

## **AGENDA**

### **MINNETONKA CITY COUNCIL**

**REGULAR MEETING, MONDAY, JUNE 14, 2004**

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

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: Callison-Schneider-Thomas-Wagner-Ellingson-Wiersum-Anderson
4. APPROVAL OF AGENDA.
5. APPROVAL OF MINUTES: May 24, 2004 regular council meeting.
6. SPECIAL MATTERS:
  - A. Minnetonka Community Action Recognition Award.
  - B. Choral performance and presentation to City Council by Minnetonka Chamber Choir.
7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS.
8. CITIZENS WISHING TO DISCUSS MATTERS NOT ON THE AGENDA.
9. BIDS AND PURCHASES: None.

#### **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.

10. Items requiring a majority vote:
  - A. Claims for council authorization – June 14, 2004.
  - B. Resolution approving a conditional use permit for telecommunications antennas and ground equipment at 10700 Cedar Lake Road for Voicestream Minneapolis.

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## 10. Items requiring a majority vote – continued:

- C. Resolution ordering the demolition of a fire-damaged structure at 209 Park Lane South.
- D. Resolutions ordering the abatement of nuisance conditions.
- E. Approval of the PORTICO final plat at 2201 Crosby Road (Cargill property) for Keith Waters & Associates, Inc.
- F. Request from Northland Institute for a grant of \$12,500 to help start the Twin Cities Community Capital Fund (TCCCF).

## 11. Items requiring Five Votes:

- A. Preliminary plat, with buildable area variances, to divide the property at 16451 McGinty Road West into two lots for Chad Winter.

## 12. INTRODUCTION OF ORDINANCES:

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 rezoning 5431 and 5439 Williston Road from R-1, low-density residential, to PUD, planned unit development for MSC Concrete, Inc.

RECOMMENDATION: Introduce the ordinance and refer it to the EDA and planning commission. (4 VOTES).

- B. Ordinance approving a major amendment of a master development plan, with final site and building plans, at 408 Parkers Lake Road for Yellowstone Trail, LLC.

RECOMMENDATION: Introduce the ordinance and refer it to the planning commission (4 VOTES).

- C. Ordinance amending City Code Section 135.010 concerning the Community Heritage Commission.

RECOMMENDATION: Introduce the ordinance (4 VOTES).

## 13. PUBLIC HEARINGS:

- A. Continued public hearing to consider applications by Pomodoro, Inc., for on-sale and Sunday on-sale intoxicating liquor licenses for The Big Buck Roadhouse, an American Grille, 17805 State Highway 7.

RECOMMENDATION: Continue the hearing to June 28, 2004 (4 VOTES).

## 14. OTHER BUSINESS:

- A. Appeal of the planning commission's denial of a request for approval of multiple variances to tear down and rebuild a home at 2505 Bantas Point Lane for Kathleen Nelson.

RECOMMENDATION: Uphold the planning commission's decision to deny the variances as requested (4 VOTES or 5 VOTES to overturn).

- B. Items concerning construction of a single-family home on the vacant property at 3505 Elmo Road for Mary Anders:
- 1) A lot area variance with a floodplain setback and buildable area variance.
  - 2) Ordinance amending the floodplain district boundary.

RECOMMENDATION: Deny the requests (4 VOTES).

- C. Administrative hearing regarding the tobacco license of Wholey Smokes Minnetonka, Inc., d/b/a Wholey Smokes.

RECOMMENDATION (4 VOTES):

- 1) Receive the hearing officer's report.
- 2) Find that 4 violations occurred, impose fines of \$250, \$500, \$600, and \$1200, suspend the license for 7 days because of the 3rd violation, and revoke the license because of the cumulative 4 violations.

## 15. APPOINTMENTS and REAPPOINTMENTS:

- A. Appointments to the ArtsCenter Advisory Committee.

RECOMMENDATION: Approve the recommended appointments (4 VOTES).

## 16. ADJOURNMENT.