

BLOOMINGTON COUNCIL MEETING

Approved Minutes
Regular Meeting
Meeting #39

7:00 p.m.
August 21, 1972
Council Chambers

Call to Order The meeting was called to order by Mayor James M. King.

~~Pludge to Flag~~ ~~Mayor King led the Council and the audience in the pludge of allegiance to the flag.~~

Roll Call Present: Mayor King, Councilmen C. Allen, J. Anderson, W. Belanger, J. Malone, J. O'Neil and R. Pleasant.

Approval of Minutes The Council was requested to consider approving the minutes of the Council meeting of July 17. Motion was made by Belanger, seconded by Anderson, and all voting aye (7-0) to approve the July 17 Council minutes as printed.

Appointment to Planning Commission Item 3.1 The Council was requested to make an appointment to the Planning Commission to fill the vacancy created by the resignation of A. Roger Tibbetts. Councilman Belanger nominated Mrs. Coral Houle, 8813 Penn Lake Circle. Mayor King indicated that confirmation of the appointment would be laid over to the next Council meeting.

Appointment to Merit Board Item 3.2 The Council was requested to make an appointment to the Merit Board to fill the vacancy created by the resignation of Roger G. Wheeler. At the August 14 meeting Mayor King had nominated John MacMillan, 8133 Bloomington Freeway, and prior to the meeting Councilman Belanger had nominated Richard Conner, 10302 Morris Road, who is Director of Personnel Systems and Research at Control Data. Motion was made by Belanger and seconded by Pleasant to confirm the appointment of Mr. Conner to the Merit Board for a term expiring December 31, 1973. All voted aye except Anderson and O'Neil, who voted nay, and the motion carried 5-2.

Appointment to Promotion and Development Commission Item 3.3 The Council was requested to make an appointment to the Promotion and Development Commission to fill the vacancy created by the resignation of Harriet Long. At the August 14 meeting Mayor King had nominated Orville Fillbrandt, 8412 Clinton Avenue South. Motion was made by O'Neil, seconded by Malone, and all voting aye (7-0) to confirm the appointment of Mr. Fillbrandt to the Promotion and Development Commission.

Appointment to Park and Recreation Advisory Commission Item 3.4 The Council was requested to make an appointment to the Park and Recreation Advisory Commission to fill the vacancy created by the resignation of Arnie Johnson. Councilman O'Neil nominated Douglas Kelly, 406 Portland Place. Mayor King indicated that action on confirmation of the appointment would be postponed to the next Council meeting.

Discussion was held on the two ex officio positions on the Commission, that of the Board of Education appointee and the Council representative, and the thought was expressed that these should be made regular positions. Following a review of the desire of the City to cooperate with the School Board, particularly in the use of joint facilities, motion was made by Allen, seconded by Anderson, and all voting aye (7-0) to instruct the Attorney to draft an ordinance to change the two ex officio positions on the Park and Recreation Advisory Commission to regular positions.

Pre-... al
Add? A-
I' A public hearing was scheduled at 7:15 p.m. for consideration of the preliminary and final plat of Mohawk 1st Addition located at 9721 James Avenue South. The applicant is combining two existing lots into a single lot and block description as a condition of issuance of a building permit.

The Administrative Subdivision Review Committee considered the plat on August 7 and recommended approval with the following conditions:

1. plat show Lots 33 and 34 combined into one new lot, lot and block numbers added and building location be shown,
2. expand James Avenue to half-width right-of-way of 40 feet,
3. 5' drainage and utility easements be shown on all internal lot lines.

The Public Works Department indicated that all items have been accomplished on the final plat. They also advised that the petitioner expressed an interest for the vacation of Irving Avenue at a future date.

Bruce Kennedy, owner of Kennedy Auto and Transmission Service, 9740 Humboldt Avenue South, said he was concerned with the vacation of Irving Avenue, which is located behind his business. He said although this is not an improved street, it is a necessary road for the businesses located there as a back entry way. He said he would oppose vacating of this street.

Gordon Kline, 9721 Irving Avenue South, said his home is located on Irving Avenue and that as long as he lives there he does not want the street vacated. He indicated he eventually hopes to sell his property because of the encroaching business and commercial interests in the area but until that time needs to have this street open.

The Director of Public Works said that although there has been some discussion about vacating this street, that unless there was 100% agreement by all property owners it would not be a successful application. He said the Public Works Department would recommend against it.

Following discussion, motion was made by Belanger, seconded by Allen, and all voting aye (7-0) to close the hearing, approve the preliminary and final plat of Mohawk 1st Addition, and adopt a resolution granting final approval subject to receipt of the executed subdivision agreement and favorable title opinion of the City Attorney.

~~Preliminary and Final
Plat of Long Meadow
Heights Replat
Case 7770A-72
Item 5.2~~

~~A public hearing was scheduled at 7:15 p.m. for consideration of the preliminary and final plat of Long Meadow Heights Replat located at 3031-3033 Long Meadow Circle. The applicant is proposing to revise lot lines to retain a driveway to an existing home.~~

~~The Administrative Subdivision Review Committee considered the plat on August 9 and recommended approval as submitted.~~

~~Following discussion, motion was made by Allen, seconded by Belanger, and all voting aye (7-0) to approve the preliminary and final plat of Long Meadow Heights Replat and adopt a resolution granting final approval subject to receipt of the executed subdivision agreement and a favorable title opinion by the City Attorney.~~

~~Conditional Use Permit
for Advertising Sign
Case 7770A-72
Item 5.3~~

~~A public hearing was scheduled at 7:30 p.m. for consideration of a request by the Naegele Outdoor Advertising Company for a conditional use permit to allow an advertising sign at 1400 West 79th Street in the Industrial (I-3) zone. The sign is the former City-owned sign which was recently sold to the applicant.~~

~~The Planning Commission at its meeting of August 3 recommended denial of the request because of inability to make the required findings in 11.13.C.1.~~

~~Following discussion, motion was made by Anderson, seconded by Malone, and all voting aye (7-0) to close the hearing and approve the conditional use permit for advertising sign as requested by the Naegele Outdoor Advertising Company for a period of three years after making the required findings in Sec. 11.13.C.1 and 2.~~

DECEMBER 12, 1977 Council Minutes

The Planning Commission at its meeting of December 1 recommended approval of the final development plan, final site plan and building plans based on making the findings in Section 19.38(g) (1) through (7) as required and with the following conditions:

1. interior sidewalks be provided along the east side of Cavell Avenue and the north side of West 100th Street,
2. recreation area be provided in the northwest corner of the property with walkway from Cavell Avenue,
3. berm be constructed between CSAH 18 and the quadraminium structures on Lots 6, 7 and 8,
4. all structures be set back a minimum of 50 feet from Bloomington Ferry Road and projected CSAH 18 right-of-way,
5. copy of the homeowners' association agreement should be submitted with the final plat and approved by the City Attorney,
6. landscape plan be approved by the Director of Planning,
7. details be provided for the recreation area before City Council consideration.

Following discussion, motion was made by Belanger, seconded by Mahon, and all present voting aye to approve the final development plan, final site plan and building plans subject to making the required City Code findings and based on compliance with the conditions set forth by the Planning Commission.

1977-78 License Applications
Item 6.1

The Council was requested to consider approving the 1977-78 license applications per the listing on file with the official records. Motion was made by O'Neil, seconded by Belanger, and all present voting aye to approve the license applications as submitted.

Review Decision of the Variance Board
Item 6.2

The Council was requested to review the decision of the Variance Board on the following variance at its regular meeting of November 23:

Case 7775A-77 Mohawk Transfer, 9721 James Avenue Variance to required setback from right-of-way lines.

Following discussion, motion was made by O'Neil, seconded by Belanger, and all present voting aye to approve the variance as submitted.

Grant Agreement for 1978 Community Development Block Grant
Item 6.3

The Council was requested to authorize the Mayor and the City Manager to execute a grant agreement with the U. S. Department of Housing and Urban Development. Bloomington has received approval of a 1978 Community Development Block Grant in the amount of \$726,000. Following discussion, motion was made by O'Neil, seconded by Belanger, and all present voting aye to approve execution of the agreement by the Mayor and City Manager.

Approve 1977 Audit Fees
Item 6.5

The Council was requested to consider approving the first progress billing for \$5,000 from Haskins & Sells for the 1977 audit and to further direct that either all aggregate billings for 1977 in an amount not to exceed \$22,000 may be paid without further Council approval or that all future progress billings come to the Council. Following discussion, motion was made by O'Neil, seconded by Belanger, and all present voting aye to approve the billing for \$5,000 and to direct that all aggregate billings for 1977 in an amount not to exceed \$22,000 may be paid without further Council approval.

Award Contract for Ice Control Aggregate
Item 6.6

The Council was requested to consider the bids and award a contract for the purchase of the seasonal requirements of ice control aggregate. It is estimated that 7,000 tons of this material may be purchased. Funds for this material are budgeted in Activity 7605.

Bids were received as follows:

Northwestern Aggregates, Inc.	\$1.25 per ton loaded in City trucks \$2.47 per ton delivered
Edward Kraemer & Sons, Inc.	\$1.40 per ton loaded in City trucks \$2.10 per ton delivered

Following discussion, motion was made by O'Neil, seconded by Belanger, and all present voting aye to accept the low bid of Northwestern Aggregates, Inc., for \$1.25 per ton loaded in City trucks and to award the contract to that firm.

Mechanical License Applications
Item 6.7

The Council was requested to consider approving the following mechanical license applications:

Nokomis Sheet Metal Works, Inc., 6724 Penn Avenue North, Minneapolis 55423	Heating License
Axel Newman Plumbing & Heating Co., Inc., 1608 Como Avenue, St. Paul 55108	Flammable Liquid Tank License
Dale Sorensen Company, 9240 Grand Avenue South, Bloomington 55420	Gas Installer License

Following discussion, motion was made by O'Neil, seconded by Belanger, and all present voting aye to approve the license applications as submitted.

MAY 1, 1978 Council Minutes

Preliminary and Final Plat of Mohawk 2nd Addition Case 8426A-78 Item 4.4 R-78-49

A public hearing was scheduled for consideration of the preliminary and final plat of Mohawk 2nd Addition located at 9701-9721 James Avenue. The plat was submitted in order to combine three parcels into one for expansion of an existing building.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on April 18 and was recommended for approval with the following conditions:

1. ten-foot sidewalk easement be provided along James Avenue,
2. no park dedication be required,
3. grading, drainage and utility plans be approved by the City Engineer.

These conditions have been or are being met. Following discussion, motion was made by Darr, seconded by Spies, and all voting aye to approve the preliminary and final plat of Mohawk 2nd Addition, to approve the subdivision agreement, and to adopt a resolution granting final approval.

~~Ordinance re Car Rental as Permitted Accessory Use to Motels Item 4.5 0-78-22~~

~~The Council was requested to consider adopting an ordinance to amend Section 19.33 of the City Code to allow car rental as a permitted accessory use to motels in the Industrial District. The ordinance amendment was requested by Econo-Car of Minneapolis, Inc., which wishes to operate a car rental business at the Sheraton Airport Inn, which is in the Industrial District.~~

~~Following discussion, motion was made by Darr, seconded by Mahon, and all voting aye to close the hearing and adopt the ordinance.~~

~~Ordinance re Business Development Signs in B-2, B-3 and I-3 Zones Item 4.6~~

~~The Council was requested to consider adopting an ordinance to amend Section 19.66 of the City Code to allow business developments to have an identification sign in Retail, General Business and General Industry zoning districts. The Code presently does not allow these signs for a business development but does for a shopping center. However, the definition of a shopping center includes at least a grocery store, drug store and specialty stores, which are not always included in a business development.~~

~~The City Attorney requested that the ordinance be postponed for two weeks to allow for legal advertisement of it. Following discussion, motion was made by Herbst, seconded by Spies, and all voting aye to postpone this ordinance for two weeks.~~

~~Conditional Use Permit for Office Building Case 8371A-78 Item 5.1~~

~~The Council was requested by the Andcor Corporation to consider approving a conditional use permit for an office building as a transitional use in an R-1 zone at 8000 Town Line Avenue.~~

~~The Planning Commission at its meeting of April 20 recommended approval of the conditional use permit based on making the required City Code findings in Section 19.22(1)(A) through (H) and with the following conditions:~~

1. final site plan and building plans be submitted and approved by the Planning Commission and City Council,
2. property be platted in accordance with Chapter 16 of the City Code prior to receiving a building permit,
3. landscape plans be approved by the Director of Planning, including sprinklering of the berm,
4. amount of right-of-way to be dedicated be determined before final site plan and building plans are reviewed and parking arrangement and number of spaces and access be approved by the Traffic Engineer,
5. berming be required to screen the building and parking areas,
6. on-site drainage be completed as required by the Nine Mile Creek Watershed District and the City Engineer,
7. building be totally sprinklered and approved by the Fire Marshal,
8. exterior lighting and security plan be approved by Crime Prevention Officer of the City of Bloomington and the Director of Planning.

~~Plans for the proposed building were displayed and were reviewed by Harold Westin of Westin Associates, project engineer, and Dennis Anderson, President of Andcor Corporation.~~

~~Following discussion, motion was made by Herbst, seconded by Blessum, and all voting aye to approve the conditional use permit based on making the required City Code findings and on compliance with the conditions set forth by the Planning Commission.~~