

**MINUTES
MINNETONKA CITY COUNCIL
REGULAR MEETING, MONDAY, JULY 11, 2005**

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.

Councilmembers Terry Schneider, Jan Callison, Al Thomas, Tony Wagner, Bob Ellingson, Brad Wiersum, and Karen Anderson were present.

4. APPROVAL OF AGENDA.

Thomas moved, Callison seconded a motion to accept the agenda. All voted "yes." Motion carried.

5. APPROVAL OF MINUTES: June 27, 2005 regular meeting.

Thomas moved, Wiersum seconded a motion to approve the minutes of the June 27, 2005 Minnetonka City Council meeting. Schneider, Callison, Thomas, Wagner, Ellingson and Wiersum voted "yes." Anderson abstained. Motion carried.

6. SPECIAL MATTERS.

Anderson reported that she and Callison attended a neighborhood party held by the Wentworth Trail neighbors. One of those residents, Jerry Beth, presented the mayor with a painting he did of the Burwell House. Anderson expressed appreciation for the donation, and said that the painting will hang in the mayor's office.

7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS.

City Manager John Gunyou reported on the schedule for upcoming council meetings.

8. CITIZENS WISHING TO DISCUSS MATTERS NOT ON THE AGENDA.

No one appeared.

9. BIDS AND PURCHASES:

A. Consideration of bids for the installation of a salt storage facility.

Gunyou provided the staff report.

Callison moved, Wagner seconded a motion to award the bid for the installation of a salt storage facility to Ebert, Inc. in the amount of \$312,325.00. All voted "yes." Motion carried.

B. Consideration of quotes for Williston Fitness Center tennis building siding.

Gunyou provided the staff report.

Callison moved, Wiersum seconded a motion to award the project to Boemer Building Systems, Inc. in the amount of \$42,660. All voted "yes." Motion carried.

10. CONSENT AGENDA (Items Requiring a Majority Vote):

A. Claims for council authorization – July 11, 2005.

Wagner moved, Schneider seconded a motion to approve the July 11, 2005 claims list, including checks numbered 190339 through 190608, totaling \$1,312,544.97. All voted "yes." Motion carried.

B. Conditional use permit for a 17-foot-tall detached garage at 5717 Mahoney Avenue for William Laidlaw.

Wagner moved, Schneider seconded a motion to adopt Resolution No. 2005-075 approving a conditional use permit for a 17- foot tall garage at 5717 Mahoney Avenue. Approval is based on the finding that the proposal meets the required conditional use permit standards and is subject to the following conditions:

- 1) Before a building permit is issued:
 - a) A temporary rock driveway, erosion control, and tree protection fencing must be installed, subject to review by the city's environmental staff.
 - b) Record this resolution with the county.
- 2) The city council may reasonably add or revise conditions to address any future unforeseen problems.
- 3) Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.
- 4) The applicant must agree to the above conditions in writing.

All voted "yes." Motion carried.

C. Resolution declaring existence of public right-of-way at and in the vicinity of 2412 Crosby Road for the 2005 Pavement Rehabilitation Program, Project No. 4425.

Wagner moved, Schneider seconded a motion to adopt Resolution No. 2005-076 declaring existence of public right-of-way at and in the vicinity of 2412 Crosby Road. All voted "yes." Motion carried.

D. Resolutions pertaining to levying the 2005 special assessments.

Wagner moved, Schneider seconded a motion to adopt the following resolutions:

- 1) Resolution No. 2005-077 declaring costs for sewer and water improvement projects to be specially assessed in 2005 and preparation of proposed assessment rolls.
- 2) Resolution No. 2005-078 declaring costs for privately installed sewer and water improvement projects to be specially assessed in 2005 and preparation of proposed assessment rolls.
- 3) Resolution No. 2005-079 declaring costs to be specially assessed in 2005 for nuisance abatement projects Nos. 4894N-34, 4894N-35, 4894N-36, 4894N-37, 4894N-38, 4894N-39, 4894N-41, 4894N-42, 4894N-43, 4894N-44, 4894N-47, AND 4894N-48, 4894N-49, 4894N-50 and preparation of proposed assessment rolls.
- 4) Resolution No. 2005-080 declaring cost to be specially assessed in 2005 for fire sprinkler system project No. 4874F-7 and preparation of proposed assessment rolls.
- 5) Resolution No. 2005-081 calling for a public hearing on August 22, 2005 at 6:30 p.m. on the proposed assessment of sanitary sewer, water main, nuisance abatement, diseased tree removals, and fire sprinkler system projects.

All voted "yes." Motion carried.

E. Resolution to approve a grant agreement with the Metropolitan Council to receive Livable Communities Act Local Housing Incentives Account funds.

Wagner moved, Schneider seconded a motion to adopt Resolution No. 2005-082 approving grant agreement SG005-044 with the

Metropolitan Council to receive Livable Communities Act Local Housing Incentives Account funds. All voted "yes." Motion carried.

F. Resolution authorizing the police department to enter into a grant agreement with the MN. Department of Public Safety.

Wagner moved, Schneider seconded a motion to adopt Resolution No. 2005-083 authorizing the grant agreement with the MN. Department of Public Safety. All voted "yes." Motion carried.

G. Resolutions ordering the abatement of nuisance conditions.

Anderson advised that all but the Amy Lane property were in compliance.

Wagner moved, Schneider seconded a motion to adopt the following resolutions ordering the abatement of the nuisance conditions.

- 1) 2504 Bantas Point Lane – in compliance
- 2) 3803 Williston Road – in compliance
- 3) 12116 JoAnne Lane.- in compliance
- 4) Resolution No. 2005-084 ordering the abatement of nuisance conditions existing at 12790 Amy Lane.
- 5) 18718 South Lane – in compliance

All voted "yes." Motion carried.

H. Resolution receiving a petition and waiver of rights to a public hearing, ordering the improvement, and declaring the cost to be assessed for the construction of a fire sprinkler system retrofit and related improvements to serve the house at 4605 Fairhills Road.

Wagner moved, Schneider seconded a motion to adopt Resolution No. 2005-085 receiving a petition and waiver of rights to a public hearing, ordering the improvement, and declaring the cost to be assessed for the construction of a fire sprinkler system retrofit and related improvements to serve the house at 4605 Fairhills Road. All voted "yes." Motion carried.

11. Items requiring Five Votes: None.

12. INTRODUCTION OF ORDINANCES: None.

13. PUBLIC HEARINGS: None.

14. **OTHER BUSINESS:** None.
15. **APPOINTMENTS and REAPPOINTMENTS:** None.
16. **ADJOURNMENT.**

Thomas moved, Wiersum seconded a motion to adjourn the meeting 6:40 p.m. All voted "yes." Motion carried.

Respectfully submitted,

Kathleen Magrew
City Clerk