

**MINUTES
MINNETONKA CITY COUNCIL
REGULAR MEETING, MONDAY, DECEMBER 17, 2007**

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

4. APPROVAL OF AGENDA.

Assistant City Manager Geralyn Barone noted addendum adding item 10S and including information and changes for item 14A.

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

5. APPROVAL OF MINUTES:

A. November 19, 2007 regular meeting.

Thomas moved, Allendorf seconded a motion to approve the minutes of the November 19, 2007 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

B. November 26, 2007 special meeting.

Thomas moved, Allendorf seconded a motion to approve the minutes of the November 26, 2007 Minnetonka City Council special meeting. All voted "yes." Motion carried.

6. SPECIAL MATTERS:

A. Recognize outgoing Minnetonka City Councilmember Al Thomas.

Callison gave the presentation.

Thomas thanked the staff, council, and the residents of ward 4. He said he hoped people would remember his 12 years on the council

as always trying to do what was best for the city's residents. He noted he will stay active in the city as a member of the charter commission.

Schneider said he had the unique opportunity of not only serving with Thomas on the council but knowing him prior to his service on the park board. He said he appreciated Thomas' openness and boldness and how all the perspectives of his ward were adequately represented.

Wiersum thanked Thomas for his service. He said Thomas did a great job of representing his ward and the best interests of the city.

Wagner thanked Thomas for being a mentor and friend, and a partner on the economic development authority.

7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS.

Barone reported on the schedule for upcoming council meetings. She said the park board collaborated with Hennepin County and the Three Rivers Park District to operate cross country skiing at the Glen Lake Golf Course. The opening day for skiing was December 15.

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

No one appeared.

9. BIDS AND PURCHASES: None.

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

A. Claims for council authorization – December 10, 2007.

Allendorf moved, Wagner seconded a motion to approve the December 10, 2007 claims which includes checks numbered 208453 through 208712, totaling \$1,094,363.91. All voted "yes." Motion carried.

B. Resolution approving Minnetonka Firefighters Relief Association by-laws amendments.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-153 approving the Minnetonka Firefighter Relief Association By-Laws amendments. All voted "yes." Motion carried.

C. Renewal of the mediation services agreement.

Allendorf moved, Wagner seconded a motion to approve the agreement. All voted "yes." Motion carried.

D. Amendment to contract for professional services with Resource Strategies Corp. for comprehensive guide plan update.

Allendorf moved, Wagner seconded a motion to amend the agreement between the city and Resource Strategies for additional consulting services. All voted "yes." Motion carried.

E. A twelve-month extension of multiple variances to tear down and build a new home at 2813 McKenzie Point Road for Lawrence and Betty Kochevar.

Because this approval had included the buffer requirement that was proposed in the shoreland ordinance, Wagner asked for an update on the status of the proposed ordinance. Barone said as a result of the listening session held earlier in the month, and other staff discussions, there will be an updated and revised ordinance submitted to the council for consideration at the January 28, 2008 meeting. The council will decide at that time what to do about applications previously approved with a buffer requirement.

Allendorf moved, Wagner seconded a motion to approve a 12-month time extension to end on December 31, 2008. All voted "yes." Motion carried.

F. 2008 grant request by Homes Within Reach.

Allendorf moved, Wagner seconded a motion to approve the request by Homes Within Reach for \$230,000. All voted "yes." Motion carried.

G. Request for 2008 rent payments for the expanded Advantage Center at Crown Ridge and for funding of the Crown Ridge Advantage Center programming and services.

Allendorf moved, Wagner seconded a motion to approve a \$6,000 grant for Crown Ridge Advantage Center in order to provide funding at Crown Ridge and giving CommonBond the opportunity to come back before the city to request the remaining \$4,000 with more evidence of their attempts to seek out alternative funding sources and also approve the \$6,000 in rent payments for the

expanded Advantage Center for 2008. All voted "yes." Motion carried.

H. Donation of two parcels at 2550 Hopkins Crossroad.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-154 accepting the donation of two parcels at 2550 Hopkins Crossroad. All voted "yes." Motion carried.

I. Designation of the city's official newspaper for 2008.

Allendorf moved, Wagner seconded a motion to designate Lakeshore Weekly News as the city's official newspaper for 2008. All voted "yes." Motion carried.

J. Resolution authorizing acceptance of a traffic safety award.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-155 authorizing acceptance of a traffic safety award. All voted "yes." Motion carried.

K. General services agreements with consulting engineering firms for the period of 2008-2010.

Allendorf moved, Wagner seconded a motion to authorize the mayor and city manager to enter into general services agreements for the three-year period of 2008-2010 with the following firms:

General Municipal and Traffic Engineering / Transportation Planning

- a. Hansen Thorp Pellinen Olson Inc.
- b. Short Elliott Hendrickson Inc.
- c. SRF Consulting Group, Inc.
- d. WSB & Associates, Inc.

Water Resources and Environmental Engineering

- a. Barr Engineering Company
- b. Kjolhaug Environmental Services Company

Electrical Engineering

- a. Barr Engineering Company

Geotechnical Engineering and Materials Testing

- a. Gale-Tec Engineering, Inc.
- b. American Engineering Testing, Inc.
- c. STS Consultants, Ltd.

Planning, Landscape Design, and Ecological Services

- a. Kjolhaug Environmental Services Company
- b. Brauer & Associates, Ltd.

All voted "yes." Motion carried.

L. Items concerning MINNETONKA HIGHLANDS.

Rich Spielberg of 5428 Glenavon Avenue asked for an update on the item. City Planner Julie Wischnack said the council was reviewing a reconfirmation of the preliminary plat and also an approval of a final plat for a four lot subdivision. The reconfirmation is necessary because it has been more than a year since the previous approval.

Spielberg asked if there will be McMansions on the lot. Wischnack said the plat was submitted prior to adoption of the McMansion policy. Staff has not received any specific building plans at this point.

Allendorf moved, Thomas seconded a motion to reaffirm approval of the preliminary plat and approve the final plat of MINNETONKA HIGHLANDS, date-stamped September 28, 2007. 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 and ordinances for a planned unit development.

Approval is subject to the following conditions:

- 1) Prior to release of the final plat:
 - a. The following documents must be prepared by an attorney knowledgeable in the area of real estate, and submitted for the city attorney's review and approval:
 - (1) Title evidence that is acceptable to the city attorney. Title evidence must be current within thirty days before release of the final plat.
 - (2) Conservation easements over the steep slopes and oak trees, with an associated easement drawing. The easements and drawing must be recorded with the final plat.
 - (3) Documents establishing a homeowners' association. The association must be responsible for maintaining any common areas, the required retaining walls and plantings within the rain garden, and any other

required drainage improvements approved by the city.

- (4) 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.

- b. Submit the following items:
- (1) An engineering/utility inspection fee.
 - (2) An electronic CAD file of the final plat in microstation or DXF on a CD disk.
 - (3) Full payment of any delinquent taxes.
- 2) Prior to issuance of a building permit for each lot:
- a. Submit the following items:
- (1) A grading and tree preservation plan for each lot, subject to the staff approval. The plans 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 letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
 - (4) A hookup fee for sanitary sewer and water.
- b. Install a temporary rock driveway, erosion control, tree protection and wetland protection fencing for staff review and approval. These items must be maintained throughout the course of construction.
- c. Minimum low floor elevation must be 2 feet above the 100-year stormwater elevation.
- 3) During construction, the streets must be kept free of debris and sediment, and the tree protection fencing, and erosion control fencing must be maintained.
- 4) 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.

- 5) A county permit is required for the storm sewer work.
- 6) 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.

M. Final approval of the RIDGEDALE CENTER SEVENTH ADDITION plat at 12441 Wayzata Boulevard.

Allendorf moved, Wagner seconded a motion to approve the RIDGEDALE CENTER SEVENTH ADDITION final plat that was received on November 16, 2007, subject to the following conditions:

- 1) Compliance with all preliminary plat conditions, especially the specific conditions for release of the plat; and
- 2) Unless the city council approves a time extension, the final plat must be recorded within one year of council approval of the final plat.

All voted "yes." Motion carried.

N. Resolution authorizing 2008 nonunion employee salary and benefit adjustments.

Allendorf moved, Wagner seconded a motion to adopt Resolution 2007-156 authorizing 2008 nonunion employee salary and benefit adjustments. All voted "yes." Motion carried.

O. Conditional use permits for a trail and boardwalk in Kinsel Park at 14017 Kinsel Road.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-157 which approves conditional use permits for trail connections and a boardwalk within the existing wetland buffer/wetland and below the OHWL of Glen Lake in Kinsel Park at 14017 Kinsel Road. Approval is subject to the following conditions:

- 1) Prior to beginning any site work, install tree and wetland protection fencing as required by natural resources staff.
- 2) Permits may be required from other outside agencies, including but not limited to Minnesota DNR and the Nine Mile

Creek Watershed District. It is the applicant's responsibility to obtain any necessary permits.

All voted "yes." Motion carried.

P. Resolution ordering the abatement of nuisance conditions existing at 1430 Clarendon Drive.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-158 ordering the abatement of nuisance conditions existing at 1430 Clarendon Drive. All voted "yes." Motion carried.

Q. Request for a one-year time extension of HOPACA HOLLOW, a five-lot plat at 4404 and 4412 Wilson Street.

Allendorf moved, Wagner seconded a motion to approve the one-year time extension. All voted "yes." Motion carried.

R. Contract for professional services with Hart Howerton.

Wagner said he was concerned with the precedence set in paying for the next extension of the Upper Minnehaha Creek Corridor project out of the open space and park dedication funds as well as the development account. He said his specific concern was that the Minnetonka Mills area was not being studied and yet the development account was being used. Barone said the agreement with Hart Howerton is for planning services related to the creek corridor between the civic center and Big Willow Park. A major part of the study includes the area west of the Burwell House. To date all the park renewal projects have included a planning component paid for with the bonds for those projects. She said this project parallels what has been done before with park renewal projects. There are no operating expenses involved. As far as using the development fund, she said although there are no plans to expand the Minnetonka Mills business district the district will be affected by the larger plan.

Community Development Director Ron Rankin said the city will soon begin conversations with institutional and business neighbors in the Minnetonka Mills area.

Wagner said in reading the staff report, none of the deliverables involve the Minnetonka Mills business district. If there are no deliverables concerning improvements that will be made in the Minnetonka Mills business district he has a difficult time using the development fund to pay for the planning.

Schneider said discussions have dealt with how to make access and visibility to the creek from the businesses part of the future plan. He said he would consider that a deliverable.

Barone said the planning is in the very early stages, the planning is still conceptual and not at the design stage yet. The Mills area is included in the concept plan.

Allendorf asked Wagner to clarify his concern. Wagner said reading the statement of work that is in the agreement it appears specific work on the Minnetonka Mills business district is not included and would require additional funds to be expended.

Rankin said the relationships of the businesses in the Mills area to the overall concept plan are important. Work will be done in the initial phases to look at the land use relationships of those businesses with the surrounding uses that are proposed for the park as well as the proximity of Minnetonka Boulevard. The intent is to look at all the components closely as part of the overall concepts. He said this is one of the areas specifically discussed with the consultant where much more detailed work is required. He encouraged the council to use a portion of the development fund for this phase since a lot of time will be spent looking at the business uses in the vicinity.

Callison asked if it would be appropriate to amend the agreement to clarify what the connection is. Barone said that could be done but the item before the council was to approve the agreement.

Thomas said what was needed was to spell out what the city will get for the amount coming out of the development account.

Wagner said he views the Mills area as critical because the business district is critical for getting people to come down to the area.

Schneider said the issue is not a matter of where the funds are coming from but rather there is a component missing in the agreement. He suggested continuing the item to allow staff time to amend the agreement. Wiersum agreed.

Callison asked if there was a reason the item could not be postponed until the next council meeting. City Attorney Desyl Peterson said staff could draft a section that includes deliverables with respect to the business district and have the consultant sign

the agreement without it having to come back to the council. This would allow the consultant to be paid for the work that has already been done. Schneider indicated that would be fine but he would like to see the amendment come back to the council.

Schneider moved, Wagner seconded a motion to approve the contract. An amendment will be brought back to the council that specifies deliverables for the Mills business district. All voted "yes." Motion carried.

S. Resolution rescinding resolution number 2007-137 and vacating rights of way and easements near 10350 Bren Road West.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-159 rescinding Resolution No. 2007-137 and vacating rights of way and easements near 10350 Bren Road West. All voted "yes." Motion carried.

11. **Items requiring Five Votes:** None.

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

13. **PUBLIC HEARINGS:** None.

14. **OTHER BUSINESS:**

A. Items concerning Crossroads Corporate Center at the southeast corner of the I-394/County State Aid Highway 73 (CSAH 73) intersection, for Opus Northwest LLC:

Wiersum was excused at 7:08 p.m. due to a conflict of interest.

Wischnack gave the staff report. Peterson clarified the variances require a supermajority vote for approval. Because Wiersum has a conflict of interest, in this situation his position is considered temporarily vacant for this item. There is case law involving a special assessment in which two council members had a conflict of interest. The item passed on a vote of 3-0. The court ruled that was sufficient to meet the requirements of state statute. Peterson said because this item involves a member with a conflict of interest the full membership of the council is six members and therefore four votes are needed for approval of the variance rather than the normal requirement of five votes.

Allendorf asked for further information about the proposed roundabout. City Engineer Lee Gustafson indicated the roundabout would fit the proposed area but would require the retaining walls mentioned in the staff report. There would be minimal delays for the traffic going through the roundabout especially for westbound traffic. Significant improvement would be seen for people leaving the development. Because most of the exiting traffic would want to take a left hand turn out of the site, introducing a roundabout would require drivers to take a right hand turn out of the site. Chances of a collision would be minimized and the collisions that might occur would likely involve a side swipe and not a t-bone or a head on type collision.

Allendorf said looking at the staff drawing the roundabout either wouldn't fit on the site or it would encroach on the site. Gustafson said the roundabout would encroach on the site much more than a typical T intersection. Accommodations would have to be made on the site. He said if the buildings were adjusted the roundabout might fit better.

Allendorf said he received calls over the weekend indicating neither staff nor the developer were listening to neighborhood concerns and were unwilling to make changes to the site plan. He said that wasn't his perception but asked for clarification on what changes have been made to the project due to suggestions from neighbors, staff and the council. Wischnack said prior to this application there were proposals for a residential project, but concerns over the length of a structure on the east side of the property. There was a lot of feedback about not having high density residential. As this application came forward the proposal was for a five story north building. That building has been reduced to four stories. She said the north ramp was moved with additional landscaping proposed. The south ramp was moved and the height reduced with an increased buffer area. The city has also worked through the maintenance questions about what happens to the trees in the future. The idea for a maintenance plan came from the input from the neighborhood.

Ellingson asked why a previous council adopted a limit of a three story structure for the site. Wischnack said during the comprehensive plan guidance process when the shift from a partial office designation with higher density residential occurred, concern was raised by neighboring properties. With the transition from one use to another it was thought three stories was the right fit for the area.

Allendorf said he chaired that comprehensive plan committee. He agreed with Wischnack's assessment. He added the neighbors who would potentially be about the development were concerned that they would be able to see a building from their backyards. They agreed that structures that were three stories or less would address their concern. At the time no one knew where a building might be placed for a potential development but the crux of the concern was being able to see a building from residents' backyards.

Wagner asked for information about the buffer and maintenance agreement. Wischnack said there was concern about ongoing maintenance of the buffer plantings. Staff came to the idea of developing a declaration that would outline exactly the developer's or future owner's responsibilities. It would apply not only on the east side but also the south side of the ramp where there is a drainage swale that acts as the emergency overflow for the storm water pond. Specific expectations are needed for replanting, maintenance and the need to thin or properly manage the large trees on the south side.

Wagner said he has heard concerns about the impact of the development on left hand turns anywhere on County Road 73 between Cedar Lake Road and the development. At a meeting the previous Friday there was a discussion about interim remedies to improve the traffic flow should the development be approved. Gustafson said there are interim measures. A good example of the type of improvement the county typically uses is the bypass lane on Plymouth Road. This creates a safe area for cars to sit and wait to make a left hand turn and lessens the chances of being rear-ended. Gustafson cautioned the measures can be difficult to do depending on the geometrics or the slopes away from the road. Wischnack said there has been discussion of a joint project with the county on the entrances to Oak Knoll Terrace. The development itself does not demand an additional left turn lane at the intersection but staff has heard the concern and will work towards a solution.

Wagner said the traffic report states without the development there will still be a traffic problem by 2030. A subsequent analysis determined the area cannot add any more peak trips. Craig Vaughn from SRF Consulting Group said the firm developed the traffic study for the proposed development. He said the office use development has a particular directionality associated with the trip generation. The a.m. peak hour involves inbound traffic and the p.m. peak hour involves outbound traffic. The safe maximum would be reached with the development given the adjacent road way improvements.

Wagner asked Vaughn if he was concerned with the a.m. stacking between the south frontage road and the exit ramp from I394 coming on to County Road 73. Vaughn said the area was specifically looked at under 2010 conditions. The area was also looked at under 2030 conditions. It was determined with the road improvements that the queues would be contained about 50 percent of the time with a 95 percentile queue. This means that 95 percent of the time the queue will be within a specific range. There will be times when traffic will queue outside the storage spacing but will be maintained internally between the south ramp and the south frontage road and thus will not block the adjacent intersection.

Wagner said during the evening he takes a left hand turn on to County Road 73 going south and many times the area will be blocked up back to the cement median. Vaughn said under future conditions the study added the additional south bound left turn lane to try and provide additional capacity.

Wagner said there is a statement in the staff report indicating that the parcel could house a building that is around 400,000 square feet. He asked if that was a realistic size given the traffic concerns. Wischnack said the 400,000 square feet was used to make an illustrative point about the floor area ratio. The size of the building hinges on what can be absorbed in the traffic area.

Ellingson asked if the 42 percent floor area ratio was based on the floor area of the office buildings or if the parking ramps were added as well. Wischnack said the FAR was just the office square footage as a percentage of the land mass.

Callison said one of the concerns she heard from the neighbors was that if the development was approved the residential properties that abut it could potentially find themselves in the same state of limbo as the Wilshire properties. She asked if staff looked at the guiding for the parcels. Wischnack said there is always a concern when there are residences next to another land use. For the 2008 comprehensive plan that looks ahead to 2030 there is no indication there will be changes to land use guidance in and around the area.

Dave Menke, from Opus Northwest at 10350 Bren Road said the theme for the project has not changed from the early planning efforts. He said it has been a collaborative process with seven meetings with the neighborhood. There has been an attempt to find a balance between the concerns raised by the neighbors, the company's objectives, and the city's objectives contained in the

comprehensive plan. Menke said the buildings will be class A in all respects. The company is seeking LEED certification on two of the buildings. He said the plan's lighting has been given considerable and careful thought. There are zero foot candles at the property lines both in the northeast and southwest corners. Considerable changes have been made to the buffering and ramp structure to minimize light that might spill out.

Menke said there have been alternative plans put forth by the neighbors and the company has taken a serious look at each plan. He said the company has focused its energies to buffer the areas that do have impacts. The company is proposing a two access point solution for entering the property. Menke said Opus is not against a roundabout but for this location it would be inappropriate because it would have significant impact that would require the reorientation of buildings and either moving parking ramps or increasing their height. A roundabout would encroach significantly into the visitor parking that would exist in front of the phase two building. A roundabout would also not allow for an intuitive front door to the building. There is concern over the elimination of a connection if a two access point solution is adopted. The phase one building has a single occupant with plans to expand into phase two. If the internal connection is eliminated, visitors to the phase one occupant won't have the opportunity to stay within the site boundaries to drive to the other building. There is also the potential of pushing misguided visitors and employees on to the frontage road. The company is open to signing the connection to restrict its use. The company is also committed to the travel demand management plan.

Allendorf asked for clarification of the importance of the LEED designation. Menke said the acronym stands for Leadership in Energy and Environmental Design and the certification involves working toward sustainable design.

Wagner asked Menke to comment on his traffic concerns specifically related to the impact of the ramps on the neighborhood. There have been suggestions from the neighbors of turning the ramps. Menke said one neighborhood proposal is to turn the southwest ramp as much as 45 degrees in an attempt to have a tipped adjacency to the property line. The challenge to tipping the ramp is what it does to the phase one building. The building would have to be moved to the east to accommodate a truck dock that would be impinged by the parking ramp. The plan before the council presents a civil engineering solution that improves on the current conditions.

Schneider said when he met with the neighbors there was a proposal to turn the ramp 90 degrees so it would be an east/west ramp rather than a north/south ramp. Menke said the proposal would eliminate the visitor parking that would sit in front of the building and would eliminate the natural intuitive directional way-finding for visitors. The surface parking spots would need to be replaced, likely meaning the ramp would need to become taller.

Ellingson asked why the south building is three stories but the north buildings would be four stories. Menke said originally the building was proposed to be five stories. It has been changed to four stories with a walkout. There is a challenge to make the project economically viable at the 42 percent level. Opus wants to maintain the 260,000 square foot density. Maintaining the density in a three story building would require the building to become wider.

Wagner said he works at the Carlson Towers where there is no upfront visitor parking. He asked what the benefit or tradeoff is for having the visitor parking out front versus having it in a ramp. Menke said from the company's perspective there needs to be some front door visitor parking.

Schneider said he has been asked by the neighbors why the proposal could not be for a smaller square footage building. Menke said the building has to be a certain size to remain financially viable. He said the company recognizes the development will create traffic impacts and is prepared to spend \$1 million mitigating the impacts.

Dr. Ken De Meuse of 1509 Archwood Road said he wanted the council to deny the height variance and abide by the three story limit. He said traffic is the issue. He noted the staff report indicated near term impacts of increased traffic would be mitigated by improvements. He asked for a definition of "near term." He said he had safety concerns with the increased traffic. Wischnack said the use of the term "near term" meant 2010 one year after build scenario. De Meuse asked if the improvements would hold true in 2012 or 2015. Vaughn said the additional capacity will maintain the road way into the future beyond 2010.

Schneider said he understood Vaughn's comments to indicate the traffic for this development along with the known existing development patterns around the area would be acceptable for 2010. Without new major development or redevelopment occurring between 2010 and 2030 the general background growth will make

traffic become more problematic at some point. He said it is likely in the future there will be less dependence on 8 a.m. to 5 p.m. schedules thus spreading peak traffic times throughout the day. Vaughn said Schneider's point demonstrates what makes traffic projections complex. There are multiple contributing factors that go into a traffic analysis and future forecasts.

Jim Yarosh, an attorney with Siegel Brill Greupner Duffy & Foster, said he represented some of the neighbors south and east of the development. Granting the variance has the potential to eviscerate the overlay district of the current zoning code. Yarosh said if someone can come in and ask for a variance for this overlay district that the same thing could occur in the other districts and study areas.

Yarosh said variances should be hard to obtain. People rely on the zoning code to make decisions whether to move or stay in the city or to sell their property.

Yarosh said the first standard for an undue hardship is if the proposal is reasonable. In 2002, a court found that a height variance for a proposed garage in St. Louis Park was not reasonable because it was out of character with the neighborhood. The second factor is meeting the undue hardship standard is that there are circumstances unique to the property. Opus has said the building could be lowered by a story and still meet its economic goals. The last undue hardship standard is the variance will not alter the character of the neighborhood. Because the city's zoning code is specific about the number of stories, height has a huge impact on the character of the neighborhood. Yarosh said Opus also has to meet the standard of being consistent with the spirit and intent of the zoning ordinance which includes the overlay district. Because the proposal exceeds the height requirement it is not consistent with the spirit and intent of the zoning code.

Patrick Nolan of 11700 Live Oak Drive, president of the Sherwood Forest Neighborhood Association, said he talked to several people in the neighborhood. His main concern is the difficulty of getting out of the residences during rush hour.

Bernard Goldblatt of 10753 Genevieve Lane said he lives and works in the neighborhood as the executive director of the Adath Jeshurun Congregation. He spoke about current difficulties with traffic. The safety issues could drive down property values because no one will want to live in the area.

Dennis Larson of 1512 Wilshire Drive said for many years the residents on Wilshire Drive resisted many proposals brought forth by developers as not workable and outside the guide plan. One of the requirements is that all the residents on Wilshire Drive have to agree to sell their properties to a developer as one unit. He said Opus has listened to the concerns and adjusted its plans. As far as the traffic issue, he has no problems getting on and off the frontage road. Leaving a smaller footprint and more open space is an excellent tradeoff for a taller building.

Toni Chipka of 1601 Archwood Road said the redevelopment has caused conflict in the community. If the city abides by the guide plan the conflict would go away. She spoke about traffic problems when a driver pulls left out of Archwood on to the south frontage road

Grace Sheely of 14325 Grenier Road said this is the second community along with the Glen Lake community that has been put in conflict because of violations to the comprehensive plan. The city needs to look at the actual height of the buildings because floors are now more than eight feet in height, creating light and view problems. She said in talking to the neighbors in the area if the southwest building could be lowered the neighbors might support the project. When the city rezones for projects it needs to look at the broader area. The residents that are impacted right next to the project should be rezoned to R-3 or higher so they can recoup their property values in other ways.

Bill Griffith said he was representing the 21 homeowners in the Wilshire Drive neighborhood who have been waiting 20 years to move on. The question simply is if this is a reasonable use given what the city's objectives are and given the surrounding circumstances. The development is on I394, the highest density commercial area in the city. It should be expected there would be class A commercial office buildings well served by structured parking and traffic improvements that ensure the capacity is at least as good as today if not better. There are office and industrial projects of much lower density that are spread out all over a site. He said he doesn't know of another project that is a .42 floor area ratio in a freeway district. He said it is a once in a lifetime opportunity because it is a market based redevelopment that doesn't require a subsidy from the city.

Ed Wons of 11014 Oak Knoll Terrace said that the city determined 20 years ago that a significant part of the property would have to be left as green space because it's part of the Basset Creek flood

plain. This is the reason the ordinance defines reasonable development of the property as generating 246 p.m. trips. This equates to 165,000 square feet of office. The additional 100,000 square feet of this development comes at significant side effects. The primary problem is the multi story parking ramps that would be longer than a football field and 50 feet away from R-1 housing. There are two reasons to approve the project: tax revenue and to allow the Wilshire residents to move on with their lives. He said the difference between the tax revenue between this project and a smaller project would not pay for the needed road construction to allow for future development. Helping the Wilshire residents is a matter of social justice but this is not the right project to accomplish this goal.

Donna Fredkove of 1502 Archwood Road said she had sympathy for the residents of Wilshire Road but doesn't want to see Archwood Road become another Wilshire. The guide plan requires low intensity office development. A 575 car parking ramp is 77 percent of the volume of the MTC ramp and is 85 percent of the length of her yard and her next door neighbors'. She said a ramp of that size does not belong that close to any R-1 backyard. The homes on Archwood will not be a suitable candidate for rezoning to a higher density residential use. Fredkove said if the development is approved there will be a limited market for the homes on Archwood. She said 45 trees and a fence would not provide the adequate buffer required by the guide plan and ordinances.

Joe Fonder of 9209 Oriole Lane in Monticello said his parents live on Wilshire Drive. He said it will be difficult to see his childhood home razed but it is time to move on. He said he travels through a roundabout in Monticello that works well.

Jay Munsie of 1411 Archwood Road if variances are requested for this development it will set precedence for an office development on Wayzata Boulevard. He said he bought his property under the spirit of the guide plan.

Bergit Carlson of 1412 Archwood Road said that although Opus has tried to address concerns over the parking ramps the location and design of the ramps cannot alleviate the basic hardships that arise when large parking structures border R-1 residences. There are four hardships: 1) the size of the ramps makes them difficult to screen; 2) the amount of traffic will cause noise pollution; 3) automobile emissions will cause air quality and pollution issues; 4) good lighting in a parking ramp is desirable for safety but

undesirable for the residences. She said there has to be a better use for the unusual parcel that is compatible with R-1 housing.

Eugene Fonder of 1517 Wilshire Drive said there is no solution that will please all involved. He said the MTC parking ramp has not bothered his asthma.

Donald Applebee of 1501 Wilshire Drive said some of the surrounding neighbors do not want any changes. The area has been designated for office buildings. It is time to allow the residents of Wilshire to get on with their lives.

Dan Johnson of 10612 Crestridge Drive said the development will not be aesthetically pleasing and there will be traffic issues. As a parent of three children, a development like this one will cause people not to want to move into the neighborhood.

Gordon Olson of 11102 Oak Knoll Terrace said changing the development from an east/west development to a north/south development could address many issues. He 50 or 60 drivers a day drive into their neighborhood to turn around. He also has a concern with the proposed drainage for the development. . He said he believes in the LEED certification but it should not be used as a determination for the project.

Callison called a recess at 10:16 p.m. She called the meeting back to order at 10:26 p.m.

Wagner asked for staff comment on the city's ordinance for parking ramps located next to residential property. Wischnack said the PID district treats residential setbacks differently than other kinds of uses. The PID requires the setback be 50 feet from the property line or the height of the ramp whatever is greater. The setback is 35 feet from all other uses. The development meets all the setbacks except the north side of the north ramp, which is not adjacent to single-family homes.

Wagner asked the impact on trip generation and overall service if the north building was reduced to three stories. Wischnack said removing the top floor would reduce the square footage by about 37,500 or 14 percent and would not change the level of service on the road. Vaughn said there would be a reduction of about 60 trips. He said this is a negligible difference at this type of scale. The delay value for a level of D threshold is between 35 to 55 seconds of delay per vehicle. The reduction would not reduce the threshold

to a level of C threshold. Vaughn said the level of service is a good level of service D.

Allendorf noted there are three variances being requested. The first is a flood plan variance that would allow the developer to lower the southern ramp. He said the variance is a response to residents to the south that didn't want to look at the ramp. The second variance is a setback variance to move the eastern ramp to the north. This is being done to address resident concerns. The third variance is the height variance allowing the building to be four stories. Allendorf said as the city went through the comp plan process ten years ago it wasn't known where buildings would be located. The comprehensive plan task force decided on a three story limit because they thought if a three story building was located on the side of the property closest to the neighbors it probably would not be visible. This variance is for a building that will be located in the middle of the site. Allendorf said variances are often granted to benefit residents.

Schneider said there are three components he was trying to sort through to decide if it was a reasonable proposal. The first is the building height; the second is if the overall density of development/traffic generation is adequate; the third is the visual impact from offsite particularly of the ramps. He said he was on the council when the comprehensive guide plan was approved. When the city has no control over where a building might be located, the assumption has to be the buildings could be at the minimum setback from the adjacent properties with the parking out front. A three story restriction seemed like a reasonable criteria to minimize the impact on adjacent properties. He does not recall the council saying the buildings would be invisible to the neighbors.

Schneider said the project has met the intent of the guide plan because the visual impact of the buildings that would be located at the far north part of the site will have far less impact than a three story building located at the setback. He would have preferred a modification to the overlay district rather than a variance but the end result is the same. He said the proposal to lower the south parking ramp along with the landscaping will mitigate the view of the ramp. The impact of the east ramp will also be reduced by the screening. The issue he struggled the most with is the density of development and the amount of traffic generated. If Opus' statement that a three story office building is not economically viable and the project does not proceed, a new three story office proposal could come forward with much more hard surface coverage. He said if there was not a variance dealing with

additional traffic capacity, the city could not require the developer to make the \$1.5 million in road improvements. Even without the developments the improvements will need to be made at some point due to the background generation. To have the developer fund the improvements is a benefit. Schneider said this is a redevelopment project and it is unusual to have a site of this size redevelop without subsidies from the city. To give the Wilshire homeowners a fair value for their property and to have the road improvements it probably will require more than the standard ordinance density of development.

Peterson clarified there is no variance for a trip generation. The ordinance has a provision that allows someone to exceed the amount of the trip generation if they construct road system improvements to offset the increase.

Wagner said he appreciates all the neighborhood input because the effort has been to make the project better. Opus has worked with the neighbors to address maintenance concerns. He said the issues he has struggled with are with the traffic and density of the site. Wagner's ward not only includes this site but also the Ridgedale site that is going to have major redevelopment at some point. There is no west bound exit road off Plymouth Road and it is likely the traffic from Ridgedale will have to come to this intersection. He said there is no other area in the entire city that has a specific restriction of a three story building. He noted the parking ramps meet all the current ordinance requirements. There is a compelling reason to do the project for the Wilshire neighborhood and something needs to happen at the location. However the area of city could live without the development that would use 100 percent of the traffic capacity of the intersection.

Thomas said he was weighing if the proposal was reasonable and its impact to the neighbors. His biggest concern is with the traffic issues. The area is guided for office. He said he wasn't sure if the proposal is the right one for the site. By adding more density there will be more traffic issues even with road improvements.

Allendorf said the traffic report is clear about the proposed mitigation and the mitigation is sufficient. He said the residents who have objected to the plan have objected to the parking ramps. The parking ramps meet the setback requirements. He applauded the residents for being as active as they have been and for helping to improve the project.

Ellingson said he had concerns about the height variance. The council recognized neighborhood concerns by adopting the three story requirement. He also has concerns with the traffic that would be generated. He said Opus has done a good job accommodating people's concerns and the development would be a good addition to the area if not for the traffic.

Callison said she heard a concern that the development would become a common development in the city. What is unique about the property is that it is on I394. As a region it is important to put major investments into corridors like I394 because they offer the ability to move traffic and to put in transit. She said unless people accept there will be more intense land uses along these corridors, sprawl will continue to get worse as more and more land is developed and people have to drive further distances. There are compelling reasons why this unique parcel is one where people should expect to see a change that will bring in more traffic as contemplated by the guide plan. City's ordinances do not say residential property will never be affected by development but rather require a development to be reasonable.

She said she understands the issues relating to traffic. When broken down for a road like Archwood, the p.m. peak hour at the worst would see an extra 20 trips. The increment above the authorized amount would be about eight trips. She said the traffic on a road like County Road 73 is affected by people's driving habits. As an example she pointed to the number of students at Hopkins High School that drive to school but could take a school bus. She said the increase in traffic is caused not just by the development but also everyone is driving much more than in the past. The actual traffic will depend on how well the traffic demand management plan is implemented.

Callison said she is not supportive of the roundabout because it doesn't seem to fit in the area. She also said she may not support cutting off access within the site and making two separate entrances. If there are going to be conflicting movements it is better to have them on site rather than putting the vehicles on the frontage road.

Wischnack said the travel demand management section of the city code specifies ideas for what is contained in a plan. The plan is a document the developer or property owner commits to. She said in this case the plan pertains more to the tenant and it would be more effective to work with that company on developing the plan. Some cities require securities to be placed into effect for a longer period

of time to ensure compliance with the traffic demand management plan.

Allendorf said he agreed with Callison about the roundabout and the dual entrance.

Wagner said he also agreed with Callison's comments about the roundabout and access points.

Schneider said roundabouts can work well but in talking about them with people who know how they work and how they are to be designed, he has learned if a roundabout is not done exactly right, it can be a disaster.

Schneider moved, Allendorf seconded a motion to approve the project modifying conditions to eliminate the roundabout, leaving a connection between the two entrances, and introducing the ordinance with the addendum.

Allendorf, Schneider, and Callison voted "yes." Ellingson, Wagner, and Thomas voted "no." Wiersum abstained. Motion failed.

B. Request for a time extension of the approvals for the Kinsel Point Condominiums located on Glen Lake.

Wiersum returned to the meeting at 11:10 p.m.

Wischnack gave the staff report.

Wagner asked for staff comment on the city's risk related to the tax increment financing. Rankin said that a delay poses a greater risk to the developer in terms of not obtaining full reimbursement for all of the TIF eligible costs. The TIF arrangement allows for the city to be reimbursed first for the costs of traffic signal plan for Woodhill and Excelsior Boulevard as well as streetscaping improvements. The developer reimbursements would occur next. Finally some reimbursement for the extraordinary cost of relocating Alano might be eligible for reimbursement.

Ivan Fox of 6008 Pinewood Lane said the project was approved two years ago. Since that time the developer has clear cut legally protected natural vegetation which included over 80 trees on a steep slope shoreline environment. Citing market conditions the developer failed to sell any Exchange Building condos and subsequently asked the city to revise site B from condos to apartments and increase the density from 32 units to 52 units. Glen

Lake is down to one restaurant. Fox said it is questionable whether the Gold Nugget restaurant will ever reopen. A gun shop has opened next to a children's dance studio and a post office. Fox said he didn't understand the logic behind opening a gun shop in the area while trying to sell high end condos. Residents thought a restaurant was going to be the anchor of the Exchange Building but rather a fitness center has become the anchor of the shopping center. Fox encouraged the council to step back and reevaluate the project. He asked how much the city has spent on the project. He said the request for a four to six month extension should be approved to allow the developer to tap into the spring real estate market. If ground is not broken at that time the developer should agree to allow the project to be canceled.

Rankin said the city has not collected or spent any TIF. All the city expenses associated with land acquisitions have been reimbursed by the developer. The city's direct costs are limited to additional funds the council committed to relocating Alano and money paid toward the planning for the streetscape improvements. Peterson said the developer reimbursed the city for a portion of the Alano relocation costs.

Grace Sheely of 14325 Grenier Road said a year extension is too long and that the extension should be no longer than six months. She said in six months the TIF analyst should report on what has happened with the TIF. If the condo market is the problem then the third stage of the project should be reexamined. That stage includes all the affordable housing of the project. If site C does not move forward she is disappointed from an eminent domain standpoint that the previous property owner does not get his property back. She said the whole purpose for the project was for the affordable housing and currently there is none. A six month extension would prevent the developer from digging into the lakeside property during the winter when potential damage to the lake is much higher.

The developer, Tom Wartman, said the sales office opened for the Kinsel Point and Exchange project on June 1, 2006 and immediately there were a half a dozen commitments. Today there are 12 commitments but that number is short of what the bank is requiring. Another four to six sales are needed. The first phase of the project was the reopening of the grocery and drug stores, the coffee shop, along with the relocation of the liquor store and sales center. The second phase has been the start of the Exchange Building. The apartments have 18-20 people signed up which will be occupied May 1, 2008. He said he remains committed to

reopening the Gold Nugget. The gun shop was previously located in his Glenhaven Center for four years and prior to that the shop was located next to another dance facility in Tonka Bay for 22 years. He said the owner of the dance studio is happy to have the gun shop located next to her.

Schneider agreed at some point the TIF analysis should be reexamined particularly pertaining to the development north of the Fresh Seasons Market.

Thomas said the council often grants similar extensions. He said he wanted to clarify a comment that was made about the city picking the developer. During his time on the council, he said, the council has never picked a developer. Developers come to the city with proposed projects, and the council reacts to the proposals. He also clarified the person who owns the dance studio got the gun shop to relocate next to the studio.

Schneider moved, Allendorf seconded a motion to:

1) Approve extension of approval for the following:

a. Site plan approval for Site C until December 31, 2008.

Allendorf, Wagner, Wiersum, Schneider, Thomas and Callison voted "yes." Ellingson voted "no." Motion carried.

C. Items concerning the reconstruction of CSAH 61.

Barone said the county has reduced expenses by about \$355,000 and is willing to spread out the repayment time period. She said staff is concerned about delaying the project because of the loss of federal funding and the county would reallocate funding to other projects.

Gustafson and Finance Director Merrill King gave the staff report.

Schneider moved, Wiersum seconded a motion to extend the meeting to 1 a.m. All voted "yes." Motion carried.

Wagner asked what other projects are competing for MSA funds between 2008 and 2011. King said the four projects involve Shady Oak Road S, Shady Oak Road N, County Road 101 N, and County Road 101 S. He also asked for clarification about whether the concept was approved for the Shady Oak project from Excelsior Boulevard to Highway 7 but no final engineering has been approved. Gustafson said the council did the typical process where the layout was approved and authorized the acquisition of

easements. Wagner said one of the advantages of going ahead with the project on Shady Oak Road S is that the city has already acquired easements. He said at some point he would like the council to discuss how other projects have been affected by the spending of MSA funding.

Schneider said he was concerned that bonding for the four projects would be using the majority of MSA funding for 20 years. Other projects that would have used the MSA funds would require levying taxpayers for the improvements.

Allendorf said the staff recommendations left the council with no options. He said that is not a position he likes to be in but it is a position the council is in because the county's estimate was originally for \$500,000 and now is \$5 million. If this road is approved it will put more pressure on the road from Excelsior Boulevard to Highway 7. He asked for the estimated cost for that project and if the real cost would differ as greatly as for this project. He also asked if the city of Hopkins has been included in the discussion to see if they can go ahead with the project. Gustafson said discussions have taken place with Hopkins. Both cities have concerns based on the belief the funding would come from the county's community works area but that funding is not as great as the cities thought it would be. There are ongoing discussions about the best way to approach that project. Barone indicated for the purposes of the bonding proposal, the numbers for the project north of Excelsior Boulevard are firm numbers.

Thomas said the staff report indicates the funding sources for the city share of the project remain the same. Since the costs of the project have increased, he asked what kind of strain will be put on the other city funds. King said staff recommendation is to use MSA funds, and storm water, utility, and electrical burial funds as appropriate. The strain will primarily be felt on the MSA funding source. There would be a four-year payback from MSA to another fund, likely the utility fund. Thomas asked if a project comes up and the council decides to bury the utility lines would the fund be strained because there would not be the money in the account. King said the recommendation includes the higher costs for the other funding sources.

Wiersum agreed with Allendorf that the council did not have any options. He asked if a \$1 million to \$1.5 million dollars were cut from the project where the cuts would occur. Gustafson said the cuts would likely be to the architectural features on the retaining walls.

Callison said as the design is considered it was important to keep in mind that it is a 50-year design. She has heard from residents concerned that there will not be decorative walls. To lose that feature permanently would not be acceptable to those residents.

Schneider said his first reaction was to step back, cancel the project and figure out how to do responsible long range planning for road projects. Then he saw the traffic count of 20,000 vehicles on this section of road. Canceling the project and losing the federal funds would be a major disservice to residents. He said having a plain white retaining wall to save money is not a prudent decision and will not solve the issue.

Thomas said the council needs to thoroughly look at the whole picture of road construction funding. He has never supported committing MSA funds far into the future. Something needs to happen to keep up with the roads given the increased traffic. The current process is not working.

Ulrich Bonne of 4936 Shady Oak Road suggested reducing the project to three lanes. He said this would eliminate the need for the retaining wall and save much of the green buffer. Gustafson said he has looked at Bonne's suggestions. He said the bridge over the regional trail needs to be widened and the walls are needed with the bridge widening. Even if the road is reduced to three lanes a retaining wall would still be needed for proper structural stability. Bonne asked to meet with Gustafson to discuss alternatives.

Ken Anderson of 11604 Shady Oak Drive said he joined the citizen advisory board to be part of the process of designing the road. He said there have been many designs put forth but what the county first proposed essentially remains in place. He urged the city to let the residents on the road know what is going to be done.

Ellingson said last year the county promised the city \$7 million for the portion of Shady Oak Road north of Excelsior Boulevard. The city did not receive the money. He asked how much the county is saying the city will now receive. Gustafson said there is around \$3 million in the county's budget. Ellingson said he was concerned that if the city commits to this project without bonding there will not be the funds to do any other road project. The city should first determine how to pay for the roads and then decide which roads will be done. Otherwise bonding is the only option for other road projects.

Allendorf said the reason the city is at this point is because there hasn't been good interaction with the county to get a good budget number with which to make decisions.

Schneider said in the cooperative agreement the language on reduced fees is included but the dates for payment are still condensed and do not reflect the four-year extension. Gustafson said the cooperative agreement could be changed in the future because the costs are not affected. The city does have a letter from the county indicating the dates.

Wiersum said this is not the most important road to consider among all the roads in the city. But the cost of not doing the project is so great that it has to be approved. The city needs a better plan and approach on future road projects. The reality is there are a lot of road improvements needed and there is not enough money to fund them.

Allendorf moved, Wagner seconded a motion to:

- 1) Adopt Resolution No. 2007-160 approving the CSAH 61 street improvements, County Project No. 8637, 0009, and 0010 and approving the cooperative agreement for the CSAH 61 street improvements, County Project No. 8637, 0009, and 0010, and amend the CIP to reflect higher project cost.
- 2) Authorize the mayor and city manager to execute an agreement with Xcel Energy in the amount of \$1,500,000 to provide burial of overhead utility lines as part of the CSAH 61 Improvement Project, and amend CIP to reflect higher project cost.
- 3) Adopt Resolution No. 2007-162 which approves the requested floodplain alteration permits, conditional use permits, and shoreland setback variance for reconstruction of County State Aid Highway 61 from Bren Road to Excelsior Boulevard. This resolution is based on the following findings:
 - a. The proposed floodplain fill and excavation is reasonable:
 - (1) The fill is required to accommodate the new roadway, which will be significant public benefit to both community residents and the traveling public.
 - (2) The proposed floodplain excavation would result in a net increase in floodplain storage along the roadway.
 - (3) The proposed floodplain excavation would create stormwater treatment ponds resulting in

increased protection of Shady Oak Lake and area wetlands.

- b. The requested shoreland setback variance is reasonable.
- (1) In relation to the total linear feet included in the overall roadway project, only a negligible 400 feet would be within the required 50-foot setback. This is a minor point intrusion into the required setback.
 - (2) The location of the existing road and surrounding land uses, including existing residential homes, present a practical difficulty. The proposed reconstruction design could not be accommodated without: (1) a setback variance; or (2) further impact to properties on the east side of the road.
 - (3) The item requiring a variance is a public roadway and, as such, has no zoning classification. The public improvement and its reconstruction provide a significant benefit to community residents and the traveling public. This is a unique circumstance.
 - (4) CSAH 61 is currently a public roadway set back just over 50 feet from the OHWL of Shady Oak Lake. The requested setback would have little visual impact on the lake and no negative impact on the essential character of the neighborhood.

Approval is subject to the following conditions:

- a. The city council may reasonably add or revise conditions to address any future unforeseen problems.
 - b. Prior to beginning work, install erosion control, tree protection and wetland protection fencing as required by natural resources staff. These items must be maintained throughout the course of construction.
- 5) Authorize the mayor and city manager to execute easements affecting Lone Lake Park, the Shady Oak Road Cemetery, Shady Oak Beach and the city owned lot at the corner of Karen Lane and Shady Oak Road.

Allendorf, Wagner, Wiersum, Schneider, Thomas, and Callison voted "yes." Ellingson voted "no." Motion carried.

D. Items relating to the 2008 budget and tax levy.

King gave the staff report.

Callison said she received comments from residents supporting the increase in funding for public safety.

Wiersum moved, Thomas seconded a motion to:

- 1) Adopt Resolution 2007-163 adopting a budget for the year 2008, a revised budget for 2007, and setting a tax levy for the year 2007, collectible in 2008.
- 2) Adopt Resolution 2007-164 setting a tax levy for the Bassett Creek Watershed Management Tax District for the year 2007, collectible in 2008.

All voted "yes." Motion carried.

15. APPOINTMENTS and REAPPOINTMENTS: None.

16. ADJOURNMENT.

Thomas moved, Wagner seconded a motion to adjourn the meeting 12:48 a.m. All voted "yes." Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk