of Building and Inspection

FROM: Arlyn J. Grussing, Director of Planning

SUBJECT: LETTER OF TRANSMITTAL
Case 8620B-79
Toma Investment
Preliminary plat of Toma Addition

At its regular meeting of December 3, 1979 the City Council approved the preliminary plat of Toma Addition at 8135, 8109, 8023, 7941 West Bush Lake Road, 7901, 7943, 8000, 8007, 8009, 8010 Texas Avenue and 7401, 7411 Marth Road with the following conditions:

- 1) park dedication be in land (Outlot E) and cash;
- 2) ten-foot planting easement be provided along all lots abutting West Bush Lake Road;
- 3) ten-foot sidewalk and utility easement be provided along the west side of Texas Circle;
- 4) temporary cul-de-sac be provided by deed on the south end of Texas Circle and by easement on the south end of Utah Circle;
- 5) Outlots B and C be dedicated as right-of-way;
- 6) easements restricting mowing, cutting or non-diseased trees, grading, fencing and erection of structures be provided in the following areas:
 - a) the southerly 30 feet of Lots 21 through 24 and Lot 35, Block 1;
 - b) the easterly 20 feet of Lot 36, Block 1;
 - c) the westerly 30 feet of Lots 16 through 21, and the easterly 30 feet of Lots 28 through 35, all in Block 1;
 - d) the easterly 30 feet of Lots 1, 2 and 4, and the westerly 30 feet of Lots 5 through 10, all in Block 3;
- 7) ten-foot sidewalk and bikeway easement be provided on the east side of West Bush Lake Road, and 40 feet of right-of-way be provided from center-line;
- 8) grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 9) water line be cross connected between Texas Circle and Utah Avenue at the cul-de-sacs along the south lot line;
- 10) a fifteen-foot walkway easement be provided along the common side lot lines of Lots 13, 14, 26 and 27, Block 1, and sidewalk be installed at the developer's expense;
- 11) a total 40-foot building separation be provided by deed restriction on Lots 28 through 35, Block 1, and minimum ten-foot side yard setbacks be provided;
- 12) a 25-foot front yard setback be permitted on Lot 36, Block 1, provided that the garage face north;
- 13) a minimum 50-foot setback be provided along West Bush Lake Road;
- 14) temporary turnaround at the south end of Texas Avenue and Utah Avenue be approved by the Fire Marshal.


Arlyn J. Grussing
Director of Planning

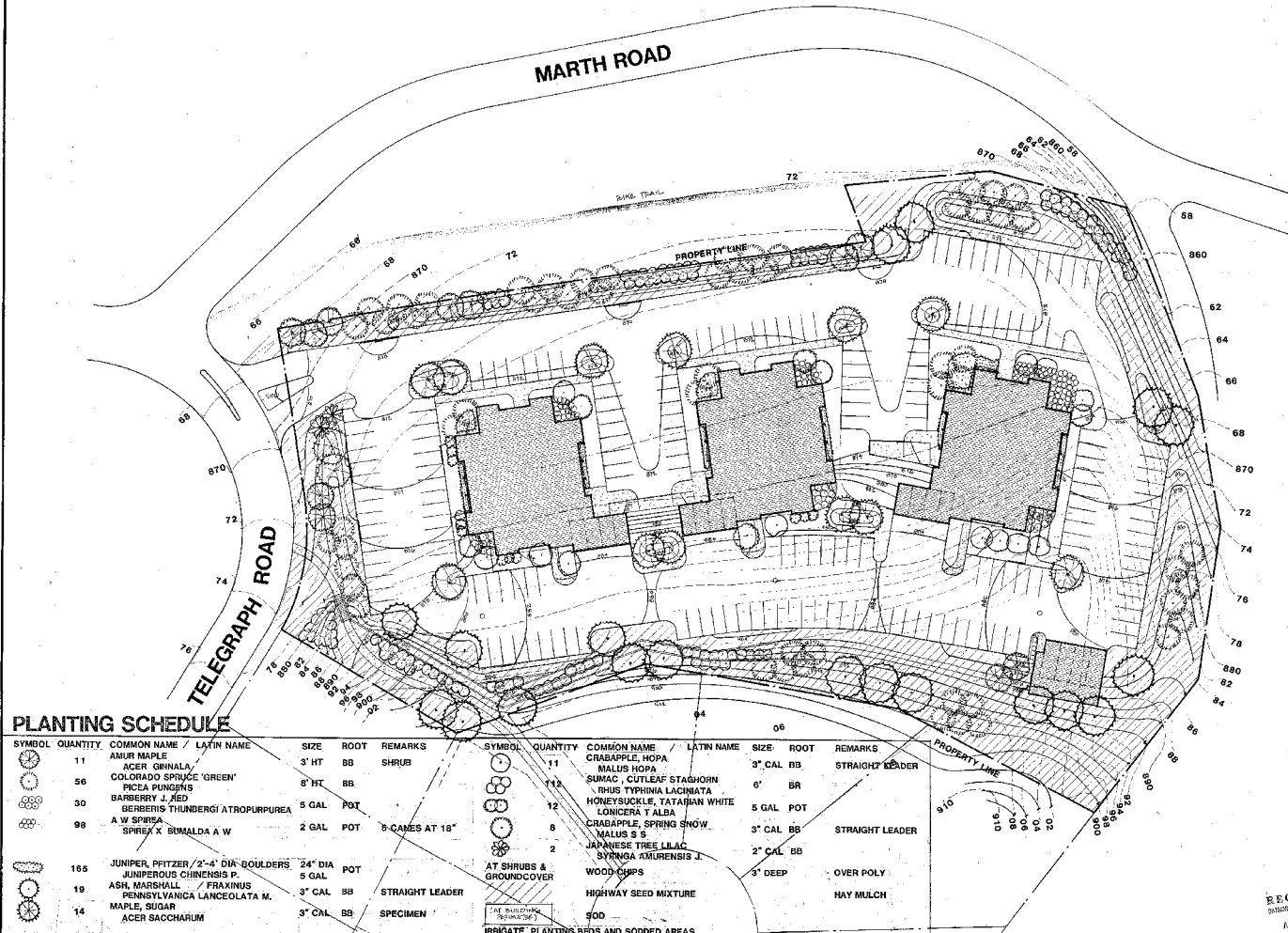
8620 B

79

I-494

MARTH ROAD

TELEGRAPH ROAD



PLANTING SCHEDULE

SYMBOL	QUANTITY	COMMON NAME / LATIN NAME	SIZE	ROOT	REMARKS
	11	AMUR MAPLE ACER OBORNALA	3' HT	BB	SHRUB
	56	COLORADO SPRUCE 'GREEN' PICEA PUNGENS	8' HT	BB	
	30	BARBERRY J. HED BERBERIS THUNDERGII ATROPURPUREA	5 GAL	POT	
	98	A W SPIRAEA SPIRAEA X BIMALDA A W	2 GAL	POT	9 CAMES AT 18"
	165	JUNIPER, PFITZER / 2'-4" DIA BOULDERS JUNIPEROUS CHINENSIS P.	24" DIA 5 GAL	POT	
	19	ASH, MARSHALL / FRAXINUS PENNSYLVANICA LANCEOLATA M.	3" CAL	BB	STRAIGHT LEADER
	14	MAPLE, SUGAR ACER SACCHARUM	3" CAL	BB	SPECIMEN

SYMBOL	QUANTITY	COMMON NAME / LATIN NAME	SIZE	ROOT	REMARKS
	11	CRABAPPLE, HOPA MALUS HOPA	3" CAL	BB	STRAIGHT LEADER
	112	SUMAC, CUTLEAF STAGHORN RHUS TYPHINIA LACINATA	6"	BR	
	12	HONEYSUCKLE, TATARIAN WHITE LONICERA T ALBA	5 GAL	POT	
	8	CRABAPPLE, SPRING SNOW MALUS S S	3" CAL	BB	STRAIGHT LEADER
	2	JAPANESE TREE LILAC SYRINGA AMURENSIS J.	2" CAL	BB	
		WOOD CHIPS	3" DEEP		OVER POLY
		HIGHWAY SEED MIXTURE			HAY MULCH
		SOD			

IRRIGATE PLANTINGS, BEDS AND SODDED AREAS



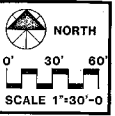
Health officials have
this plan was prepared
direct supervision
of a professional
engineer or other
under the laws of the
state of Minnesota
No. _____ Date _____
Page No. _____

Provisions	No.	Date

Proj. No.	Date	Drawn by	Approved

**TELEGRAPH HILL
OFFICES**
TELEGRAPH ROAD AT MARTH ROAD
BLOOMINGTON MINNESOTA

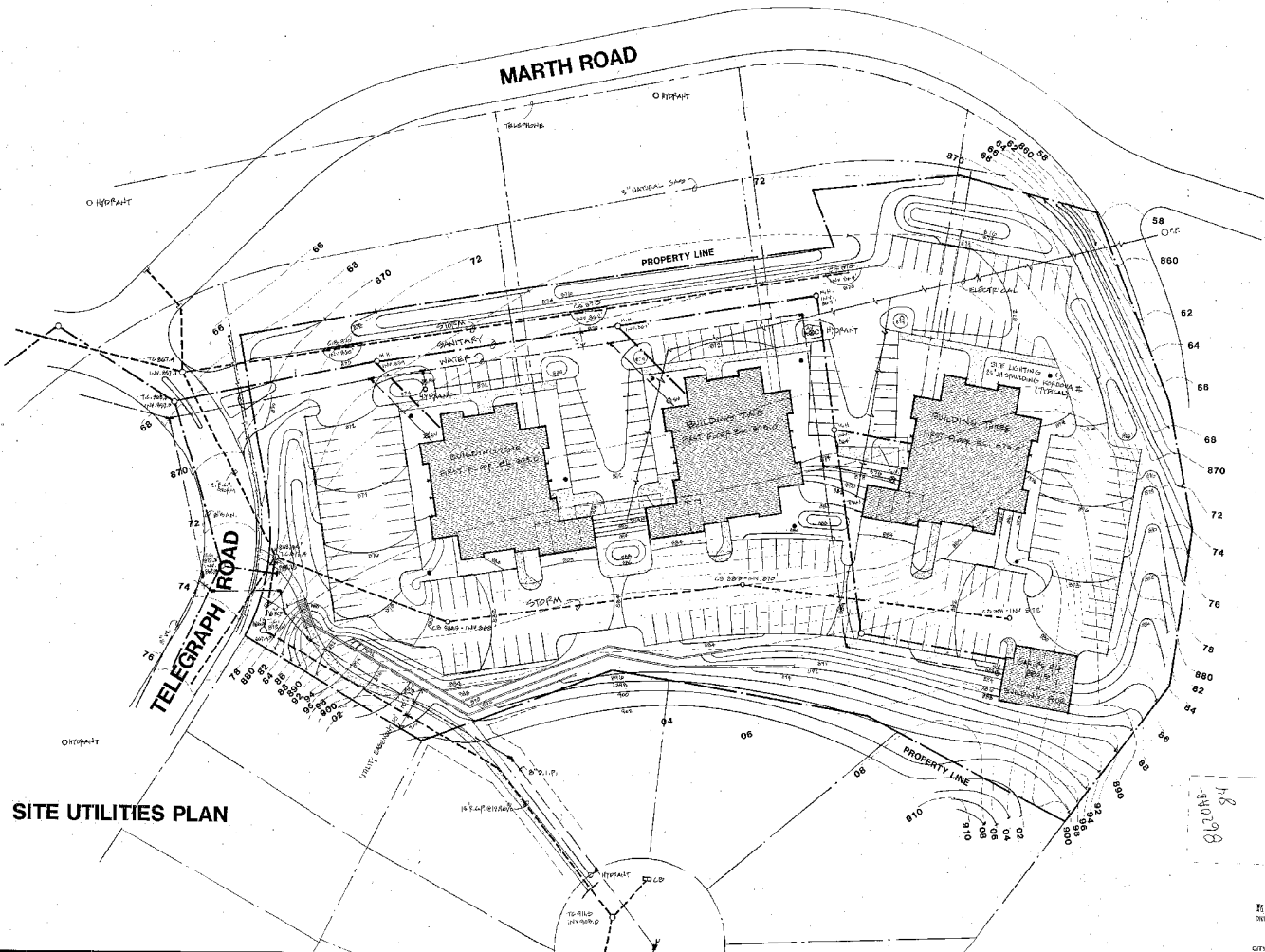
SITE PLAN



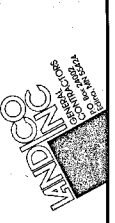
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CITY OF BLOOMINGTON
APR 19 1984
CITY OF BLOOMINGTON
MINNESOTA

3
Sheet _____ of _____

I-494



SITE UTILITIES PLAN



I hereby certify that this plan was prepared by a duly licensed and registered professional engineer in the State of Minnesota.

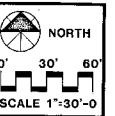
 Date: _____
 Title: _____

No.	Change	Date

Prep. No.	Drawn by	Checked by	Approved

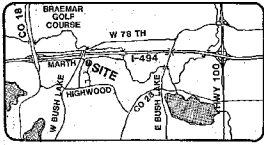
TELEGRAPH HILL OFFICES
 TELEGRAPH ROAD AT MARTH ROAD
 BLOOMINGTON, MINNESOTA

SITE PLAN

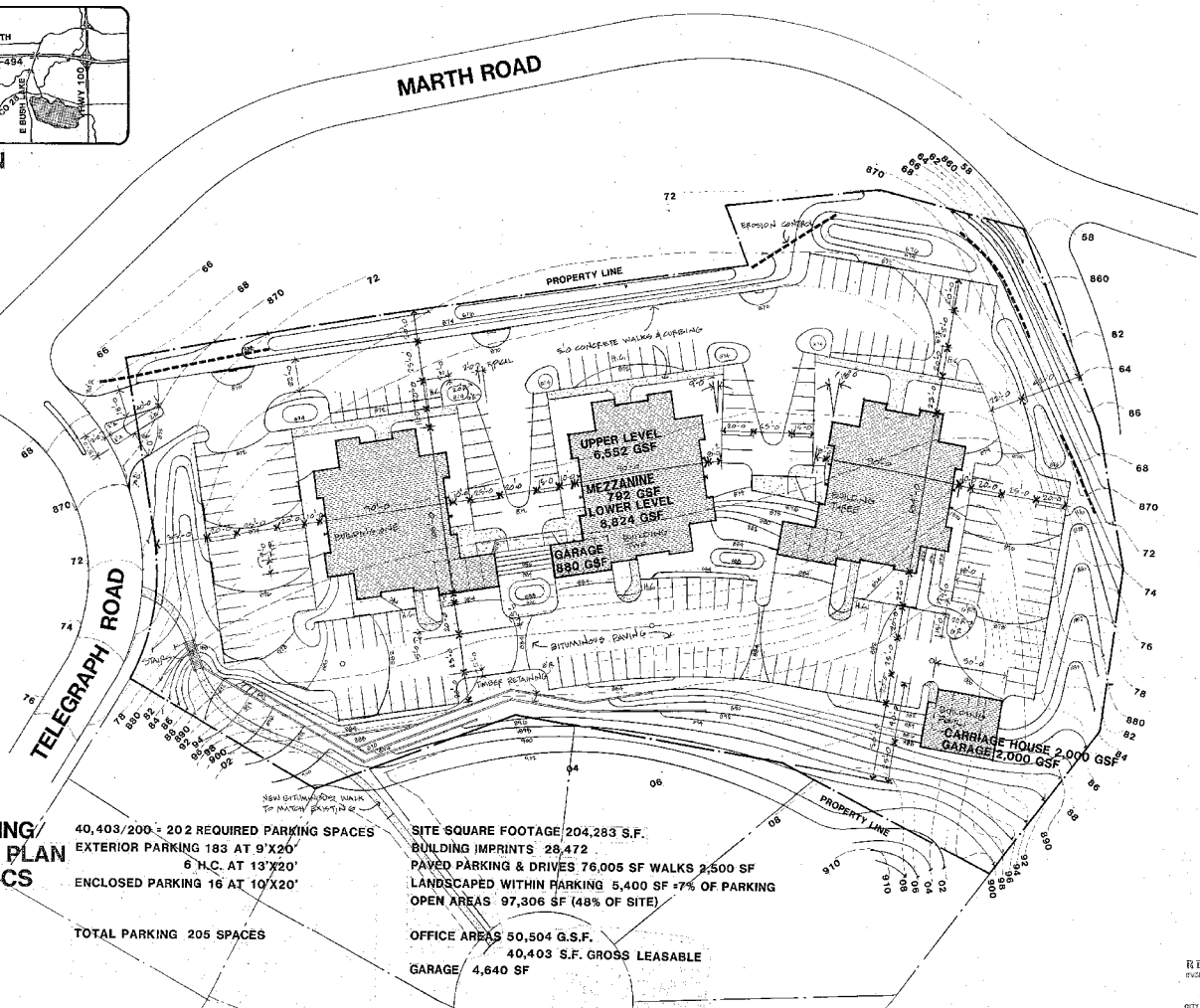


RECEIVED
 DIVISION OF CITY ENGINEER
 APR. 19 1982
 CITY OF BLOOMINGTON
 MINNESOTA

I-494



AREA PLAN



**SITE GRADING/
DIMENSION PLAN
& STATISTICS**

40,403/200 = 202 REQUIRED PARKING SPACES
 EXTERIOR PARKING 183 AT 9'X20'
 6 H.C. AT 13'X20'
 ENCLOSED PARKING 16 AT 10'X20'

TOTAL PARKING 205 SPACES

SITE SQUARE FOOTAGE 204,283 S.F.
 BUILDING IMPRINTS 28,472
 PAVED PARKING & DRIVES 76,005 SF WALKS 2,500 SF
 LANDSCAPED WITHIN PARKING 5,400 SF = 7% OF PARKING
 OPEN AREAS 97,306 SF (48% OF SITE)

OFFICE AREAS 50,504 G.S.F.
 40,403 S.F. GROSS LEASABLE
 GARAGE 4,640 SF



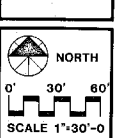
This plan was prepared by me or under my direct supervision and I am a duly licensed professional engineer under the laws of the State of Minnesota.

Revisions	No.	Change	Date

Proj. No.	Date	Drawn by	Approved

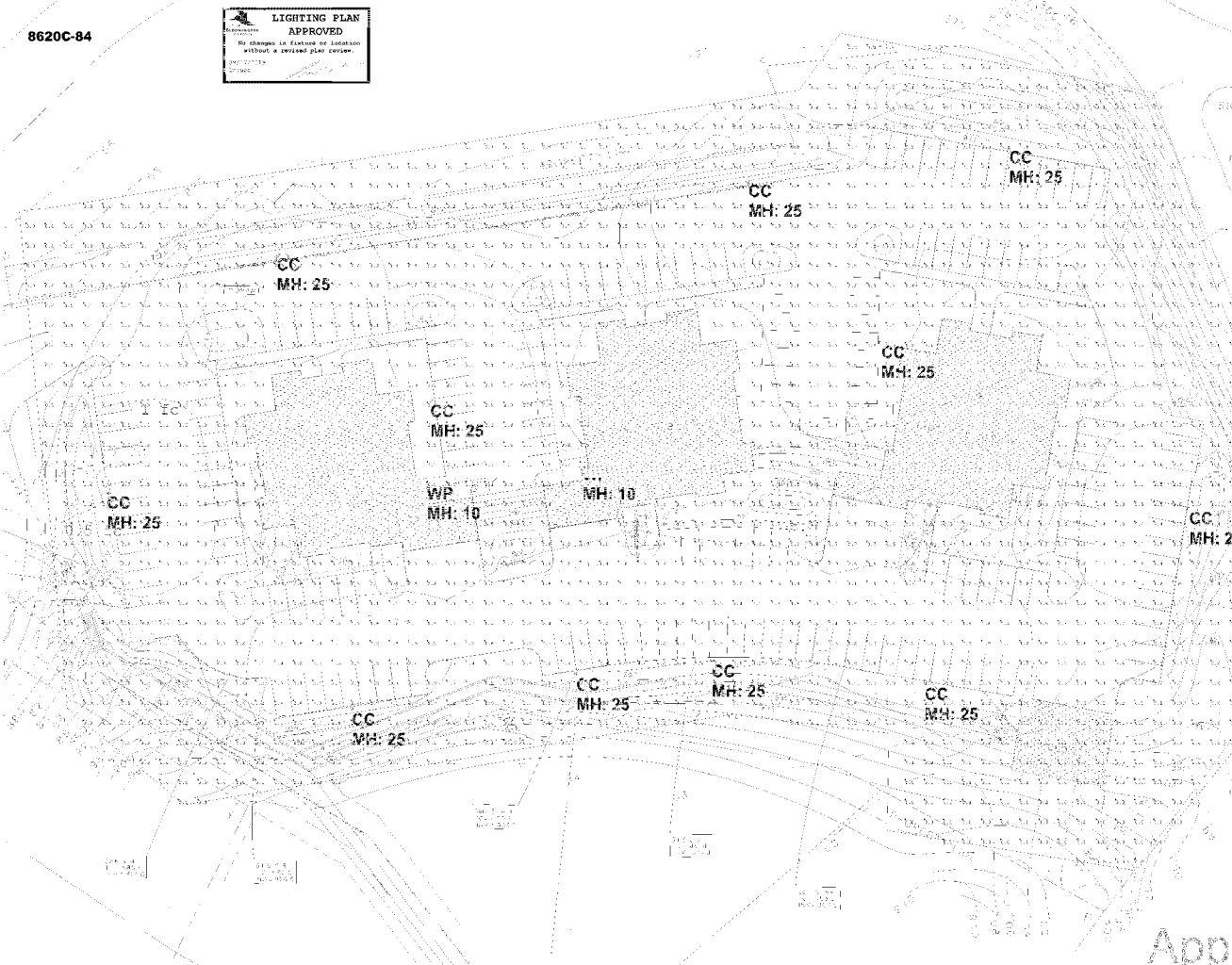
**TELEGRAPH HILL
OFFICES**
 TELEGRAPH ROAD AT MARTH ROAD
 BLOOMINGTON MINNESOTA

SITE PLAN



RECEIVED
 ROOM 56 571 BLDG
 APR 19 1984
 CITY OF BLOOMINGTON
 MINNESOTA

8620C-84



Calculation Summary		CalcType	Uts	Avg	Max	Min	Avg/Min	Max/Min
Label	Building 4 Planar	Illuminanc	Fc	1.04	7.8	0.0	N.A.	N.A.
Luminaire Schedule		Arrangement	LI	Description	Lum. Lumens			
Symbol	Qty	Label	1.10	PRV-A60-D-UNV-T4-BZ	18935			
E	11	CC	1.10	SLIM26N_D10, SLIM26N	3523			
U	2	WP						

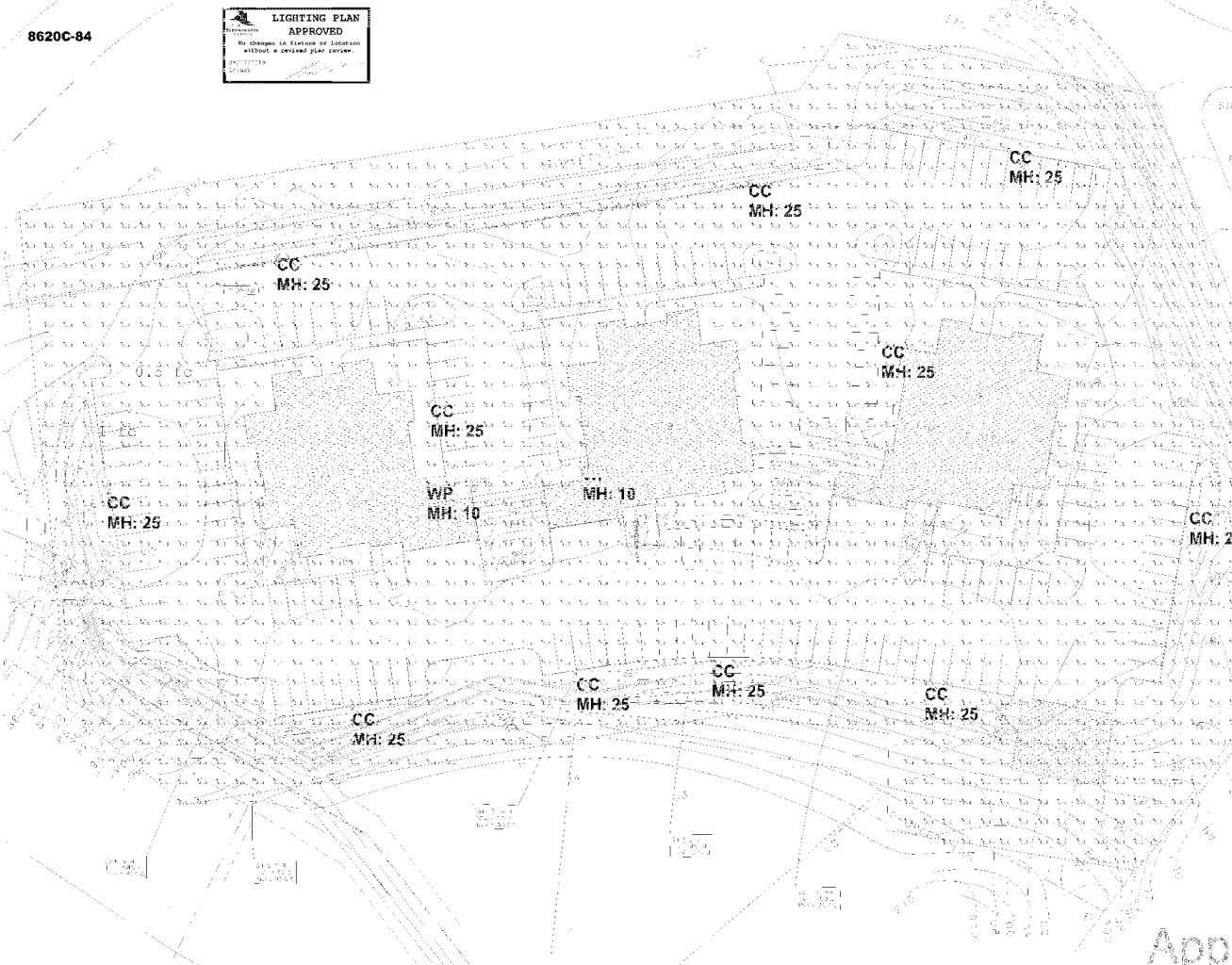
Drawn By: Don Budke
 Checked By:
 Date: 3/15/2018

7805 Telegraph Road
 One-for-One INITIAL

Revisions

Viking Electric Supply

8620C-84



Calculation Summary

Label	CalcType	Uts	Avg	Max	Min	Avg/Min	Max/Min	
Building 4 Planar	Illuminanc	Fc	0.84	6.3	0.0	N.A.	N.A.	
Luminaire Schedule		LI	Description	Lum. Lumens				
Symbol	Qty	Label	Arrangement					
E	11	CC	SINGLE	PRV-A60-D-UNV-T4-BZ				18935
U	2	WP	SINGLE	SLIM26N_D10, SLIM26N				3523

Drawn By: Don Budke
 Checked By:
 Date: 3/15/2018

7805 Telegraph Road
 One-for-One MAINTAINED

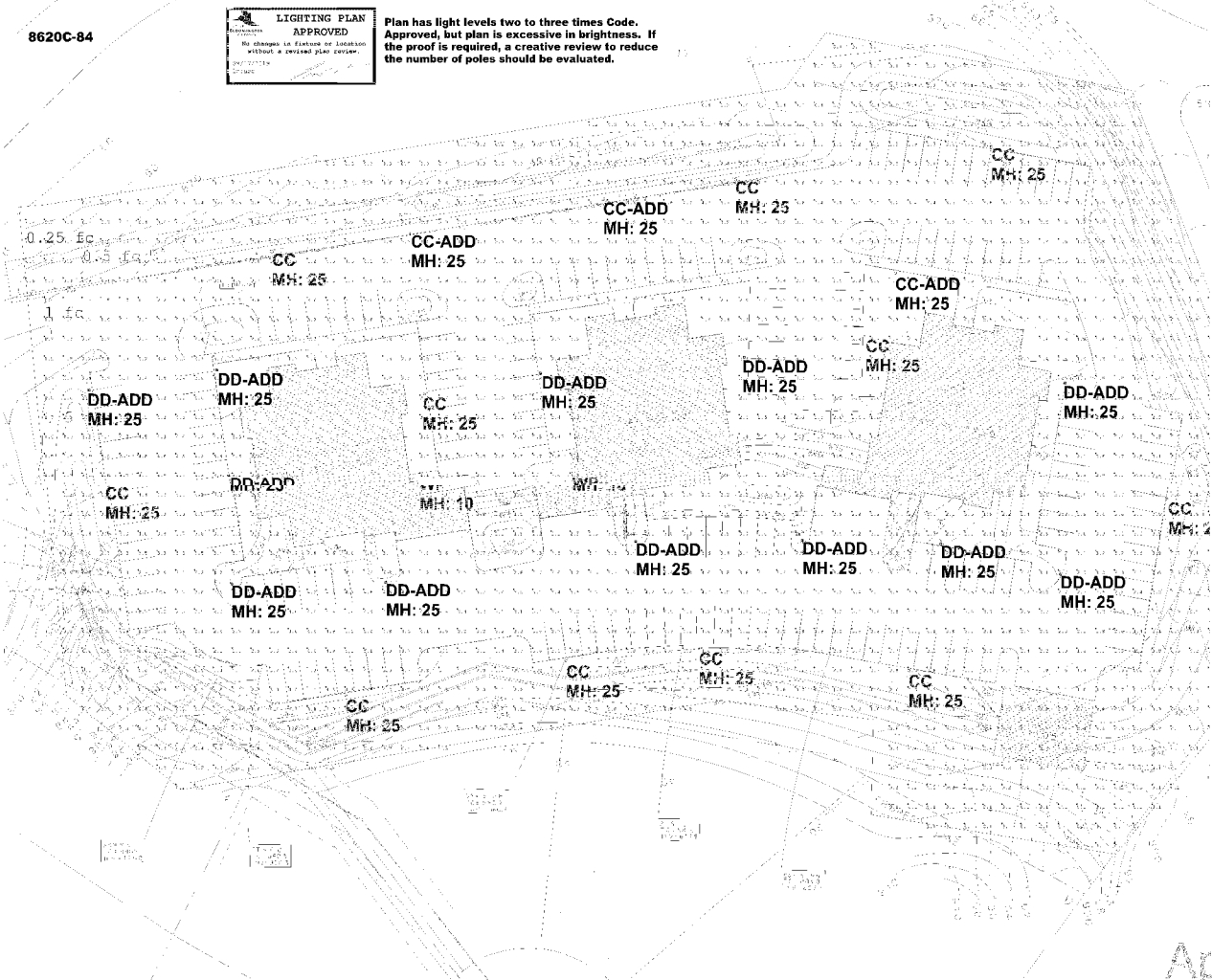
Revisions

Viking Electric Supply

8620C-84



Plan has light levels two to three times Code. Approved, but plan is excessive in brightness. If the proof is required, a creative review to reduce the number of poles should be evaluated.



Calc Type	Uts	Avg	Max	Min	Avg/Min	Max/Min
ILLUMINANCE	Fc	2.26	8.3	0.1	22.60	83.00

Symbol	Qty	Label	Arrangement	LI	Description	Lum. Lumens
L	11	CC	SINGLE	1.00	PRV-A60-D-UNV-T4-BZ	18935
L	2	WP	SINGLE	1.00	SLIM26N_D10, SLIM26N	3523
L	13	DD-ADD	SINGLE	1.00	PRV-A60-D-UNV-T5-BZ	19610
L	3	CC-ADD	SINGLE	1.00	PRV-A60-D-UNV-T4-BZ	18935

Calculation Summary

Label	Building 4	Planar
Building 4	Planar	

Drawn By: Don Budde
 Checked By: Don Budde
 Date: 3/15/2018

Revisions

7805 Telegraph Road
 Steve Green PROOF OF LIGHT

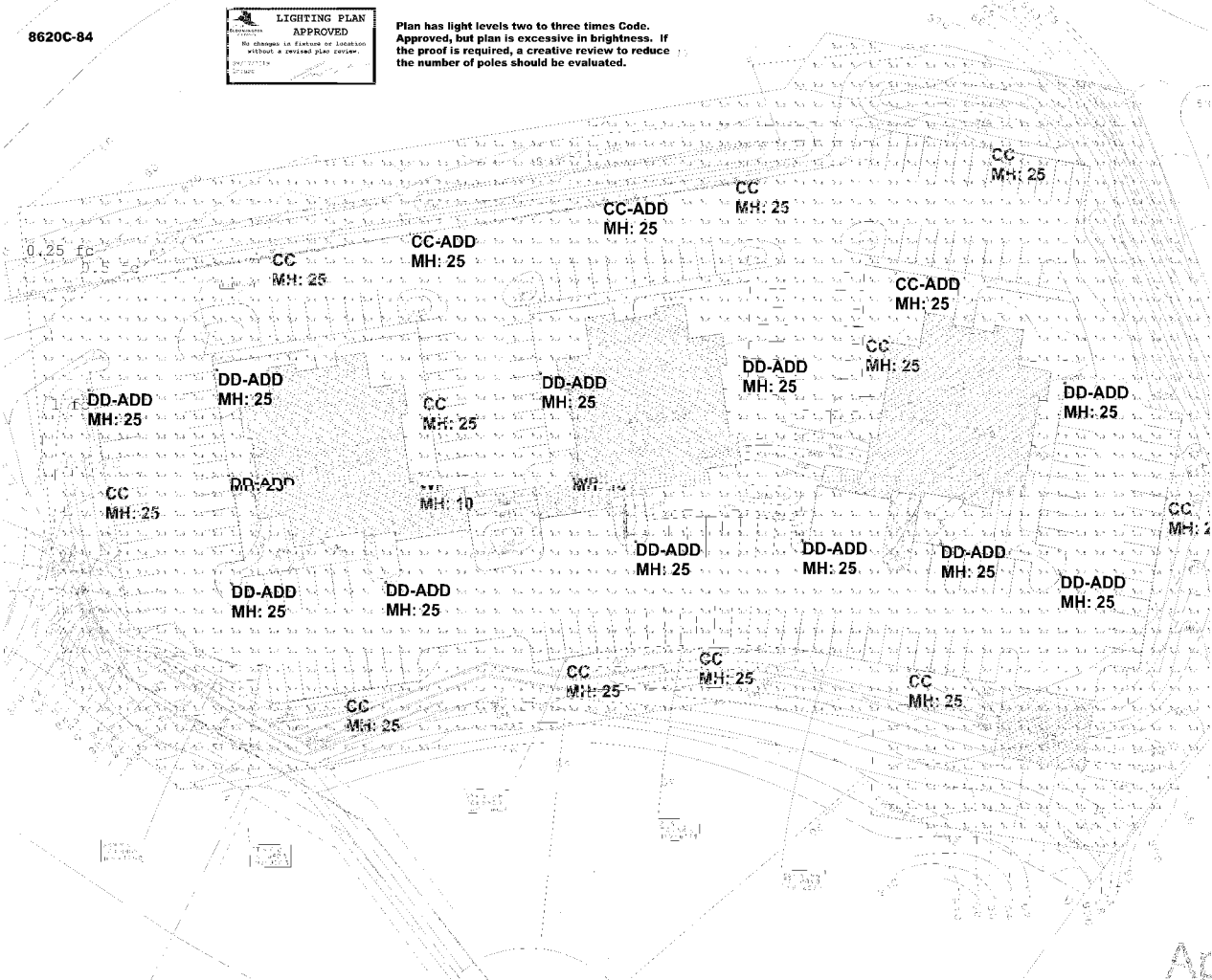
Viking Electric Supply

Approved Print Page 1 of 1

8620C-84



Plan has light levels two to three times Code. Approved, but plan is excessive in brightness. If the proof is required, a creative review to reduce the number of poles should be evaluated.



Calc Type	Uts	Avg	Max	Min	Avg/Min	Max/Min	Lum. Lumens
ILLUMINANCE	Fc	1.83	6.8	0.0	N.A.	N.A.	18935
Arrangement	LI						18935
SINGLE	0.0						3523
SINGLE	0.0						19610
SINGLE	0.0						18935

Label	Building 4	Planar	Luminaire Schedule	Qty	Label	Arrangement	LI
L			CC	11	CC	SINGLE	0.0
L			WP	2	WP	SINGLE	0.0
L			DD-ADD	13	DD-ADD	SINGLE	0.0
L			CC-ADD	3	CC-ADD	SINGLE	0.0

Calculation Summary

7805 Telegraph Road
Steve Green PROOF OF LIGHT

Drawn By: Don Budde
Checked By: Don Budde
Date: 3/15/2018

Revisions

Page 1 of 1

Viking Electric Supply

CITY OF BLOOMINGTON
2215 WEST OLD SHAKOPEE ROAD
HENNEPIN COUNTY, MINNESOTA 55431

CITY COUNCIL MEETING

Approved Minutes
Regular Meeting
Meeting #18

7:00 p.m.
May 7, 1984
Council Chambers

Call to Order and
Pledge to Flag

Mayor James H. Lindau called the meeting to order and led the Council and the audience in the pledge of allegiance to the flag.

Roll Call

Present: Mayor Lindau, Councilmen R. Blessum, A. Herbst, M. Mahon, N. Peterson (who arrived at 8:16 p.m.), C. Schuler and T. Spies.

Presentation of
20-Year Awards

Mayor Lindau presented 20-year service awards to the following City employees: Lt. John R. Carlson, Police Department; Stanley W. Dummer, Building and Inspection Division; Russell L. Langseth, Director of Public Works; Robert A. Mood, Manager of the Building and Inspection Division; and Russell G. Snesrud, Street Maintenance Division. He also presented 20-year service awards to the following volunteer firefighters: Robert Thoma, William Noleen, James Brening, Steven Peterson, John McWilliams and George Miller.

Oath of Officer to
New Police Officer

The City Clerk administered the oath of office to a newly-hired police officer, Victor Poyer.

Proclamations

Mayor Lindau read proclamations designating May 18 as Buddy Poppy Day; the month of May as Better Hearing and Speech Month; and 1984 as the Year of the Electrical and Electronic Engineer. Representatives of the American Legion Post 550 Auxiliary and VFW Post 1296 and Auxiliary were present to give each of the Council a buddy poppy. Edna Rogerson, who is affiliated with the support group for the hard of hearing at Creekside Center, accepted the proclamation for Better Hearing and Speech Month while Max Goldberg, a member of the Institute of Electrical Engineers, accepted the proclamation honoring that profession.

Approval of Minutes

Motion was made by Mahon, seconded by Blessum, and all present voting aye, to approve the minutes of the April 16 and 23 Council meetings as presented.

Hearing - Revocation
of Taxicab Driver's
License
Item 4.1

The Council had scheduled a hearing to consider the revocation of the taxicab driver's license of Richard Wayne Gonse, 4321 Nokomis Avenue South, Minneapolis. The Council had granted Mr. Gonse a city cab driver's license on February 6 conditioned on a three-month check of his driving record and that there be no further driving violations. The License Examiner reported on April 18 there had been an additional driving violation, driving while intoxicated, and Mr. Gonse's Minnesota driver's license was revoked for six months. The applicant was notified of the hearing. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to close the hearing and to revoke Mr. Gonse's taxicab driver's license.

Preliminary and Final
Plat of Schoenberger
Addition
Case 7327C-84
Item 4.2
R-84-61

A public hearing was scheduled for consideration of the preliminary and final plat of Schoenberger Addition located at 5 West 98th Street. The plat was submitted to change a metes and bounds parcel to lot and block for conversion of a gas station to an auto service center.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on April 24 and was recommended for approval with the following conditions:

1. six-foot sidewalk easement be provided along the intersection of Nicollet Avenue and Old Shakopee Road,
2. a petition for sidewalk improvements be submitted.

The Council was also requested to accept a petition and waiver of hearing requesting the construction of sidewalk. Following discussion, motion was made by Spies, seconded by Blessum, and all present voting aye, to close the hearing, to approve the preliminary and final plat of Schoenberger Addition, to approve the subdivision agreement, to accept the petition and waiver of hearing and to order the sidewalk construction, and to adopt a resolution granting final approval.

Ordinance Vacating
Easements - Highpointe
Item 4.3
0-84-21

The Council was requested to consider adopting an ordinance vacating easements for street and road right-of-way on the properties at 9700-20-40 Normandale Boulevard. The properties are being replatted into Highpointe which was approved by the Council on April 23. The easements were discovered in the title search for the plat. The Briar Road easement is currently being used but new sufficient right-of-way and drainage and utility easements are dedicated on the new plat. The other easements are not being used. Following discussion, motion was made by Blessum, seconded by Mahon, and all voting aye, to close the hearing and to adopt the ordinance.

On-Sale Beer 3.2%
"Special Event"
License
Item 4.4

The Council was requested to consider approving the following license application:

Everett McClay VFW Post 1296
2731 East 78th Street
Bloomington, MN 55420
@ Softball Tournament
Dred Scott Playfield

1 - On-Sale Beer 3.2% "Special Event"
(nonintoxicating malt liquor) \$40.00
June 23 - 8 a.m. to 10 p.m.
June 24 - 12:01 p.m. to 10 p.m.

Notice of the hearing was published in the official City newspaper and a report on the applicant was submitted to the Council by the Police Department.

Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to close the hearing and grant the license.

1984-1 Street and Utility Improvement Project
Item 4.5

A public hearing was scheduled for consideration of the installation of sanitary sewer and water laterals for Bluff Drive, Item 12 of the 1984-1 Street and Utility Improvement Project. A rehearing of this portion of the project was ordered by the Council on April 9 after several requests by property owners living on that street requesting installation of the utilities. The most recent action of the Council on this portion of the project was on March 12 when a motion to order the improvement failed on a 5-2 vote, six affirmative votes being required for passage.

All of the affected property owners on Bluff Drive were notified of the rehearing. The City Engineer reviewed the proposed project, illustrating the location of the improvements on a map posted on the wall. He said a letter had been received from Peter Schmelz, 6311 Bluff Drive, requesting the improvements. In his letter, Mr. Schmelz indicated that Harold Hill, 6320 Bluff Drive, and Ernest Pokorny, 6321 Bluff Drive, were also interested in having the utilities installed. Mr. Rudrud said one of the residents has a severe septic tank problem while others in the neighborhood have indicated they have had problems but not as severe.

Speaking in opposition was Nancy Haines, 6431 Bluff Drive, who said she was unaware of anyone seeking to have the improvements because she had understood all of her neighbors were also opposed to the installation. Discussion was held by the Council and it was the consensus that when residents start to have problems with their private septic systems, that it is incumbent upon the City to provide relief by construction of sewer and water.

Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye (6-0) to close the hearing and to order the improvement.

Designation of Directors and Alternate Directors
Item 3.1

The Council was requested to consider appointing two directors and two alternate directors to the Board of Directors of the Metro Area Interconnection Commission. Staff recommendation was to appoint Mary Andrews as one of the directors as all of the other members of the commission have appointed their staff person who is in charge of cable TV. Other suggestions for appointments were from the Council, Attorney's office or Manager's office. Following discussion, motion was made by Lindau, seconded by Mahon, and all present voting aye, to appoint Mary Andrews as one of the City's directors on the Board of Directors of the Metro Area Interconnection Commission, with the balance of the appointments to be postponed pending receipt of nominations.

1984 License Applications
Item 6.1

The Council was requested to consider approving 1984 license applications per the listing on file with the official records. Motion was made by Mahon, seconded by Lindau, and all present voting aye, to approve the license applications as submitted.

Mechanical License Application
Item 6.2

The Council was requested to consider approving a heating license for Dale Sorensen Company, 150 West 88th Street #6, Bloomington 55420, and a gas installer license for N. S. Services, 206 Birch Street East, Buffalo 55313. Motion was made by Mahon, seconded by Lindau, and all present voting aye, to approve the license applications as submitted.

Award Contract for Uniform Rental Service
Item 6.4

The Council was requested to consider the bids and to award a contract to G & K Services for uniform rental service from May 19, 1984, through May 18, 1986. Bids were received as follows:

<u>Bidder</u>	<u>Weekly Cost</u>	<u>Annual Cost</u>
G & K Services	\$232.40	\$12,084.80
American Linen	236.90	12,423.84
Unitog Rental	333.85	17,360.20
Leef Bros. Inc. *	217.55	11,312.60

* This bid stated they would not provide long-sleeved shirts for six months and short-sleeved shirts for six months as specified and as bid by the other vendors; therefore, it did not meet the specifications.

Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to accept the low bid of G & K Services for an annual cost of \$12,084.80 and to award the contract to that firm.

Approve Use of Valley View Pool for Aquatic Clubs
Item 6.5

The Council was requested to consider approving the use of Valley View Pool by the Bloomington Aquatic Swim Club and Aquatic Diving Club for their meets this summer. The Aquatic Diving Club is requesting the use of the diving section of the pool for July 6, 7 and 8 while the Aquatic Swim Club is requesting the use of the pool for the weekend of July 20, 21 and 22 for their annual swim meet. For this request, it would be necessary to close the use of the pool to the public for that weekend, and therefore, the club would be requested to pay for the actual cost of services by the Park Maintenance Division and staff personnel that would be required.

The Park and Recreation Advisory Commission, at its meeting of April 25 recommended approval of the requests with the swim club to be billed for the charges for use of the pool. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to approve the use of the pool by the Aquatic Swim Club and Aquatic Diving Club on the dates proposed with

the swim club to be billed for the charges for services.

Use of Normandale Lake
Parking Lot by U. S.
Bandy Team
Item 6.6

The Council was requested by the U. S. Bandy Team to allow them to use the southwest section of the parking lot at Normandale Lake Park for practice sessions. The parking lot would be used from 6:30 p.m. to 9:30 p.m. Monday evenings from May 14 through October 22. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to approve the request.

Administrative Variances
to Rear and Side Yard
Setbacks
Case 91048C-84
Item 6.7
R-84-55

The Council was requested by Chuck Kaley, 8206 Stevens Avenue, in a single-family residence district, to consider approving a variance to allow the placement of a detached garage on his property with a two-foot rear yard setback and a two-foot side yard setback.

The City Hearing Examiner, after a hearing on April 4, recommended approval of the variances and adoption of a resolution granting the variances. based on two conditions:

1. existing storage shed be removed,
2. City Council act favorably on the conditional use permit for two garages on one residential lot.

Mr. Kaley said the second variance, for the side yard setback would not be needed inasmuch as his neighbor has requested that the garage be set back at least five feet because he intends to place a hedge on the lot line, and he said he was in agreement with that request. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to adopt a resolution granting a variance to Chuck Kaley for a two-foot rear yard setback for a detached garage based on compliance with the two conditions set forth by the Hearing Examiner.

Administrative Variance
to Side Yard Setback
Case 9112A-84
Item 6.10
R-84-58

The Council was requested by Kellett Builders, who are proposing to erect a single-family dwelling at 11521 Zion Road, in a single-family residence district, to consider approving a variance for a five-foot, five-inch side yard setback for a screen porch.

The City Hearing Examiner, after a hearing on April 25, recommended approval of the variance and adoption of a resolution granting the variance. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to adopt a resolution granting the variance.

Approve Acceptance of
Grant
Item 6.14

The Council was requested to consider approving a grant of \$1,500 from the Mid-States Organized Crime Information Center to be used by the Police Department in an ongoing drug enforcement program. The grant monies would be appropriated to Special Investigations (4405-547). Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to accept the grant.

Accept Donation to
Police Department
Item 6.15

The Council was requested to accept a donation from the American Legion Auxiliary Unit 550 of \$850 to be used to purchase a ballistic armor vest for the Police S.W.A.T. team. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to accept the donation and to appropriate the funds to Account 4201-553.

Approve Contract for
Mat Rental Service
Item 6.19

The Council was requested to consider the bids and to award a contract for the rental of mats for the City Hall. The contract period would be from May 1, 1984, through May 1, 1985. Bids were received as follows:

R & R Cleaning Contractors	\$6,434.00
Leef Bros., Inc.	\$6,467.00

A quotation was also received from American Linen Supply which was for cotton mats with flexible latex backing which was not considered because past experience has been this type of mat has been unsatisfactory because they do not stay in place or lie flat and thus create a safety hazard.

Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to accept the low bid of R & R Cleaning Contractors for \$6,434 and to award the contract to that firm.

Approve Purchase of
Landscape Wood Chips
Item 6.22

The Council was requested to consider approving the purchase of approximately 1,000 cubic yards of landscape wood chips from Minnesota Valley Landscape, Inc., per their quotation of \$9 per cubic yard. The wood chips are proposed to be used on trails in Mound Springs, Central, Heritage Hills, East Marsh Lake and Girard Lake park areas. Quotations were also solicited from L. A. Industries and Ryan Grading and Landscaping, Inc., with no response. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to approve the purchase of the chips from Minnesota Valley Landscape, Inc., for \$9 per cubic yard.

Approve Expenditure for
Athletic Field
Aggregate
Item 6.23

The Council was requested to consider approving an expenditure of approximately \$9,300 for the purchase of approximately 1,500 tons of athletic field aggregate from Bryan Rock Products per their quotation of \$6.20 per ton. Quotation requests were sent to three other vendors with no response. Sources are limited for this type of product because of its specific content and gradation requirements. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to approve the purchase of this aggregate from Bryan Rock Products for \$6.20 per ton.

Award Contract for
Carpeting and Blinds
for Staff Services and
Police Areas
Item 6.24

The Council requested to consider the quotations received for the purchase and installation of carpet for the Police Dispatch area and of carpet and blinds for the Staff Services area. Quotations were received as follows:

<u>Company</u>	<u>Police Carpet</u>	<u>Staff Services Carpet</u>	<u>Staff Serv. Blinds</u>
Noah Williams & Associates	\$3,228.90	\$1,281.57	\$1,733.22
The Pink Companies	2,338.00	1,696.95	No bid
C. K. Sales	2,858.00	2,341.46	2,351.22
Touch of Class Interiors	2,125.50 *	1,919.52	2,388.20

* The estimated cost of \$3,000 for removal of the existing carpet was not included in this bid price.

Midwest Interiors	No bid	1,636.67	No bid
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Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to accept the low bids of The Pink Companies and Noah Williams & Associates for the furnishing and installation of carpet in the Police Dispatch area and and Staff Services area respectively and to award the contracts to those firms.

Request for Hearing -
On-Sale and Sunday
Liquor License Renewal
Applications
Item 6.26

The Council was requested to set a hearing for consideration of the renewal applications for the following on-sale and Sunday on-sale intoxicating liquor licenses:

T G I Thursday's, Inc., 14665 Midway Road, P. O. Box 809062, Dallas, TX 75380
dba T.G.I. Friday's, 7750 Normandale Boulevard

Discus of Bloomington, Inc., 6100 Green Valley Drive
dba Fuddruckers, 3601 West 77th Street

Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to set a public hearing for 7:30 p.m. May 21 for consideration of these renewal applications.

Request for Hearing -
Off-Sale Liquor License
Renewal Application
Item 6.27

The Council was requested to set a hearing for consideration of the renewal application for an off-sale liquor license for the following:

Wallace H. Cates, dba Wally's Liquor Barrel, 9529 Lyndale Avenue South

Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to set a public hearing for 7:30 p.m. May 21 for consideration of this renewal application.

Request for Hearing -
On-Sale Wine License
Renewal Application
Item 6.28

The Council was requested to set a hearing for consideration of the renewal application for a wine license for the following:

Lake South Enterprises, Inc., dba Hunan Restaurant, 8066 Morgan Circle

Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to set a public hearing for consideration of this renewal application for 7:30 p.m. May 21.

Request for Hearing -
New On-Sale and Sunday
On-Sale Liquor License,
Mother Tucker's Food
Experience
Item 6.29

The Council was requested to set a hearing for consideration of the following application for a new on-sale and Sunday on-sale intoxicating liquor license:

M. T. Restaurants (Minnesota), Inc., 1507 Inkster Boulevard, Winnipeg, Manitoba, Canada R2X 1R2
dba Mother Tucker's Food Experience, 4217 West 80th Street

The present licensee at this location is Mother Tucker's Food Experience, Inc., and the business is proposed to be operated under the above corporation. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to set a public hearing for 7:30 p.m. May 21 for consideration of this application.

Deletion of Equipment
Purchase
Item 6.31

The Council was requested to consider authorizing the deletion of one of the pieces of equipment to be purchased for the new rescue ambulance. The piece to be deleted would be a Hurst Tool. The City Manager said it was the Police Chief's and Fire Chief's recommendation that this item be deleted because both the Police Department and Fire Department have these tools available as well as the manpower that would be required for its operation, and any emergency to which the rescue service would respond that would require the use of the tool would have a response by the Police Department and Fire Department. Following discussion, motion was made by Mahon, seconded by Lindau, and all present voting aye, to delete this tool from the list of items to be purchased.

Ordinance to Increase
Liquor License Fees
Item 4:7

The Council was requested to consider adopting an ordinance to increase the license fees for the following liquor licenses: on-sale commercial-recreational club and annual fee for dispensing liquor in designated areas, on-sale intoxicating liquor licenses and on-sale intoxicating liquor club licenses.

Stephen Pletcher, President of the Bloomington Hospitality Association, distributed a letter to the Council which he then reviewed. He indicated the members of the association which includes representatives of 20 Bloomington hotels and motels and 12 restaurants were disturbed not only with

the proposed increase in fees but also because of the manner in which the proposal was made. He said most of the association members knew of the proposed increases only two weeks prior to the hearing. He said in keeping with past efforts by City staff to keep the association informed and involved in matters concerning them, he felt the association should have been advised of the proposed increase with an explanation of the rationale for them. He said members then would have been able to discuss them and state their individual position. He said the association has involved several years ago in the discussion and adoption of a major increase in liquor license fees, and members felt they should again have had an opportunity for input.

The Director of Staff Services indicated this increase in fees was handled in the same manner as are all proposed license fee increases, and when the renewal letters were sent out in March, each license holder was advised of the pending fee increase. He said the increase is in line with what the staff had advised the Council at budget time would be necessary to keep the budget in balance.

Following discussion, motion was made by Herbst, seconded by Mahon, and all present voting aye, to postpone this ordinance pending receipt of further staff input with the proposed increases to be referred to the Economic Development Commission for their review with the hospitality industry.

Hearing - Applications for Renewal of On-Sale, Sunday On-Sale, On-Sale "Club," "Commercial-Recreational" Club, Off-Sale and On-Sale Wine Licenses
Item 4.6ABCDEF

A public hearing was scheduled for consideration of the applications for renewal of on-sale, Sunday on-sale, on-sale "club," "commercial-recreational" club, off-sale and on-sale wine licenses, per the listing on file with the official records. Notice of the hearing was published in the official newspaper and reports on the applicants were submitted to the Council by the Police Department and License Examiner. Following discussion, motion was made by Lindau, seconded by Blessum, and all present voting aye, to close the hearing and to approve the renewal of the license applications.

Declare Recess

A short recess was declared after which the meeting was reconvened by the Mayor at 8:15 p.m. Councillman Peterson arrived during the recess.

Administrative Variance for Front Yard Setback Case 9113A-84
Item 6.11
R-84-60

The Council was requested by Dwayne Peterson, 10200 Fifth Avenue South, in a single-family residence district, to approve a variance that would allow the erection of a 16' by 24' addition to an existing garage that would have an eight-foot front yard setback.

The City Hearing Examiner, after a hearing on April 25, recommended approval of a variance, and adoption of a resolution granting the variance, to allow a 12' by 24' addition that would have a five-foot front yard setback from 102nd Street.

Mr. Peterson submitted a letter to the Council requesting that the variance be modified to allow a 14' by 24' addition to the garage which would then allow him to put a service entrance in the front of the garage to allow easier access to the front of his house from the garage. Questions were raised by the Council as to the reasons why the Hearing Examiner had reduced the amount of the requested variance. The Director of the Building and Inspection Division said the reduction was made because of the City's desire to have the required right-of-way on 102nd Street for an 80-foot wide street. The Director of Public Works said 102nd Street is a state-aid street and a collector street and the standard width for that type of street is 80 feet. He said it is not likely that the street itself would be widened but the additional right-of-way would allow for a wider sidewalk to be built if necessary.

Following discussion, motion was made by Spies, seconded by Lindau, and all present voting aye, to adopt a resolution granting a 14-foot variance to allow an addition of 14' by 24' to the garage.

Six Variances Cases 8068ABCDEF-84
Item 6.16
R-84-63

The Council was requested by Robert Siefert, 8317 Pillsbury Avenue, to consider approving six variances as follows: (A) reduce setback from the easterly R-1 zoning district boundary line from 100 feet to 14 feet; (B) reduce setback from northerly R-1 zoning district boundary line from 100 feet to 5.3 feet; (C) reduce side yard setback from north side lot line from 10 feet to 5.3 feet; (D) reduce landscaped yard along a residential zoning district from 20 feet to five feet; (E) reduce a portion of the required landscaped yard along a public street from 20 feet to 10 feet; and (F) reduce the rear yard setback from 28 feet to 14 feet. The applicant proposes to erect a single-tenant office warehouse on this property.

The Planning Commission, at its meeting of April 26, recommended approval of the variances based on making the required City Code findings in Section 2.98.01(b)(3)(A)(B)(C)(D) with the following condition:

1. all trash and refuse be stored inside the building in a designated trash storage area as approved by the Fire Marshal.

Following discussion, motion was made by Lindau, seconded by Mahon, and all voting aye, to adopt a resolution granting the variances based on compliance with the condition set forth by the Planning Commission.

Amend 1980 Comprehensive Plan
 Case 8620A-83
 Item 4.9
 R-84-54 and Revised Preliminary and Final Development Plan
 Case 8620B-83
 Item 4.10

The Council requested by Landico, Inc., 7801 Telegraph Road, to consider approving an amendment to the 1980 Comprehensive Plan to show an office use for property presently designated for use as medium-density residential. In addition, the applicant requested approval of the revised preliminary development plan and final development plan for a project comprising three two-story office buildings.

The Planning Commission, at its meeting of November 17, 1983, had recommended denial of the amendment to the Comprehensive Plan and to the development plans. The Council had also denied the Plan amendment at its December 19, 1983, meeting but had reconsidered its decision on April 9, 1984. A rehearing was scheduled for this meeting and notices had been sent to the adjacent property owners.

The Director of Planning indicated the plans have been revised from two three-story buildings to three two-story buildings. The total floor area has also been reduced by about 7,000 square feet.

Speaking in opposition to the project were the following: Charles Frederick Quest, 8050 Pennsylvania Road; Carl Carlson, 8064 Pennsylvania Road, and Marvin Swenson, 8062 Pennsylvania Road. All objected to a commercial development being placed in close proximity to their residential area.

Question was raised by the Council as to why the Comprehensive Plan had shown a residential use for this property because of its close proximity to the freeway. Mr. Grussing said the Comprehensive Plan had first shown office use for this property but the designation had been changed after a request to do so by a condominium developer who wished to locate a project there. Following discussion, motion was made by Peterson, seconded by Spies, and all voting aye, to adopt a resolution amending the 1980 Comprehensive Plan to show office rather than medium-density residential for the property at 7801 Telegraph Road. Motion was made by Peterson, seconded by Spies, and all voting aye, to close the hearing and to approve the revised preliminary development plan and final development plan based on making the required City Code findings in Section 19.38.01 (5)(A) through (H) with the following conditions:

1. building be totally sprinklered, as approved by the Fire Marshal,
2. trash facilities be provided within the buildings,
3. no outside storage be allowed.

1984-3 Street Improvement (HUD) Project
 Item 4.11

A public hearing was scheduled for consideration of the 1984-3 Street Improvement (HUD) Project. Background information regarding the project had been previously submitted to the Council including all of the petitions which have been submitted in favor of the project. An informational meeting had been held on March 27 after which those portions of the project to which there were objections were deleted.

The following streets were proposed for improvement:

1. 13th Avenue from East 82nd Street to East 86th Street - curb and gutter, residential surfacing
2. 16th Avenue from East 84th Street to East 86th Street - curb and gutter, residential surfacing
3. 17th Avenue from East 83rd Street to East 84th Street - curb and gutter, residential surfacing
4. East 84th Street from 12th Avenue to 17th Avenue - curb and gutter, State Aid surfacing

No one appeared in opposition. Ruth Keen, who said she lived on 13th Avenue in the project area, said she was in favor of the improvement. Ralph Keen, 8401 13th Avenue South, submitted a petition to the Council signed by residents of the area which showed that of 90 households on 84th Street and 13th Avenue in the project area, 54 households were in favor, 15 were opposed, 15 were undecided and six were rental properties and he was unable to contact the owners.

Following discussion, motion was made by Lindau and seconded by Mahon to close the hearing and order the improvement project. The vote on the motion was ayes, Schuler, Mahon, Peterson, Blessum, Herbst and Lindau, and nay, Spies, and the motion carried 6-1.

Conditional Use Permit for Second Garage
 Case 9104A-84
 Item 5.1

The Council was requested by Chuck Kaley, 8206 Stevens Avenue, to consider approving a conditional use permit for a second garage.

The Planning Commission, at its meeting of April 9, recommended approval of the conditional use permit based on making the required City Code findings in Section 19.22(1)(A) through(H) with the following conditions:

1. existing shed be removed from the property prior to relocation of the existing garage,
2. if front setback to the garage is either less than 35 feet or less than the setback to the house, then a variance be applied for in the normal manner.

A variance had been granted to Mr. Kaley earlier in the evening to allow a two-foot rear yard setback for the garage. Mr. Kaley said the garage would be located five feet from the side yard. Following discussion, motion was made by Lindau, seconded by Mahon, and all voting aye, to approve a conditional use permit for a second garage based on making the required City Code findings and on compliance with the conditions set forth by the Planning Commission.

Conditional Use Permit for Second Garage
 Case 9105A-84
 Item 5.2

The Council was requested by Jerome Flatgard, 10114 Mound Spring Terrace, to consider approving a conditional use permit for a second garage.

The Planning Commission, at its meeting of April 19, recommended approval of the conditional use permit based on making the required City Code findings in Section 19.22(1)(A) (B) (C) (D) (F)(G) (H)

and with the following condition:

- garage setback from 10th Avenue be no less than 40 feet and driveway be as approved by the City Traffic Engineer.

Following discussion, motion was made by Blessum, seconded by Peterson, and all voting aye, to approve a conditional use permit for a second garage based on making the required City Code findings and on compliance with the condition set forth by the Planning Commission.

Conditional Use Permit
for Second Garage
Case 9005A-84
Item 5.3

The Council was requested by Janice Buckingham, 9824 Oakland Avenue, to consider approving a conditional use permit for a second garage.

The Planning Commission, at its meeting of April 26, recommended approval of a second garage based on making the required City Code findings in Section 19.22(1)(A)(B)(C)(D)(F)(G)(H).

Following discussion, motion was made by Mahon, seconded by Blessum, and all voting aye, to approve a conditional use permit for a second garage based on making the required City Code findings.

Administrative Vari-
ance to Rear Yard
Setback
Case 9005B-84
Item 6.8
R-84-56

The Council was requested by Janice Buckingham, 9824 Oakland Avenue, in a single-family residence district, to consider approving a variance to allow the placement of a detached garage on the rear of the lot with a five-foot rear yard setback.

The City Hearing Examiner, after a hearing on April 11, recommended approval of the variance and adoption of a resolution granting the variance based on Council approval of the conditional use permit for the second garage. That condition has been met.

Following discussion, motion was made by Mahon, seconded by Blessum, and all voting aye, to adopt a resolution granting the variance.

Public Hearing on
Taxicab Licenses
Item 4.12

A public hearing was scheduled for consideration of the number of taxicab licenses to be issued in Bloomington for public convenience and necessity and the allocation of those licenses to applicants. The report of the Hearing Examiner on his findings following the hearing he had conducted on the number of licenses needed in Bloomington was submitted to the Council with the agenda material.

The Hearing Examiner concluded that 35 additional licenses could be issued in Bloomington without any detrimental effects on local traffic conditions, the additional number would properly serve the public's needs, and the issuance of the additional licenses should not have an adverse impact on the solvency of any existing licensees or cause an increase in rates.

The City Attorney explained the procedure that would be followed, saying the Hearing Examiner had suggested that the hearing be divided into two parts with the portion concerning the allocation of licenses to be under oath.

Wayne Joyce, President of Yellow Cab, spoke in favor of the Hearing Examiner's recommendation. Brian Flakne, attorney representing Suburban Taxi and Green and White Cab, said he did not feel it was necessary for the Council to have an allocation of licenses and suggested that the Council approve all of the license applications that have been submitted to date.

Following discussion, motion was made by Herbst and seconded by Mahon to close the hearing and to accept the report of the Hearing Examiner; to authorize issuance of 35 additional licenses with 10 to be held back from the next allocation of licenses. After further discussion, a substitute motion was made by Lindau and seconded by Schuler to place no limit on the number of licenses that can be issued and to license all of the cabs for which license applications have been made.

Speaking in opposition to this motion were Jim LeTourneau, Vice President of Yellow Cab; Michael Black, attorney representing Town Taxi Company; and Robin Zimmerman, President of Airport Taxi. All said the quality of service could be diminished if there was such a deregulation because there would be a flood of applicants who would be unqualified but would be hoping to make a quick "buck." The speakers were reminded by the Mayor that regardless of whether or not there was City regulation of the number of cabs to be licensed, the cabs to be licensed would be inspected by the City of Bloomington and the owner/operator would still be required to have a cab driver's license issued by the City.

Following discussion, the vote was taken on the motion to remove the limit from the number of licenses which can be issued in Bloomington as follows: ayes, Schuler, Peterson and Lindau, and nays, Mahon, Spies, Blessum and Herbst, and the motion failed 3-4. The vote on the original motion to accept the Hearing Examiner's report and to increase the number of taxicab licenses by 35, with 10 not to be immediately allocated, was as follows: ayes, Mahon, Spies, Blessum and Herbst, and nays, Schuler, Peterson and Lindau, and the motion carried 4-3.

Motion was made by Lindau, seconded by Herbst, and all voting aye, to postpone allocation of the additional licenses until after the hearing has been held on the additional applications that have been made since the hearing was held by the Hearing Examiner.

Conditional Use Permit
for Second Garage
Case 911B-84
Item 4.13

The Council requested to consider approving a conditional use permit for James and Connie Barry, 8718 19th Avenue, to allow the construction of a second garage on their property. The existing garage is 280 square feet and the proposed garage would be 576 square feet for a total square footage of garage space of 856 square feet.

Following discussion, motion was made by Peterson, seconded by Blessum, and all voting aye, to close the hearing and approve a conditional use permit for a second garage, based on making the required City Code findings in Section 19.22(1)(B)(C)(D)(F)(G).

Administrative Variance
to Rear Yard Setback
Case 911A-84
Item 6.9
R-84-57

The Council was requested by James and Connie Barry, 8718 19th Avenue South, in a single-family residence district, to consider approving a variance to allow a 19-foot rear yard setback for a detached garage.

The City Hearing Examiner, after a hearing on April 25, recommended approval of the variance and adoption of a resolution granting the variance. Following discussion, motion was made by Peterson, seconded by Blessum, and all voting aye, to adopt a resolution granting the variance.

Conditional Use Permit
for Second Garage
Case 9115B-84
Item 4.14

The Council was requested by Warren and Marsha Guenther, 7811 West 86th Street, to consider approving a conditional use permit for the construction of a second garage on their property. The existing garage is 240 square feet and the proposed garage would be 960 square feet for a total square footage of garage space of 1,200 square feet.

Following discussion, motion was made by Peterson, seconded by Lindau, and all voting aye, to close the hearing and to approve a conditional use permit for the second garage, based on making the required City Code findings in Section 19.22(1)(B)(C)(D)(F)(G).

Administrative Variance
to Rear Yard Setback
Case 9115A-84
Item 6.12
R-84-59

The Council was requested by Warren and Marsha Guenther, 7811 West 86th Street, in a single-family residence district, to consider approving a variance to allow the erection of a detached garage with a 20-foot rear yard setback.

The City Hearing Examiner, after a hearing on May 2, recommended approval of the variance and adoption of a resolution granting the variance, based on Council approval of a conditional use permit for a second garage. That condition has been met. Following discussion, motion was made by Peterson, seconded by Lindau, and all voting aye, to adopt a resolution granting the variance.

Approve Grant
Agreement for Summer
Youth Employment
Item 6.13

The Council was requested to authorize the Mayor and City Manager to execute a grant agreement with Hennepin County Department of CETA Services to provide summer youth jobs under the Twin Cities Tree Trust program. The program would begin in early June and continue through September. The summer employees would work approximately 40 hours per week and would be paid at least the minimum wage of \$3.35 per hour with the wages and workers' compensation benefits to be paid by the Tree Trust. Following discussion, motion was made by Mahon, seconded by Spies, and all voting aye, to approve the agreement.

Award Contract for
West Bush Lake Park
Phase II Construction
Item 6.3

The Council was requested to consider the bids and to award a contract for Phase II construction of West Bush Lake Park. Bids were opened April 25 and a tabulation is as follows:

Bidder	Total Bid Proposal A	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6
D. H. Blattner & Sons, Inc.	\$308,770	\$10,735	\$8,245	\$13,850	\$19,500	\$13,000	\$13,650
Johnson Building Company	333,626	11,000	9,000	24,100	20,600	13,200	14,000
Orvedahl Construction, Inc.	347,932	10,000	5,700	16,500	23,000	15,000	15,600
Matt Bullock Contract. Co., Inc.	339,201	16,700	8,340	17,500	25,000	15,200	17,600
Hardrives, Inc.	347,932	17,992	11,271	25,373	21,586	13,874	14,409
Natural Green, Inc.	395,495	10,400	11,550	--	34,500	21,975	25,500

Proposal A - General Construction; Alt. 1 - North Ag-Lime Trail; Alt. 2 - South Ag-Lime Trail; Alternates 3, 4, 5 and 6 - Planting

The Director of Community Services explained the work to be done and said staff recommendation was for acceptance of the low bid of D. H. Blattner & Sons, Inc., for \$388,750, which includes all of the alternates plus the base bid. Following discussion, motion was made by Peterson, seconded by Blessum, and all voting aye, to accept the low bid of D. H. Blattner and Sons, Inc., for \$388,750 and to award the contract to that firm.

Proposed Purchase of
Property at 9601 East
Bush Lake Road
Item 6.17

The Council was requested to consider approving the purchase of the property at 9601 East Bush Lake Road for park purposes for \$103,000 which would include a single-family house on a one-acre tract. The park is located within the planned regional park boundaries. In addition to the purchase price, the City would also be responsible for payment of the 1984 taxes of \$1,816.16 and outstanding special assessments of \$1,085.12. Funding would be from the Regional Parks and Open Space grant money and the costs of the City's appraisal, relocation services and relocation benefits would also be covered by this funding.

The Director of Community Services explained the location of the property using a map to illustrate his remarks. The Mayor questioned purchase of the property at this time when the adjacent lots are not be acquired. The City Manager said that in addition to reserving this property for park purposes, it is also needed for some of the right-of-way for a relocation of East Bush Lake Road to move that road further from the lake.

Following discussion, motion was made by Herbst, seconded by Lindau, and all voting aye, to approve the purchase of the property with a condition that it should be kept as income producing property until the remainder of the adjacent lots are acquired.

Authorize Weight Room at Ice Garden
Item 6.18

The Council was requested by the holders of the Bloomington Junior Stars hockey franchise to consider allowing them to construct, at their expense, a weight room at the Bloomington Ice Garden, which is the team's home arena. In addition to being available to members of the team, the room would also be made available to Bloomington high school and youth hockey participants when not in use by the Junior Stars. The City Manager suggested that if the Council wished to do so, that concept approval only be given until the matter of liability can be researched.

Following discussion, motion was made by Herbst, seconded by Blessum, and all voting aye, to approve the concept of the addition of a weight room at the Ice Garden pending staff review of the risk factors.

Request for Waiver of Subdivision Moratorium
Case 9116A-84
Item 6.20

The Council was requested by Neil Peterson to consider approving a waiver of the moratorium requirement enacted under Section 16.05.02 of the City zoning code. This section prevents application for subdivision of land in the R-1 zoning district. Authority for the waiver by the City Council is also provided for in the City Code, Section 16.05.02(f). Following discussion, motion was made by Blessum and seconded by Mahon to approve a waiver of the moratorium requirement. The vote on the motion was ayes, Schuler, Mahon, Spies, Blessum, Herbst and Lindau, and abstain, Peterson, and the motion carried 6-0-1.

Authorize Expenditure for ASA Softball Team Registrations
Item 6.21

The Council was requested to consider approving an expenditure of \$5,410 to the Minnesota Recreation Sports Federation for 541 ASA team registrations at \$10 per team. The registrations would be for 389 men's and co-rec and 152 women's softball teams. The money would be recovered by payment of team registration fees in City leagues. Following discussion, motion was made by Spies, seconded by Mahon, and all voting aye, to authorize the expenditure.

Final Plat of Cahill Addition
Case 8705A-82
Item 6.25
R-84-62

The Council was requested by Cahill Enterprises to consider approving the final plat of Cahill Addition at 8730 Nicollet Avenue.

The plat was previously approved by the Council on September 22, 1980, and June 7, 1982, with an extension of the latter approval granted. The platting is a condition of the conditional use permit for the Montessori School which has been operating since 1980. Conditions of approval granted by the Council on June 7, 1982, were as follows:

1. 10-foot sidewalk/bikeway easement be dedicated along Nicollet Avenue,
2. joint-access agreement between Lots 1 and 2 be submitted.

These conditions have been met. Following discussion, motion was made by Blessum, seconded by Mahon, and all voting aye, to approve the final plat of Cahill Addition, to approve the subdivision agreement and to adopt a resolution granting final approval.

Transfer of Funds
Item 6.30

The Council was requested to approve the transfer of \$4,000 from Activity 2104, Manager's Budget, from 516, Professional Services, to 503, Seasonal. The money would be used to employ an intern in the Manager's office for 15 weeks to do research work in preparation of a data base to be used by the Legislative Commission which will be addressing the local aid question. Following discussion, motion was made by Herbst, seconded by Blessum, and all voting aye, to approve the transfer of funds.

Status of Action Items
Item 7.2

The Council reviewed the listing of the Status of Action Items and made no changes. The City Manager said negotiations are still ongoing for the purchase of the stadium property by the Port Authority.

Report of Donations to Community Services Department
Item 7.3

The Council was requested to acknowledge receipt of donations to the Community Services Department as follows:

6/29/83	Families Anonymous	\$25.00
6/29/83	Quiet Moments Al-Anon	10.00
7/21/83	Bloomington Lions	400.00
10/26/83	Families Anonymous	25.00
11/15/83	Quiet Moments Al-Anon	10.00
12/07/83	Quiet Moments Al-Anon	<u>10.00</u>
	Total	\$480.00

The Director of Community Services indicated that all funds of less than \$100 were deposited in 6204-528 and used for health education materials such as video cassettes or literature. The money from the Lions was officially accepted by the Council and used to purchase a television set. Another donation received by the Department was a gift of two large Colorado Blue Spruce trees for Dwan Golf Course, which were also officially accepted by the Council. The City Manager noted that a donation of \$205 had been received by the City for the publication of the newsletter "Special Delivery." Following discussion, motion was made by Lindau, seconded by Blessum, and all voting aye, to acknowledge receipt of these donations.

Hennepin County Fair
Request for Funds
Item 7.4

The Council requested by the Hennepin County Agricultural Society to consider making a donation for the staging of the Hennepin County Fair. The City Manager indicated that in years past the Council had appropriated \$100 for this purpose. Following discussion, motion was made by Lindau and seconded by Spies to postpone this request indefinitely. The vote on the motion was ayes, Schuler, Spies, Peterson, Blessum, Herbst and Lindau, and nay, Mahon, and the motion carried 6-1.

Solid Waste Transfer
Station

Councilman Blessum asked if there was anything to report on the solid waste transfer station situation. The City Manager indicated information will be forthcoming from the Planning Division. The City Attorney noted he had previously sent a memo to the Council outlining the County's statutory rights for location of transfer stations and the City's rights to have such a station located in its boundaries. He said the Director of Planning had presented Bloomington's statement of opposition to the site at the County hearing held at the Minnetonka City Hall on May 2. In addition, he said Donaldson Company also appeared to state its opposition to having their land used for the site because of expansion plans they have for their property.

Mr. Pidgeon said his understanding is that there will be six locations and two will be burn sites. He said the first and second choices for transfer stations are Bloomington and Hopkins with the third being Minneapolis. Question was raised by Spies as to whether the transfer stations must be located in Hennepin County, and he was advised this would be researched. After discussion, the City Attorney asked if it was the Council's desire that he prepare a defense and posture of maintaining a lawsuit against Bloomington as a site and the Council concurred he should so proceed.

Adjourn Meeting

Motion was made by Mahon, seconded by Lindau, and all voting aye, to adjourn the meeting at 10:35 p.m.

Evelynne Thompson
Secretary to the Council

PL202500178



the City of
Bloomington
minnesota

2215 WEST OLD SHAKOPEE ROAD--55431--(612)881-5811

*Reapproved by
Council 5/7/84
Item 6.25*

June 14, 1982

Cahill Enterprises Company
6515 Barrie Road
Edina, Minnesota 55435

Enclosed for your information are copies of the Subdivision Agreement for CAHILL ADDITION, which is located in Section 10, Township 27, Range 24, City of Bloomington, County of Hennepin, State of Minnesota.

This agreement was approved by the Bloomington City Council on June 7, 1982.

E. L. Woulfe
City Clerk

kc

Enclosure

SUBDIVISION AGREEMENT

CAHILL ADDITION

This Agreement, made and entered into the day and year set forth hereinafter, by and between Cahill Enterprises Company hereinafter called "Subdivider", and the CITY OF BLOOMINGTON, a Minnesota municipal corporation in the County of Hennepin, State of Minnesota, hereinafter called "City",

WITNESSETH:

WHEREAS, the Subdivider is the owner and developer of a certain subdivision known as CAHILL ADDITION, and which is located in Section 10, Township 27, Range 24, City of Bloomington, County of Hennepin, State of Minnesota;

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. That the Subdivider hereby petitions the City to construct improvements required by Chapter 16, as amended, of the City Code.
2. That the City shall construct the Petition items pursuant to the regular method of making public improvements; that special assessments will be levied therefor. Whereas other property owners adjacent to the lands subdivided are directly affected by improvements proposed to be constructed in streets on the perimeter of the subdivision, the decision of the City to proceed with any or all of the improvements in such streets will be made after a public hearing is held. For the purpose of this paragraph, the perimeter streets are designated as follows: West 88th Street, Blaisdell Avenue and Nicollet Avenue.

Once all the necessary approvals and orders have been issued, and if the City is unable to procure public financing pursuant to the regular methods of making public improvements, this Paragraph 2. shall be null and void, and the City shall be under no further obligation to construct the Petitioned items.

3. That, notwithstanding Section 16.05, Paragraph (i) of the City Code, the Subdivider hereby agrees to file the approved final plat with the appropriate office of Hennepin County within sixty days of the approval of the final plat. In the event that filing is not accomplished by that date, the Subdivider will provide all public rights-of-way and easements shown on the approved final plat to the City by submitting properly executed deeds, one week after the expiration of the sixty-day period.

APPROVED
BY COUNCIL

6-7-82

Reapproved
5/7/84

- 4. That the Subdivider shall deposit with the City \$250.00 as a guarantee that the approved final plat will be filed with the appropriate office of Hennepin County. Such deposit will be refunded to the Subdivider upon receipt of a certified copy of the recorded plat by the Department of Community Development. If a certified copy of the final plat is not received by the Department of Community Development within the sixty-day period, the Subdivider shall be deemed to have forfeited the \$250.00 deposit, notwithstanding that Section 3 hereby still requires the Subdivider to give certain deeds to the City.
- 5. That the Subdivider agrees to pay to the City reasonable attorney fees, to be fixed by the Court, in the event that suit or action is brought to enforce the terms of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 8th day of June, 1982

In the presence of:

CAHILL ENTERPRISES COMPANY

Chris Waeger
Rosalie C. Mavor

By Marshall H. Curran
By _____

In the presence of:

CITY OF BLOOMINGTON

Elizabeth Thompson
Mary J. Brouland

By [Signature]
Its Mayor
By [Signature]
Its City Manager

Upon proper execution, this Agreement shall be a legal and binding obligation upon the City of Bloomington.

[Signature]
City Attorney

APPROVED
BY COUNCIL
6-7-82

Reapproved
5/7/84



the city of
Bloomington
minnesota

2215 WEST OLD SHAKOPEE ROAD-55431-(612)881-5811

May 9, 1984

Ralph J. Schoenberger
10748 Kell Avenue South
Bloomington, Minnesota 55437

Enclosed for your information are copies of the Subdivision Agreement and Petition and Waiver of Hearing for SCHOENBERGER ADDITION, which is located in Section 15, Township 027, Range 24, City of Bloomington, County of Hennepin, State of Minnesota.

These documents were approved by the Bloomington City Council on May 7, 1984.

E. L. Woulfe, CMC
City Clerk

kc

enclosures

SUBDIVISION AGREEMENT

SCHOENBERGER ADDITION

This Agreement, made and entered into the day and year set forth hereinafter, by and between Ralph Schoenberger, hereinafter called "Subdivider", and the CITY OF BLOOMINGTON, a Minnesota municipal corporation in the County of Hennepin, State of Minnesota, hereinafter called "City",

WITNESSETH :

WHEREAS, the Subdivider is the owner and developer of a certain subdivision known as SCHOENBERGER ADDITION, and which is located in Section 15, Township 027, Range 24, City of Bloomington, County of Hennepin, State of Minnesota;

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. That the Subdivider hereby petitions the City to construct improvements required by Chapter 16, as amended, of the City Code.
2. That the City shall construct the Petition items pursuant to the regular method of making public improvements; that special assessments will be levied therefor. Whereas other property owners adjacent to the lands subdivided are directly affected by improvements proposed to be constructed in streets on the perimeter of the subdivision, the decision of the City to proceed with any or all of the improvements in such streets will be made after a public hearing is held. For the purpose of this paragraph, the perimeter streets are designated as follows:

West 98th Street and Nicollet Avenue South.

Once all the necessary approvals and orders have been issued, and if the City is unable to procure public financing pursuant to the regular methods of making public improvements, this Paragraph 2. shall be null and void, and the City shall be under no further obligation to construct the Petitioned items.

3. That, notwithstanding Section 16.05, Paragraph (1) of the City Code, the Subdivider hereby agrees to file the approved final plat with the appropriate office of Hennepin County within sixty days of the approval of the final plat. In the event that filing is not accomplished by that date, the Subdivider will provide all public rights-of-way and easements shown on the approved final plat to the City by submitting properly executed deeds, one week after the expiration of the sixty-day period.

APPROVED
BY COUNCIL

5-7-84

- 4. That the Subdivider shall deposit with the City \$250.00 as a guarantee that the approved final plat will be filed with the appropriate office of Hennepin County. Such deposit will be refunded to the Subdivider upon receipt of a certified copy of the recorded plat by the Department of Community Development. If a certified copy of the final plat is not received by the Department of Community Development within the sixty-day period, the Subdivider shall be deemed to have forfeited the \$250.00 deposit, notwithstanding that Section 3 hereby still requires the Subdivider to give certain deeds to the City.
- 5. That the Subdivider agrees to pay to the City reasonable attorney fees, to be fixed by the Court, in the event that suit or action is brought to enforce the terms of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 8th day of May, 1984

In the presence of:

Donald P. Egan

By Ralph Schoenberger
Ralph Schoenberger

And _____

In the presence of:

CITY OF BLOOMINGTON

Ceclynn Thompson

By [Signature]
Its Mayor

Mary J. Rowland

By [Signature]
Its Manager

Upon proper execution, this Agreement shall be a legal and binding obligation upon the City of Bloomington.

[Signature]
City Attorney

APPROVED
BY COUNCIL
5-7-84

P E T I T I O N A N D W A I V E R O F H E A R I N G

Comes now Ralph J. Schoenberger,
and represents that he is the owner of certain lands situate in the City of
Bloomington, County of Hennepin, State of Minnesota, more particularly described
as follows:

Lot 1, Block 1, Schoenberger Addition

and, pursuant to the provisions of Chapter 429 Minnesota Statutes, waive notice
of hearing and notice of assessment proceeding for certain public improvements,
consisting of sidewalk

for the following described streets: Nicollet Avenue and West Old Shakopee Road

and petitions that the City of Bloomington construct said improvements as soon
as convenient by contract or by including the same as additions to contracts
already had.

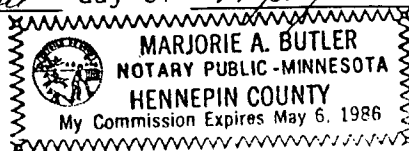
Dated this 2nd day of May, 1984.

By Ralph J. Schoenberger
Ralph J. Schoenberger

State of Minnesota)
County of Hennepin)

Subscribed and sworn to before me this 2nd day of May,

1984.



APPROVED
BY COUNCIL
5-7-84

#3002

Marjorie A. Butler