

# **AGENDA**

## **MINNETONKA CITY COUNCIL**

**REGULAR MEETING, MONDAY, JUNE 10, 2002**

**6:30 P.M.  
COUNCIL CHAMBERS**

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: Allendorf-Schneider-Koblick-Callison-Thomas-Tauer-Anderson
4. APPROVAL OF AGENDA.
5. **APPROVAL OF MINUTES:**
  - A. May 13, 2002 Special Council meeting.
  - B. May 20, 2002 Regular Council meeting.
6. **SPECIAL MATTERS:**
  - A. Presentation of Life Saving award to Officer Sarah Grau.
  - B. Presentation of Victor Gilbertson's recently published book, "Watercolors of Bridges over Minnehaha Creek."
7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS.
8. CITIZENS WISHING TO DISCUSS MATTERS NOT ON THE AGENDA.
9. **BIDS AND PURCHASES (4 VOTES):**
  - A. Formal rejection of bid to bury fiber optic cable from the civic center campus to the new Operations and Maintenance facility.

RECOMMENDATION: Reject bid of single bidder, ComLink, Inc. and authorize re-advertisement for bids.

### **CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be an explanation but no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately. Concerning motions before the Council, the Council has provided that all motions of the Council shall include staff and commission recommendations as set out in tabular form unless specifically stated otherwise.

<p>Minnetonka City Council Meetings are broadcast live on channel 16. Replays of this meeting can be seen during the following days and times: Mondays, 6:30 p.m., Wednesdays, 6:30 p.m., Fridays, 12:00 p.m., Saturdays, 12:00 p.m. For more information, please call 952.939.8200</p>
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**10. Items Requiring a Majority Vote:**

- A. Claims for council authorization – May 28, 2002.
- B. Claims for council authorization – June 10, 2002.
- C. Resolution approving a traffic control signal agreement with the Minnesota Department of Transportation and Hennepin County for the CSAH 73/TH 7 Intersection Improvement Project No. 4887R.
- D. Proposed Orders for Tobacco License Stipulations.
- E. Agreement concerning Burwell Furnishings.
- F. Resolutions ordering the abatement of nuisance conditions existing at:
  - 1) 3320 Chippewa Road
  - 2) 12900 Woodbridge Trail
  - 3) 18523 Covington Road
  - 4) 18601 Covington Road
  - 5) 5804 Covington Terrace

**11. Items requiring Five Votes:**

- A. Resolution approving a lot division with a lot width at the setback and right-of-way variance at 14620 Woodhill Circle for April Guerin.
- B. Items pertaining to an outdoor dining area for the Marriott Hotel at 5801 Opus Parkway, for IHP Holdings Partnership, LP:
  - 1) Resolution approving a conditional use permit.
  - 2) Approval of amended liquor licenses.

**12. INTRODUCTION OF ORDINANCES (4 VOTES):**

An ordinance must be considered by the City Council at two regular meetings before adoption. At the first meeting, the ordinance is introduced by the Council. The City Council may discuss and /or refer the ordinance to an advisory board for review and public comment. The ordinance will be placed on a second City Council meeting agenda for adoption.

- A. Ordinance permitting off-premises real estate open house and garage sale signs.

RECOMMENDATION: Introduce the ordinance and refer it to the planning commission.

**13. PUBLIC HEARINGS:**

- A.** Public hearing to consider applications by SID Minnetonka, LLC for on-sale and Sunday on-sale intoxicating liquor licenses for Sidney's restaurant, 15600 Highway 7.

RECOMMENDATION: Open the public hearing and continue to July 8, 2002 (4 VOTES).

**14. OTHER BUSINESS:**

- A.** Presentation of the December 31, 2001 Comprehensive Annual Financial Report by DeLoitte & Touche.

RECOMMENDATION: Receive the presentation.

- B.** Bennett Family Park financial agreement.

RECOMMENDATION: Approve the statement of intent and direct the city manager to execute an agreement (4 VOTES).

- C.** Administrative hearing regarding the tobacco licenses of Twin Cities Stores, Inc. d/b/a Oasis Market #524 and #563.

RECOMMENDATION (4 VOTES):

- 1) Conduct the Administrative hearing.
- 2) Receive and consider the evidence submitted.
- 3) Decide whether a violation occurred.
- 4) Determine what, if any, penalty should be imposed.

**15. APPOINTMENTS (4 VOTES):**

- A.** Appointments to the Minnetonka Senior Advisory Board.

RECOMMENDATION: Approve the recommended appointments.

- B.** Appointments to the Minnetonka Park Board.

RECOMMENDATION: Approve the recommended appointments.

**16. ADJOURNMENT.**

**MINUTES  
MINNETONKA CITY COUNCIL  
SPECIAL MEETING, MONDAY, MAY 13, 2002**

**1. CALL TO ORDER.**

Mayor Anderson called the meeting to order at 6:30 p.m.

**2. PLEDGE OF ALLEGIANCE.**

All joined in the pledge of allegiance.

**3. ROLL CALL.**

Assistant City Manager Geralyn Barone called the roll. Council members Al Thomas, Ken Tauer, Dick Allendorf, Terry Schneider, Linda Koblick, Jan Callison, and Karen Anderson were present.

**4. PUBLIC HEARING:**

**A. Public hearing to consider proposed amendments to the Minnetonka city charter:**

- 1) Ordinance amending Chapter 5 of the appendix of the Minnetonka city charter regarding initiative and referendum.**
- 2) Ordinance amending sections of the Minnetonka City Charter regarding qualifications for office, council wards, vacancies in office, the mayor's powers, council procedures, the city manager, the city treasurer, accounting procedures, sale of a utility, official publications, sales of property, and vacation of easements.**

City Attorney Desyl Peterson introduced this item. She said that the city council could open the public hearing and continue it to the May 20 regular council meeting to ensure public input in a regular council meeting setting. She highlighted the proposed amendments and explained why the changes were proposed.

Tauer asked about the change related to the city clerk approving the form of the petition within five days. Peterson said that petitioners would also have the option to take the matter to court if they felt that the clerk was acting inappropriately.