

**MINUTES
MINNETONKA CITY COUNCIL
REGULAR MEETING, MONDAY, DECEMBER 18, 2006**

1. CALL TO ORDER.

Mayor Callison 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 Tony Wagner, Dick Allendorf, Terry Schneider, Bob Ellingson, Brad Wiersum, Al Thomas, and Jan Callison were present.

4. APPROVAL OF AGENDA.

City Manager John Gunyou reviewed the changes and additional comments provided in the addendum dated December 18, 2006, which related to:

- Item 10F, the EDA discussion of Homes Within Reach, CommonBond Communities, and Minnetonka Heights Community Enhancement for 2007 grant funds.
- Item 10H, the revised resolution for the CUP and site and building plan revision for Western Suburban Alano.
- Item 10M, the revised resolution for financing of a multifamily housing development under the Municipal Housing Programs Act.
- Item 13A, an amendment to the resolution addressing utility and drainage easements for the Schoen Addition.
- Item 14C, the draft construction management plan for DC Weiss Homes Inc.

Wagner moved, Schneider seconded a motion to accept the agenda with the addendum. All voted "yes." Motion carried.

5. APPROVAL OF MINUTES:

A. October 9, 2006 regular meeting.

Thomas moved, Wagner seconded a motion to approve the minutes of the October 9, 2006 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

B. October 23, 2006 regular meeting.

Thomas moved, Wagner seconded a motion to approve the minutes of the October 23, 2006 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

C. November 6, 2006 regular meeting.

Thomas moved, Wagner seconded a motion to approve the minutes of the November 6, 2006 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

D. November 20, 2006 regular meeting.

Thomas moved, Wagner seconded a motion to approve the minutes of the November 20, 2006 Minnetonka City Council regular meeting. Wagner, Allendorf, Schneider, Ellingson, Thomas, and Callison voted "yes." Wiersum abstained. Motion carried.

6. SPECIAL MATTERS:

A. Retirement recognition of Joy Rikala, Chief of Police.

Wiersum read aloud the retirement recognition of Joy Rikala, Chief of Police.

Callison congratulated Rikala on her years of service and noted the city will miss her.

Rikala thanked the council and stated she has enjoyed her 31 years of law enforcement, but her last seven and a half years at Minnetonka have been the most rewarding. She thanked the public for their support and expressed appreciation to the council for their support of public safety as well as the police department. She noted the city manager and other department managers create a wonderful work environment and truly care about the level of service to the public.

Rikala expressed her highest admiration for the men and women of the police department, particularly for their care for their colleagues as well as the highest quality of service to the citizens of Minnetonka.

7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS.

Gunyou reported on the schedule for upcoming council meetings and noted a community reception for Mark Raquet, incoming chief of police, will be held on January 8.

Wagner provided an update on the recent discussions regarding light rail transit from Minneapolis through Hopkins with various routes through Minnetonka. The Southwest Light Rail Advisory Committee reviewed the technical committee's recommendations. Significant discussion was held regarding the three possible routes, particularly whether the 1A alignment should be moved forward for Rail Authority consideration due to Minnetonka, Eden Prairie, and Edina's concerns about lack of economic development and lower ridership.

Wagner indicated the committee ultimately decided that all three routes will be moved forward for Rail Authority consideration and further study so that 1A could be used just for comparison purposes. There will be additional citizen input opportunities before the Hennepin County Rail Authority in January and February.

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

No one appeared.

9. BIDS AND PURCHASES:

A. Consideration of bids for automated-read residential water meters and accessory equipment.

Gunyou provided an overview of the staff report, noting staff's recommendation is to reject the sole bid, and re-bid the purchase to consider newer technologies.

Wiersum moved, Thomas seconded a motion to reject bids and re-bid the purchase. All voted "yes." Motion carried.

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

A. Claims for council authorization – December 11, 2006.

Allendorf moved, Schneider seconded a motion to approve December 11, 2006 claims which includes checks numbered 200971 through 201250, totaling \$1,580,109.18. All voted "yes." Motion carried.

B. Designation of the city's official newspaper for 2007.

Allendorf moved, Schneider seconded a motion to designate the Lakeshore Weekly News as the city's official newspaper for 2007. All voted "yes." Motion carried.

C. Ordinance amending the city code regarding building moves.

Allendorf moved, Schneider seconded a motion to adopt Ordinance No. 2006-24 amending City Code Section 520 regarding building moves. All voted "yes." Motion carried.

D. Ordinance amending the city code regarding work without a permit.

Allendorf moved, Schneider seconded a motion to adopt Ordinance No. 2006-25 amending the City Code by the addition of a new Section 705.011 regarding work without a license or permit. All voted "yes." Motion carried.

E. Renewal of the mediation services agreement.

Allendorf moved, Schneider seconded a motion to approve the renewal of the mediation services agreement with Community Mediation Services. All voted "yes." Motion carried.

F. Requests by Homes Within Reach, CommonBond Communities and Minnetonka Heights Community Enhancement Program for 2007 grant funds.

Allendorf moved, Schneider seconded a motion to approve the following 2007 grant funds requests:

- Homes Within Reach for \$230,000.
- Advantage Center for \$6,000 in rent contributions.
- CommonBond for \$7,500
- Minnetonka Heights Community Enhancement Program for \$20,000.

All voted "yes." Motion carried.

G. Amendment to the stewardship funding agreement for Clarion Hills.

Allendorf moved, Schneider seconded a motion to approve the amendment to the stewardship funding agreement for Clarion Hills. All voted "yes." Motion carried.

H. Conditional use permit amendment and site and building plan revision at 5235 Woodhill Road for West Suburban Alano.

Allendorf moved, Schneider seconded a motion to approve the changes to the site and building approval and conditional use permit to allow the changes in the building roof line and façade treatment as depicted on the building plans received November 20, 2006, deny any delay in plantings along the northern property boundary and approve a delay of the remaining property landscaping with the exception of trees indicated in plans dated August 16, 2006. Approval is based on the following findings:

- 1) The changes received for the façade treatment are not significant in that the effect upon the public is minimal.
- 2) Changes to the landscaping details were an integral portion of the original approval for this project; therefore, commitment to the installation is crucial.

Approval of the site and building plans is subject to the following conditions:

- 1) Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped August 25, 2006.
 - Grading plan date stamped August 25, 2006.
 - Landscaping plan date stamped August 25, 2006.
 - All northern plantings would be installed simultaneously with the new construction. The trees on the remaining portion of the property would be installed with the new construction. All remaining plantings indicated on the plan would be installed no later than August 31, 2008. Stabilization of the soils of future planting areas is also required.
 - Building elevations received November 20, 2006.
- 2) All other approval documents related to this application continue to be in effect; adopt Resolution No. 2006-146 approving the amendment to Resolution No. 2006-068.
- 3) Construction must begin by December 7, 2007, unless the planning commission grants a time extension.
- 4) The applicant must sign an agreement with the city which documents that the property will be assessed if the landscaping is not installed.

I. Agreement with Xcel Energy to provide overhead utility line burial as part of the CSAH 73 Trail Project.

Allendorf moved, Schneider seconded a motion to approve the agreement with Xcel Energy in the amount of \$104,833.78 to provide burial of overhead utility lines as part of the CSAH 73 trail and bridge projects. All voted "yes." Motion carried.

J. Items regarding Railroad Quiet Zones.

Allendorf moved, Schneider seconded a motion to:

- 1) Adopt Resolution No. 2006-147 approving plans and specifications and authorizing the advertisement for bids for the Minnetonka Quiet Zone Project No. 4427.
- 2) Authorize the mayor and city manager to execute the attached agreement with BNSF Railway Company in the amount of \$96,887.

All voted "yes." Motion carried.

K. Resolution authorizing 2007 nonunion employee salary and benefit adjustments.

Allendorf moved, Schneider seconded a motion to adopt Resolution No. 2006-148 authorizing the 2007 nonunion employee salary and benefit adjustments. All voted "yes." Motion carried.

L. Resolution accepting a Hennepin County recycling grant and authorizing a grant agreement.

Allendorf commented the staff report treats this as an experimental look at the program, and he wondered how the council is to judge its success.

Gunyou responded this is a voluntary privately operated program, and its success will be determined by the number of people who sign up.

Parks and Trails Manager Perry Vetter stated if the city's refuse haulers can find it financially possible to run the program within the city, then the program will be a success. If the residential haulers decide that through their business plan they cannot afford to offer this program in Minnetonka, then the grant program would be discontinued. Hennepin County wants to test the program in Minnetonka for that reason. They have found success in closed-hauling systems like Wayzata and Hutchinson, but they are looking to see if it can succeed in an open-hauling system like Minnetonka.

Allendorf stated he was not in favor of this program, but if the council is in favor of it, he wants to see it succeed and a private market test would be a fair test of the program.

Callison asked Vetter to provide a brief explanation of the program.

Vetter explained the residential organic recycling program is a pilot program where the city receives a grant from Hennepin County to allow the waste haulers in Minnetonka to provide another level of garbage and recycling service to the residents. This would provide the option to separate certain organic items such as paper towels, food scraps, and pizza boxes into another sort. This should reduce the amount of trash going to a landfill. Currently garbage is being taken from the metro area to Iowa and South Dakota because there is no space left in Minnesota. Recent tests have found that up to 40 percent of garbage can be sent to organic recycling. These companies sort the waste and make compostable material out of it. The end result is the garbage does not fill up another landfill.

Wagner asked whether the haulers will have a responsibility for marketing the program.

Vetter indicated the haulers will have a portion of responsibility. Under the grant program, the city is to provide in-kind services, which is publicity. Currently the city has one recycling contractor, but this would allow others to provide services.

Schneider commented the staff needs to look at the broader benefits and drawbacks of the system. If it is very successful, it can offset some other issues. But if it is only marginally successful and truck traffic is increased in the neighborhoods, the road system will be impacted. All those issues need to be weighed regarding what is the right thing to do over the long-term.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2006-149 accepting a Hennepin County recycling grant and authorizing a grant agreement. All voted "yes." Motion carried.

M. Resolution relating to financing of a multifamily housing development under the Municipal Housing Programs Act.

Allendorf moved, Schneider seconded a motion to adopt Resolution No. 2006-150 relating to financing of a multifamily housing development under the Municipal Housing Programs Act. All voted "yes." Motion carried.

11. Items requiring Five Votes:

A. Preliminary plat for a two-lot subdivision, with variances, at 3140 County Road 101 for John and Ruth Reed.

Wagner asked staff to comment regarding the impact on the buildable area when an extra 45 feet is taken when CR 101 North is done. He also asked about the city's responsibility for that acquisition when 101 is reconstructed in the future.

City Planner Julie Wischnack stated the setback is a 50-foot setback, and that is the reason there is a buildable area variance for this property. Regarding the county's inquiry, staff has been thinking about the needed right-of-way acquisition during the project process. One of the solutions staff proposes is an additional 10-foot trail easement outside the additional 7-foot right-of-way area required in the staff report. That may overlap the drainage and utility easement that is in that area to begin with; it may allow some construction activity for a trail or a sidewalk to be placed in that area.

City Engineer Lee Gustafson concurred that is the way staff would like to proceed on this. The additional easement would provide for the proper room to construct the new improvements for CR 101, which would be similar in nature to what is being constructed south of there. The city should be covered for property acquisition needed when the road is upgraded.

Wagner asked about the county's letter requesting an additional five feet.

Gustafson indicated the 40 feet that is required according to the city code is appropriate. Furthermore, the additional 10 feet will allow the city to do what needs to be done outside the curblin.

Callison asked whether the property owners are in agreement with the new condition of the trail easement.

Wischnack stated staff has contacted the property owners, and they are in agreement with that condition. The condition could be added in 5.01 of the resolution, specifically under subdivision 1(b)(3).

John Reed, 3140 County Road 101, stated his only concern is that the additional 10 feet for the sidewalk does not impinge on the current buildable area.

Wischnack indicated this extra easement would not impact the buildable area on the property. If it was additional right-of-way, it would; but in this case, it would not impact the setback.

Wiersum moved, Allendorf seconded a motion to adopt Resolution No. 2006-151 approving the preliminary plat, with variances and Section 5.01 amendment, at 3140 County Road 101 for John and Ruth Reed. This resolution is based on the following findings:

- 1) Except for the variances, the proposal meets the required standards and ordinance for a preliminary plat.
- 2) The proposal meets the required standards for a variance, because:
 - a. Lot Width
 - (1) At 200 feet in width, the existing property is significantly wider than other lots on the west side of County Road 101. The proposed lot width variances would allow for creation of two lots more characteristic of the area.
 - (2) The property is 2.9 acres in size, with 1.36 acres of upland area, but has just 200 feet of frontage. The overall size of the property, relative to its frontage on a public street, is a unique circumstance not common to all R-1 properties.
 - b. Buildable Area
 - (1) The proposed north lot exceeds total area requirement. However, the lot is encumbered by shoreland, floodplain, and wetland setback requirements. These setbacks significantly impact the upland area of the lot.
 - (2) The north lot would have a 40-foot by average 36-foot rectangle within its buildable area. At 1,551 feet, the area is just 49 square feet less than the required 40-foot by 40-foot square. This is a minor deviation from the code requirement.
 - (3) Any home built on the site would be expected to meet all setback requirements. The city is under no obligation to approve setback variances.
 - (4) Prior to required right-of-way dedication, the proposed north lot would meet all buildable area standards.
 - (5) While not a unique requirement along county roads, the dedication of right-of-way is not a requirement applied to every R-1 zoned property.
 - c. The area is characterized by single-family homes. The proposed plat with variances would result in an

additional single-family home along County Road 101.
This would not alter neighborhood character.

Approval is subject to the following conditions:

- 1) Complete the following before final plat approval:
 - a. Final drawings must be in plat format.
 - b. Show the following on the final plat:
 - (1) Dedication of 7 feet of right-of-way along County Road 101.
 - (2) Existing storm sewer easement along the north property line.
 - (3) Ten-foot-wide drainage, utility, and trail easement next to the new right-of-way and seven-foot-wide drainage and utility easements along all other lot lines.
 - b. Pay the city a park dedication fee of \$2,375.
- 2) The following items must be submitted to the city before the city releases the final plat:
 - a. An electronic CAD file of the final plat in microstation or DXF on a CD disk.
 - b. The following documents for the city attorney's approval:
 - (1) Title evidence that is current within thirty days before release of the final plat.
 - (2) Conservation easements 16.5 feet upland from the delineated edge of the wetland and a drawing of the easements. The easements and drawings must be recorded with the final plat.
 - (3) A private driveway easement between the street right-of-way and the north lot. The easement must state the maintenance responsibilities of each owner.
 - (4) Provide restrictive covenants to be recorded against the individual lots with the plat. The covenants must include the conditions that have not been met as of the release of the plat. These covenants must first be submitted for the city attorney's approval.

These documents must be recorded with the final plat, and a drawing of any easement must be attached to the easement deed.
 - c. Any other requirements included with final plat approval.
- 3) The following must be completed before the city issues a building permit:
 - a. Submit for review and approval:

- (1) A grading and tree preservation plan for the north lot. The plan must be in substantial compliance with the building pads shown on the preliminary plat and must preserve trees designated for preservation at the time of preliminary plat approval. The city may require adjustments in the house pad location to maximize tree preservation. The sewer and water services must be shown to minimize impact to any significant trees.
- (2) A copy of the recorded resolutions, plat, easements, and covenants.
- (3) Sanitary sewer and water hook-up fees.
- (4) A letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
- (5) A copy of a driveway permit from the county. The driveway must be located to meet county and city engineering requirements.
- (6) A construction management plan. The plan must indicate: how equipment will avoid roots of trees to be saved; location for stockpiling of earth and construction materials and equipment; and how contractors will prevent tracking of earth onto the street
 - b. Install a temporary rock driveway, erosion control, tree protection and wetland protection fencing for staff inspection and approval. These items must be maintained throughout the course of construction.
 - c. No grading is allowed that would change the depth of the storm sewer in the area.
 - d. Minimum lowest floor elevation is 932.2.
 - e. A sewer pump is required for the lower level of the house.
 - f. The existing driveway on the south lot must be relocated at the time of issuance of a building permit on the north lot.
- 4) During construction, the streets must be kept free of debris and sediment, and the tree protection fencing, and erosion control fencing must be maintained.
- 5) Trees must be planted to compensate for significant trees removed from each site that would be outside of the building pad and driveway area. The trees must be primarily species native to the area. They must be at least 2 ½ inches in diameter for deciduous trees and 6 feet tall for coniferous

- trees. The property owner or original developer must replace the required trees if they die within one year after installation.
- 6) Provide a driveway turnaround for the north lot before the house is occupied.
 - 7) The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
 - 8) Any house built on the north lot is expected to meet all setback requirements. The city is under no obligation to approve setback variance(s).
 - 9) The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
- All voted "yes." Motion carried.

12. **INTRODUCTION OF ORDINANCES:** None.

13. **PUBLIC HEARINGS:**

A. **Items concerning the SCHOEN ADDITION plat at 11477 and 11405 Fetterly Road for Casey Schoen.**

Wischnack presented the staff report.

Callison opened the public hearing at 7:01 p.m.

Mike Brandvold, 16103 Temple Lane, stated he has worked with city staff on this project on behalf of the property owner. His clients agree with the staff report and would like this completed by the end of the year.

Callison closed the hearing at 7:03 p.m.

Schneider moved, Wiersum seconded a motion to:

- 1) Adopt Resolution No. 2006-152 vacating all drainage and utility easements, as amended by the addendum, originally shown on and dedicated in Lots 1 and 2, Block 1, FETTERLY ROAD ADDITION.
- 2) Adopt Resolution No. 2006-153 approving the preliminary and final plat known as SCHOEN ADDITION. This resolution is based on the findings that the plat meets the required standards and ordinances. Approval is subject to the following conditions:
 - a. The city must vacate existing drainage and utility easements.

- b. Revise the final plat to insure 110-foot width at building setback line.
- c. Prior to release of the final plat, submit title evidence for the city attorney's approval. The title evidence must be current within thirty days before release of the final plat.
- d. Submit the following for city records:
 - (1) A copy of the recorded plat.
 - (2) A letter from the surveyor stating that the boundary and lot stakes have been installed as required by ordinance.
- e. The final plat must be filed with the county within one year of approval or the approval will be null and void.

All voted "yes." Motion carried.

14. OTHER BUSINESS:

A. **Emergency ordinance establishing regulations for electronic signs.**

City Attorney Desyl Peterson presented the staff report.

Wiersum asked how the criterion was established of the sign not changing more than once per hour.

Peterson responded staff was trying to get at the issue of public safety. Signs that change on a frequent basis can be distracting to drivers, and there are a number of studies that support that approach. Staff is not sure where the dividing line should be, but it seems probable that a change once an hour should not have a distracting element to it. When staff returns to council after its evaluation, it may be appropriate to allow messages that change on a more frequent basis. It will depend on what the study determines.

Callison asked whether existing signs with messages that change will be impacted by this ordinance.

Peterson indicated those signs will not be impacted. The emergency ordinance will prohibit the issuance of permits for any new signs or replacement signs.

Callison asked about the process for any ordinance that is drafted as a result of this moratorium. Peterson responded it is a sign regulation in the zoning ordinance, so the ultimate draft would go

through a public hearing with the planning commission and then would come before the council.

Allendorf noted the staff report indicates the application did not indicate these two signs would be electronic signs with changing messages. He asked whether staff expected that information on the application. Peterson responded staff expected information that indicated the signs would replace not just the existing signs, but would be a significant change as well. The applicant has indicated that since city staff did not specifically ask about it, that information was not offered. There is a disagreement about that issue.

Allendorf stated there are a lot of things staff did not ask, but if there is an expectation that something should be included, that is something different.

John Herman, attorney with Faegre and Benson, stated he represents Clear Channel on this issue. He does not want to argue the merits of the issuance of the permits at this point. He pointed out these signs have been in the market for some time, and they have been installed in other areas with no controversy. Mn-DOT has a technical memorandum which has determined signs that change on a six-second interval are not flashing or animated signs. Consequently, Mn-DOT has taken a uniform position across the state that this sign is a permitted sign under identical language to Minnetonka's ordinance in the state statute.

Herman noted the machines have been shut down, and the city is not allowing them to be powered up at this point in time. Clear Channel met with the staff last week and expressed concern that the machines not operating for a long period of time in cold conditions can be damaged. The one machine that was powered up with the city inspector's approval and then hard shut-down by cutting the power off surely has a little bit of damage. He stated it is in the city's best interests, as well as his client's, to have these signs re-energized and operated while the legal rights and interpretations of the ordinance are discussed.

Herman asked whether the new ordinance indicates that these machines would now be allowed to be turned on, provided they did not change the message more than once an hour, or whether they would be interpreted as video and not allowed under the ordinance. He also asked why one hour was selected. These signs have been sold as part of a major advertising package and are in hundreds of markets around the country. They are marketed to provide eight-second intervals.

Callison asked Peterson to address the question regarding operating the sign on an interim basis.

Peterson stated the emergency ordinance would not allow operation on an interim basis because it does prohibit video displays, and the sign has video displays.

Herman stated he would interpret video as something where the image itself is something other than a still picture. These are still pictures; there is no change in the image on the sign. With that explanation, he wonders if the staff position would change regarding whether it is video.

Peterson stated staff regards a video display as something that does not necessarily mean it is changing on a regular basis; staff regards a video display as what was installed. She added staff did make an offer at the meeting on Thursday to allow the signs to be powered up in order to determine whether any damage was done. At the time of that meeting, staff was told that the applicants would not make a decision on that offer. Staff put the offer in writing to them on Friday, and no response has yet been received.

Callison asked if the city's position is the sign can be on if nothing ever moves.

Peterson responded no, because it is a video display. The concern is, staff has not had an opportunity to look at the light generated by the signs and any potentially distracting elements.

Gunyou emphasized that this sign is unlike anything that has ever been installed in Minnetonka. It is a basically a flat-screen television screen the size of a billboard. Staff's concern is this is opening up an area well beyond what the current ordinances are capable of dealing with. Staff does not think it is appropriate to debate the specifics of any new regulations tonight. The purpose of the moratorium is to allow time to thoughtfully work out the details of a new ordinance, rather than try to finalize those details tonight.

Callison asked Herman about a response to the city's offer to turn on the sign to assess damage.

Herman responded the offer was received Friday. The intention was to affirmatively respond to the offer today, but the emergency ordinance was also received today, and it was assumed that the new language would allow the message to change once an hour,

and that the signs would be allowed to resume operation. It is not clear to him how running a sign which is operating in many other markets in this community and hundreds of markets around the United States with no issues about illumination should be a problem here. It is not a television-like display. This is a static picture, just like the piece of vinyl on one of these signs at present.

Peterson stated the Bloomington ordinance does not allow billboards with this kind of changing message. Further, it only allows them for on-premise signs, and billboards are off-premise signs, so this type of display would not be allowed in Bloomington. She suggested the emergency ordinance include the language "electronic display" rather than "video display" to make the intention clearer.

Callison stated she is confused about what actually is there and whether something is moving or not moving.

Schneider stated he would like an agreement whereby the city does not waive any rights to change the sign, but in the interim allow the sign to be powered up and allow either no or infrequent changing of the text. He is not sympathetic about the loss of revenue from advertising, but he is concerned that this is electronic technology which may sustain damage in the winter.

Allendorf was also concerned about possible damage to the electronics. He asked for more details about the city's offer to address damage to the signs.

Peterson responded the city would allow the sign to be powered up to do the diagnostics to assess the damage and then whatever needed to be done to prevent further damage. The city would not allow operation of the sign.

Allendorf asked if the sign could be powered up once a day or once a week to prevent damage.

Peterson responded she does not know the answer to those questions. This is new technology that the electrical inspector has never seen before. Staff has not had the opportunity to have these discussions with the applicants.

Allendorf suggested working with the applicants to power up the sign perhaps once a week to see if there is damage.

Schneider commented an electronic system with LED lights can sustain damage if it is not powered up. He sees no problem with allowing them to leave the sign on with one message per week, for example, and that way the light impact and other possible safety impacts can be assessed. The city should retain the right to shut it down if there is cause to do so.

Peterson stated the difficulty with that approach is it rewards bad behavior. It would allow someone to go ahead after they failed to give the city the full information about their plans, and now that the equipment is out there, they will be able to operate it to avoid damage. Staff asked the applicants why this new technology was not mentioned to city staff, and their answer was they did not have to tell us. Allowing them to operate rewards them for not asking for permission and then asking for forgiveness later.

Wiersum stated Herman first maintained there was definitely damage, then said there probably was damage, and finally said there might be some damage. The council just passed an ordinance earlier in the evening indicating the city will not reward asking for forgiveness rather than asking for permission. He acknowledged that cold weather and electronics do not go together very well, but the applicant was not as forthcoming as should have been expected. Minnetonka is not a place in which billboards can be put up easily. He does not think the applicant was very careful in putting these signs up, as should have been the case. He concurred with the city attorney that the applicant should not be rewarded by this approach.

Callison stated if what is out there is an illuminated sign rather than a moving sign, she is not sure the applicants would be rewarded, because they have the right to have a sign in that location. But she is not sure what is on the billboard because there is a fundamental difference between what the staff believes is there and what the applicant says is there.

Wagner asked whether one of the two permitted signs are up. Peterson responded the second sign was not activated, but it also received a building permit. Stop-work orders have been issued on both signs, but the second sign had not been activated. She is not sure whether it has the same sort of problem since it was never activated. Staff had offered to have the applicant's technology people talk to the city's technology people, but she does not know any of that information at this point.

Wagner noted it sounds like the underlying structure for the second sign is in place.

Rankin stated his understanding is the structure is there, but it has not been powered up as yet.

Callison stated powering the sign on once a week will not reach the objective of preventing damage; it will only indicate whether damage has in fact occurred.

Herman stated permits were applied for and received, and in both cases the applications indicated there is a dramatic multiplication of the weight of the structure that is being constructed and material increase in the electrical capacity. In addition, the building inspectors were on site numerous times and indicated to the technicians that it was permitted to power up the sign that is on 394. They later issued a red tag and it was a hard shut-down when Xcel shut the power off. It is in both parties' interests not to sustain any further damage to the sign beyond what was sustained during the hard shut-down.

Herman continued that technicians have indicated there is often damage to some of the boards and circuitry in the tens of thousands of dollars range during a hard shut-down. With possible freezing of the LED display, there is at least another risk. That is why he thought the emergency ordinance was a full solution to this problem, by allowing operation and changing of the text no more than once per hour. He was asked by Clear Channel to attend the council meeting and confirm that, and it was assumed the issue would be resolved.

Callison asked whether the sign can be operated with one fixed message that never moves. Herman responded affirmatively.

Peterson added the reason that staff shut the sign down and has not allowed it to be powered back up is because staff has characterized it as a moving sign, which the ordinance prohibits. Staff also wants the opportunity to freeze the status quo in order to allow the opportunity to look at more than just the issue of the moving, changing text or image. Staff does not know what the illumination from these signs is going to be. When the sign was on, a number of people commented on how bright it was. Staff would like the opportunity to look at this entire technology, not only whether it moves.

Schneider stated he is very sensitive to the issues staff and the council has had with people trying to get away with doing things and asking for forgiveness later. The council has generally come down pretty hard in those cases. A reasonable compromise will allow the sign to be powered up and turned on with one message until the new ordinance is adopted, which they would have the right to do.

Gunyou stated there are two issues here. One is the question about whether there was any damage. Last week the city was threatened with a million-dollar lawsuit because that was the purported amount of damage. Tonight it has been indicated there might not even be any damage. Staff has made a reasonable offer to allow the applicant to explore whether any damage occurred, and has indicated a willingness to allow them to address that.

The second and more important issue involves the introduction of a new technology that is not covered by the current ordinance. The purpose of the moratorium is to freeze the status quo, and the status quo does not involve any form of electronic message boards like this, even if the message is frozen for an hour. Despite the representations of the applicant, this technology is not common in the metro area. Staff is aware that Bloomington has two of these signs, but they are only for on-site advertising. Staff is concerned that the suggested compromise would allow others to come into Minnetonka and put up their electronic billboards before the city has an opportunity to consider possible changes to the ordinance.

Gunyou suggested the council focus only on the moratorium this evening, rather than debate possible changes to the ordinance before the background research is available. This is a very different kind of sign than simply an illuminated billboard - as the applicants are trying to characterize it. The city received a number of calls during the short time the sign was being tested.

Schneider thought it would be inappropriate to say let it freeze and face a lawsuit later on.

Allendorf stated the staff has proposed a way that the damage can be assessed without keeping the billboard on all the time. He is persuaded that this cannot be solved tonight, and the moratorium is the best way to look at it. He is also persuaded the staff has tried to address the applicant's issues, and he agrees with that approach.

Peterson stated the industry representative expressed disagreement over the words "video display." The intent of the staff

direction was the message cannot change more than once an hour, and that no video display – meaning any LED type of sign – would be allowed.

Callison said if the council supports the staff's position of shutting the sign down, the word "video" should be changed to "electronic." If the council decides to allow the applicants to run the sign without any changing message, the words "or any video display" should be removed. Peterson added it should also include a time period for changing the message.

Wagner expressed support for Schneider's position in that, although they did skirt the rules, the applicant did have a sign there before and they would put a sign back up with a static display. He appreciates staff's concerns, but this will allow the city to view the potential impact as it is operating.

Callison asked how long it takes staff to process a permit request.

Rankin indicated that if the applicant had appropriately asked for a sign permit, it would have required a planning review, which would take extra time. If it were simply a building permit, which is what the applicant applied for in this case, it would be a matter of a few days.

Callison asked if the ordinance specifies that a sign permit is required in this case.

Rankin responded it is staff's contention that this new technology would require a sign permit. The building permit to rebuild the existing sign was not adequate for what was done there.

Allendorf moved, Ellingson seconded a motion to adopt Ordinance No. 2006-26, an emergency ordinance establishing regulations for electronic signs, and replacing the word "video" with the word "electronic." Allendorf, Ellingson, Wiersum, and Callison voted "yes." Wagner, Schneider, and Thomas voted "no." Motion failed.

Schneider stated he would like to reword Section 3.01 to allow an electronic message that does not change or allow any video, which would be defined as a movable message or animation, until the moratorium expires. That would allow someone to light the sign and leave it on with one message.

Peterson noted that change would have no effect, because that is the city's existing ordinance. To have some effect, it needs to indicate once a week or once a month.

Schneider stated he does not have a problem with the sign changing once a week, because other signs frequently do change once a week. He is not clear about the terminology of video display. In his opinion, a video is something that moves, and electronic illumination is something that is lit electronically. He would allow electronic illumination but not video, which is the movability part.

Callison summarized Schneider wants the prohibition to be for any sign that has any revolving, moving, flashing, blinking, or animated characteristics or any messages that change more frequently than once per week.

Schneider concurred; the video or electronic language could be deleted.

Schneider moved, Wagner seconded a motion to adopt the Ordinance, prohibiting any sign that has any revolving, moving, flashing, blinking, or animated characteristics or any messages that change more frequently than once per week, and deleting reference to video displays.

Ellingson asked whether the applicants can operate this sign under the existing ordinance if the moratorium is not passed.

Peterson responded the way it was originally planned, no. Staff would regard that as a moving sign because the text changes every eight seconds.

Ellingson noted digital pictures can be displayed on a television set. Just because the picture is not moving does not turn the television set from a video device into some other electronic device. It is still a video device. The character of the image displayed does not define the character of the device. If this sign is a big screen television, it does not matter how frequently the picture changes; it does not change the characteristic of the screen itself. He questioned why this type of sign should be permitted during the moratorium when the existing ordinance already does not permit it.

Gunyou concurred that is the essence of staff's concern with the suggested amendment to the proposed moratorium. Under the existing ordinance, the applicants should have applied for a sign permit, but they said the existing billboard was simply going to be replaced. What they installed clearly goes well beyond a replacement, and the city did not have the opportunity to review this major change before it was erected.

Gunyou said that staff does not believe the current ordinance would have allowed the applicant to install such a sign. Staff does not think a nonconforming sign should now be grandfathered in, especially since it was put up without the proper permission. The amendment now under discussion is not a moratorium, it is writing a new sign ordinance without the benefit of staff analysis.

Wiersum was excused from the meeting at 7:50 p.m.

Schneider asked about what signs would be permitted during the moratorium under the current motion.

Peterson responded the current motion would allow the new electronic signs to be installed at other Minnetonka locations as long as the graphics did not change more than once per week.

Wagner withdrew his second of the motion. Motion failed.

Wagner stated staff's clarification was helpful because he had been under the impression that any new application coming in would have been limited by the moratorium, and that the applicant's two existing signs would be the only ones allowed to have such a display.

Wagner moved, Schneider seconded a motion to adopt Ordinance No. 2006-26, an emergency ordinance establishing regulations for electronic signs, and replacing the word "video" with the word "electronic." Wagner, Allendorf, Schneider, Ellingson, Thomas, and Callison voted "yes." Wiersum was excused. Motion carried.

Callison urged the applicant to contact staff to discuss the offer presented last week regarding assessing whatever damage may have occurred.

The meeting recessed at 7:54 p.m. Callison reconvened the meeting at 8:05 p.m.

B. Preliminary plat, with lot width at right-of-way variances, for a five-lot subdivision at 4404 and 4412 Wilson Street for Lake West Development.

Wischnack presented the staff report.

Wagner asked whether there are three access points onto the driveway. Wischnack responded affirmatively.

Callison asked whether rain gardens can be used to minimize the size of the water retention area. Wischnack responded the original proposal included rain gardens to capture runoff from the private drive. At the time, there was a great concern about likely erosion because of the steep slope that would exist between the road and the ponding area. It was found from an engineering standpoint that the pipe is a much better fit from the street than a storm pond would have been. In other cases, however, staff has been promoting rain gardens.

Callison stated she does not recall the city requiring tree preservation areas. She asked what is unique about this property that requires a tree preservation area, as it does affect the property owners' rights on that portion of their lots.

Wischnack responded staff determined this area is very sensitive in terms of natural resources and in terms of habitat. A number of letters from the neighborhood came in that talked about its features. The tree preservation area, as well as the soils being stabilized in that area, was determined to be an intermediate step between a conservation easement and full grading of an area that should be preserved.

Callison asked what happens to the development if the utility easements are not granted.

Gustafson responded staff believes there have not been objections to the easements, so it is assumed that alignment is still on course. It is a question the developer should best respond to.

Ellingson asked whether the ordinance permits a street in an area like this with such a grade differential.

Gustafson responded one of the exhibits in the council packet demonstrates how a public street could be constructed within the city's requirements. In this case the requirement would be a street with a grade no greater than seven percent as well as a flatter area near where it meets Wilson Street of three percent. A development could be done within this area that meets all the requirements of a public street. A private street could also be designed in accordance with public street requirements of a grade no greater than seven percent as well as a flatter area of no greater than three percent.

Ellingson asked whether fill would be required to elevate the street at all. Gustafson responded affirmatively.

Thomas asked staff to comment on the possibility of a lift station in this area.

Gustafson responded there are two options. Originally the homes were proposed to have ejector pumps, which are tiny lift stations at each house. That is something the city does not promote, so other options were looked at. The recommended option is a gravity line that would take the sewage from this site to the west to a lift station on Tonkawood Court. The lift station memo in the council packet addresses some of the concerns by the neighbors west of this area. The memo outlines that the lift station is in good shape and has plenty of capacity to handle sewage from this site.

Callison asked the developer to address the question of acquiring easements from the two south property owners and what would happen if those easements could not be acquired.

Curt Fretham, 15400 Highway 7, indicated he has been working on those easements. He has had trouble making contact with one of the property owners; he has sent mail, made phone calls, and stopped at the residence but has been unable to make contact. If unable to acquire that easement, he does not know what the alternative would be. He added that there will not be near the amount of fill required in the area as one might think. The topography fits well for walkouts all the way along the road.

Allendorf noted if this is approved with a stipulation that says the easements have to be obtained and they are not obtained, then the item would not really be approved. He asked whether a plan B should be discussed at this time.

Gustafson stated another option would be following the property lines. That approach would result in more tree loss and open cut, but it probably still could happen by staying on the developer's property.

Allendorf asked whether plan B would be brought back to the council should option A not happen.

Wischnack responded staff would bring this item back before the council and present a new plan, removing the condition and reviewing the environmental impacts.

Wagner asked if there is any benefit as far as potential tree preservation, given that a right-of-way variance is needed, to set the building slabs.

Wischnack responded the biggest benefit to the private street is the setback. There is a reduction as opposed to having it as right-of-way. The setbacks are measured differently, and therefore it allows the building pads to move forward. It does save on tree loss.

Schneider moved, Allendorf seconded a motion to adopt Resolution No. 2006-154 approving the preliminary plat known as HOPACA HOLLOW date-stamped November 27, 2006. Approval is based on the following findings:

- 1) The proposal meets the required standards and ordinances for a preliminary plat.
- 2) The proposal meets the required standards for a lot width at right-of-way variance in Section 300.10, Subdivision 5(h)(2)(b).

Approval is subject to the following conditions:

- 1) Complete the following before final plat approval:
 - a. Show the following on the final plat:
 - (1) At least ten-foot-wide drainage and utility easements next to any existing or proposed public street rights-of-way and at least seven foot-wide drainage and utility easements along all other lot lines.
 - (2) Utility easements over proposed public utilities, as determined by the city engineer.
 - (3) Drainage and utility easements public storm water ponds, as determined by the city engineer.
 - b. Pay the city a park dedication fee of \$9,500.
 - c. If the developer is petitioning the city to construct the public improvements, the city council must order the improvements.
- 2) The following items must be submitted to the city before the city releases the final plat:
 - a. An engineering/utility inspection fee.
 - b. An electronic CAD file of the final plat in microstation or DXF on a CD disk.
 - c. If the developer is constructing any public improvements, the developer must submit a signed agreement with the city. This agreement must guarantee that the developer will complete all public improvements and meet all city requirements. This agreement must include an escrow to ensure that the developer completes all public improvements and complies with all city regulations. This escrow must be a letter of credit or cash deposit. The amount must be

150% of the estimated cost of the improvements or 125% of the cost if based on actual bids.

d. The following documents for the city attorney's approval:

- (1) Title evidence that is current within thirty days before release of the final plat.
- (2) Conservation easements as depicted on the Tree Protection plan date-stamped November 27, 2006, and a drawing of the easements. The easement and drawing must be recorded with the final plat.
- (3) Tree Preservation Easement as depicted on the Tree Protection plan date-stamped November 27, 2006, and a drawing of the easement. The easement and drawing must be recorded with the final plat.
- (4) Documents establishing a homeowners' association. The association must be responsible for maintaining common areas, common drive, the required drainage pond and any other required drainage improvements approved by the city. Maintenance will include, but not be limited to, the periodic removal of sedimentation at the base of the pond and any adjacent drainage ditches, keeping a vegetative cover within the ditches and pond, and removing any blockage of the swale or culvert that may impede the drainage of the site, as approved with the building permits.
- (5) A private driveway easement between the street right-of-way and Lot 4. The easement must state the maintenance responsibilities of each owner. The easement must be at least 32 feet wide. The minimum driveway width must be as required by the fire marshal.
- (6) Drainage and utility easements over proposed sanitary sewer lines as required on properties adjacent to the subject property.
- (7) Provide restrictive covenants to be recorded against the individual lots with the plat. The covenants must include the conditions that have not been met as of the release of the plat. These covenants must first be submitted for the city attorney's approval.

- These documents must be recorded with the final plat, and a drawing of any easement must be attached to the easement deed.
- e. Any other requirements included with final plat approval.
- 3) The following must be completed before the city issues a grading permit or any site work is started.
- a. Submit the following:
- (1) Final grading, drainage and erosion control plans for review and approval of the city engineer. If the developer is building the streets and utilities, the developer must also submit final street and utility plans.
- (a) Sanitary sewer not located under the private street must be directionally bored.
- (b) Any new manholes must be precast or as approved by public works staff.
- (2) A letter of credit or cash escrow for 150% of the estimated cost or 125% of a bid cost to comply with grading permit requirements and restore the site must be submitted to the city. The city will not release the letter of credit or cash escrow until the developer submits as-built drawings and a letter certifying that the utilities, driveway and grading have been completed according to the plans approved by the city.
- (3) A construction management plan for review and approval of the city planner.
- (4) Cash escrow in the amount of \$10,000.00. The escrow must be accompanied by a signed document, to be drafted by city staff, stating that, if an erosion problem is not resolved within 48 hours of notification of that problem, the city could use the escrow dollars to resolve the issue.
- (5) Evidence of watershed district approval.
- b. All trees to be preserved must be fenced and erosion control measures installed, as approved by the city.
- 4) The following must be completed before the city issues a building permit:
- a. Submit the following:
- (1) A grading and tree preservation plan for each lot for staff review and approval. The plan must be in substantial compliance with the building

- pads shown on the preliminary plat and must preserve trees designated for preservation at the time of preliminary plat approval. The city may require adjustments in the house pad location to maximize tree preservation. The sewer and water services must be shown to minimize impact to any significant trees.
- (2) A copy of the recorded plat and any easement or covenants required to be recorded.
 - (3) A hookup fee for sanitary sewer and water.
 - (4) A letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance. If the grading for proposed streets has not been completed, the city planner may approve a time extension to this requirement.
- b. Installation of a temporary rock driveway, erosion control, and tree protection fencing for staff inspection and approval. These measures must be maintained throughout the course of construction.
 - c. All houses must be protected with 13D automatic fire sprinkler systems.
- 5) During construction, the streets must be kept free of debris and sediment, and the tree protection fencing, and erosion control fencing must be maintained.
 - 6) Trees must be planted to compensate for significant trees removed from each site that would be outside of the building pad and driveway area. The trees must be primarily species native to the area. They must be at least 2 ½ inches in diameter for deciduous trees and 6 feet tall for coniferous trees. The property owner or original developer must replace the required trees if they die within one year after installation.
 - 7) Before the city makes a final inspection of the house, the drive must be paved from the street to Lot 4. A driveway setback of at least seven feet must be maintained from the side lot lines. The city may approve a time extension if weather prevents paving of the drive.
 - 8) The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.

Wagner, Allendorf, Schneider, Thomas, and Callison voted “yes.” Ellingson voted “no.” Wiersum was excused. Motion carried.

C. Conditional use permit to add 1,000 cubic yards of earth or more onto the properties at 15820 and 15810 Wood Knoll Lane for DC Weiss Homes Inc.

Wischnack presented the staff report.

Callison asked staff to help her visualize what the site will look like when the fill is placed.

Wischnack indicated there is a yellow house across the street that sits at an elevation of about 954', and this parcel would sit at about 955'. It would be very similar in height to that home. However, that home is a two-story, and this home would be a rambler.

Andy Lapalme, 6110 Blue Circle Drive, stated he represents the developer and is available for questions from the council if there are any.

Wagner moved, Allendorf seconded a motion to adopt Resolution No. 2006-155 approving the proposed conditional use permit. This resolution is based on the following findings:

- 1) The applicant has prepared a detailed drainage plan which addresses minimum floor elevations, site drainage, erosion control, infiltration areas and final grade information.
- 2) The addition of fill to this property will not create additional negative impacts on surrounding drainage patterns if mitigation measures are followed.
- 3) Measures which address erosion, final grade, and construction management will mitigate any potential impacts, which are created by fill.

Approval is subject to the following conditions:

- 1) Complete prior to grading permit application:
 - a. Gain approval by city staff, for a construction management plan which must include at a minimum:
 - (1) Hours of operation compliant with City Code.
 - (2) Truck turning movement and routing plan.
 - (3) Signage for hauling.
 - (4) Correction of road damage and escrow.
 - (5) Designated parking areas for construction workers.
 - b. Submit necessary escrows as required by city engineering department for repairing road.
 - c. Submit \$2,000 escrow to ensure compliance with grading and erosion control plan dated November 29, 2006.

- d. Record this resolution with the county before the city issues the grading permit.
 - e. The city council may reasonably add or revise conditions to address any future unforeseen problems.
 - f. The applicant must agree to the above conditions in writing.
 - g. The applicant must submit an additional \$5,000 escrow to compensate for any road damage as a result of construction.
- 2) Complete prior to certificate of occupancy for the structures:
- a. Plans must indicate lowest floor to be no less than 948.1.
 - b. Infiltration areas must be properly planted and seeded as noted in applicant's letter dated November 29, 2006.
 - c. All permanent vegetation must be established.
 - d. Any road or drainage repairs would be required to be completed by the applicant.

Wagner, Allendorf, Schneider, Ellingson, Thomas, and Callison voted "yes." Wiersum was excused. Motion carried.

D. Items relating to the 2007 budget and tax levy.

Gunyou said staff is recommending approval of the 2007 budget and tax levy, and noted the council has previously discussed the budget issues on multiple occasions.

Wagner thanked staff for holding a number of public sessions, even though they were not as well attended as he would have liked. This budget contains a number of new programs that he is excited about, and he would like an update on them midway through the year, especially the new traffic management program, *ReadyMinnetonka*, and the natural resources programs. He indicated support for the budget, noting there are aggressive cost-cutting measures included. The budget also responds to citizens' concerns about road reconstruction.

Allendorf stated he was heartened to see how Minnetonka's tax increase compared to the increases of other communities in the metro area, especially because the largest part of Minnetonka's tax increase is going toward the road program, and that was specifically asked for by the community.

Thomas added that council members have received lots of calls on the roads. He has heard more about the conditions of roads in this last year than in his previous 11 years on the council. He noted because the city does not special assess for roads, all citizens share in the tax burden for the roads, so reconstruction makes sense economically for the individual and for the city.

Callison stated the budget does reflect the priorities and values of the city, particularly with the new programs of traffic management, emergency preparedness, and natural resources that are funded through reallocations. She thanked staff for doing a good job in balancing the needs of the budget while being fiscally prudent.

Allendorf moved, Thomas seconded a motion to adopt the following:

- 1) Resolution No. 2006-156 adopting a budget for the year 2007, a revised budget for 2006, and setting a tax levy for the year 2006, collectible in 2007.
- 2) Resolution No. 2006-157 setting a tax levy for the Bassett Creek Watershed Management Tax District for the year 2006, collectible in 2007.

Wagner, Allendorf, Schneider, Ellingson, Thomas, and Callison voted "yes." Wiersum was excused. Motion carried.

15. APPOINTMENTS and REAPPOINTMENTS:

A. Reappointments to Minnetonka Boards, Commissions and Committees.

Callison presented the recommended reappointments.

Callison moved, Wagner seconded a motion to approve the following reappointments to the Minnetonka Boards, Commissions and Committees:

- Elizabeth Bayer, to the EDA as a student representative, to serve another one-year term, effective February 1, 2007 and expiring on January 31, 2008.
- Katy Van Hercke, to the Lake Minnetonka Conservation District, to serve another three-year term, effective February 1, 2007 and expiring on January 31, 2010.
- Jahn Anderson, to the Park Board, to serve another two-year term, effective February 1, 2007 and expiring on January 31, 2009.

- Cody Dick, to the Park Board as a student representative, to serve another one-year term, effective February 1, 2007 and expiring on January 31, 2008.
- Denny Lambert, to the Park Board, to serve another two-year term, effective February 1, 2007 and expiring on January 31, 2009.
- John Cheleen, to the Planning Commission, to serve another two-year term, effective February 1, 2007 and expiring on January 31, 2009.
- Michael Dahl, to the Planning Commission, to serve another two-year term, effective February 1, 2007 and expiring on January 31, 2009.

Wagner, Allendorf, Schneider, Ellingson, Thomas, and Callison voted "yes." Wiersum was excused. Motion carried.

Gunyou noted the reappointments for the Community Heritage Commission were not included. Staff and the mayor have been working with the Community Heritage Commission to discuss its future mission. The outcome of those discussions is a new commission, which will be an outgrowth of the 50th anniversary celebration to work on similar community involvement efforts. Staff will come back to the council in January with a specific proposal. The existing Community Heritage Commission is very supportive of the changes.

Gunyou noted there are a number of applications for the vacancies on each of the boards, and said it might make sense to have a marathon interview session during the council's January study session to fill those spots.

16. ADJOURNMENT.

Thomas moved, Allendorf seconded a motion to adjourn the meeting at 8:50 p.m. Wagner, Allendorf, Schneider, Ellingson, Thomas, and Callison voted "yes." Wiersum was excused. Motion carried.

Respectfully submitted,

Laura L. Ronbeck
Acting City Clerk