

REGULAR MEETING
MONDAY, SEPTEMBER 11, 2006
7:00 P.M.

MAYOR: GENE WINSTEAD

COUNCILMEMBERS: ROD AXTELL
STEVE ELKINS
AMY GRADY

KAREN NORDSTROM
STEVE PETERSON
VERN WILCOX

To address the Council on an item from the agenda, please approach the podium, ask to be recognized, clearly state your name and address, and sign the roster. Comment on items not on tonight's agenda during the Public Comment Period. Assistive listening devices are available for those who may need them.

View regular meetings live or on archive at www.ci.bloomington.mn.us, keyword:Webcast. Catch the replay on Bloomington Channel 14, the Wednesday after a meeting at 7:00 p.m. and the following Thursday at 1:00 a.m., 7:00 a.m. and 1:00 p.m.

www.ci.bloomington.mn.us: A yearly meeting schedule is available in the Council section. Also posted in this section are agendas (the Friday before a regular meeting), synopses (within a few days of a meeting), and the official minutes.

1 CALL TO ORDER – 7:00 PM

7:01 pm

2 INTRODUCTORY

- | | | |
|-----|--|-----------------------------|
| 2.1 | Flag Presentation <i>*(A few moments of silence were observed to reflect on 9/11.)</i> | <i>None*</i> |
| 2.2 | Proclamation - Constitution Wk - Sept. 17-23 <i>*(Mailed to Daughters of the Am. Revolution)</i> | <i>Read*</i> |
| 2.3 | Proclamation – National Prostate Cancer Awareness Month <i>(September)</i> | <i>Read & Presented</i> |
| 2.4 | Proclamation – The International Day of Peace – September 21 | <i>Read & Presented</i> |

3 CONSENT BUSINESS

- | | | |
|--------|--|---------------------|
| 3.1 | Approve Variance to Reduce Side Yd Stbk; Robert Brown; 1524 W. 86 th <i>(Applicant withdrew)</i> | <i>Withdrawn</i> |
| 3.2 | Approve Variance to Reduce Front Yard Setback; Richard Johnson; 10637 James Circle | <i>Adopted Res.</i> |
| 3.3 | Approve Variance to Reduce Front Yd Setback; Christopher Cavanaugh; 2516 W. 108 th St. | <i>Adopted Res.</i> |
| 3.4 | Approve Travel Expenses | <i>Approved</i> |
| 3.5 | Order Feasibility Study for Killebrew Drive | <i>Ordered</i> |
| 3.6A-B | Approve Agreements with Bloomington School District #271 | |
| | A. SHIELD Central Referral Services | <i>Approved</i> |
| | B. Services to Children with Handicapping Conditions | <i>Approved</i> |
| 3.7 | Approve Change Order to Electrical Resource Contractors for Lift Station Work | <i>Approved</i> |
| 3.8A-D | Adopt Resolutions Approving Insurance Carriers | |
| | A. Dental Insurance | <i>Adopted Res.</i> |
| | B. Long Term Disability | <i>Adopted Res.</i> |
| | C. Life Insurance | <i>Adopted Res.</i> |
| | D. Health Insurance | <i>Adopted Res.</i> |
| 3.9 | Approve Agreement with D'Amico Catering, LLC | <i>Approved</i> |
| 3.10 | Approve Minutes: July 10, 2006 (Regular Mtg.) | <i>Approved</i> |
| 3.11 | Adopt Resolution Authorizing Appointees to Act on Behalf of the Community Health Board | <i>Adopted Res.</i> |
| 3.12 | Consider Bid Award - Simultaneous Inductively Coupled Plasma-Optical Emission Spectrometer (ICP-IES) <i>*(Awarded a contract to Varian, Inc. in the amt. of \$105,364.71.)</i> | <i>Awarded*</i> |
| 3.13 | Ratify Changes to the City Council 2006 October Meeting Schedule | <i>Ratified</i> |

continued...

4 PUBLIC COMMENT PERIOD*See Notes**

**(Speakers #1 & #2: Coral Houle & Marguerite Adelmann commented on the upcoming Am. Cancer “Celebration on the Hill” event that will take place in Washington, D.C. next week.)*

**(Speaker #3: Richard Gates, 8029 Aldrich Ave. commented on the houses that have been removed along Lyndale Ave. and inquired as to the City’s plan for those vacant properties.)*

5 HEARINGS/PUBLIC INPUT – 7:15 PM**5.1 Licensing Division**

5.1A Liquor License Violations Hrgs. **(All deemed non-willful with fines imposed as follows:)* *See Notes**

**(Cedar Liquor: \$1,000 fine for first violation within five years.)*

**(India Mart: \$500 fine for first violation within five years. Council requested a resolution reflecting a change in the level of fine for this type of off-sale establishment.)*

**(MGM Liquor Warehouse: \$2,000 fine for third violation in five years.)*

**(Bistro 79: \$1,250 fine for second violation in five years.)*

**(Fuddrucker’s: \$2,000 fine for third violation in five years.)*

**(VFW – Everett McClay: \$1,250 fine for second violation in five years.)*

**(Tony Roma’s: \$2,000 fine for third violation in five years.)*

**(Tiger Sushi: \$750 fine for second violation in five years.)*

5.1B Gambling Premise Renewal; Bloomington Amateur Hockey Ass’n. @ Billabong’s *Adopted Res.*

5.1C New On-Sale Liquor License for Country Inn & Suites; 5120 American Boulevard West *Approved*

5.2 Development Business

5.2A Renewal of a TCUP; Skelton, Inc. dba Ultra Tan; 7810 Portland Ave. *Approved*

5.2B 9 Mile Creek 2nd Addition; Bloomington Housing Partners I (c/o Greco) 2334 Village Terrace; 2301 Village Lane; 2301 West Old Shakopee Road *Approved & Adopted Res.*

1. Preliminary Plat & Final Plat – Village on 9 Mile Creek 2nd Addition *Adopted Ord.*

2. Vacation of Walkway, Drainage and Utility Easements
(Same as plat addresses above except for one on Village Terrace: 2325 not 2334.)

5.2C Final Development Plan for 88 Senior Housing Condos, 17 Villa Homes, 42 Townhomes; Laukka-Jarvis, Inc.; 10701 Lyndale Ave. *Approved*

5.2D Conditional Use Permit for a restaurant in a shopping center; Chipotle Mexican Grill, Inc.; 3800 West Old Shakopee Road *Adopted Res.*

5.3 Transportation and Utility Improvements*None***5.4 Ordinances**

5.4A Approve an Ordinance Extending the Moratorium on the Installation of New Changeable Message Electronic Signs, Tri-Vision Signs, Projected Signs and Signs Displaying Animated or Portray Motion Messages through December 29, 2006; and, thereby Amending Chapter 19 of the City Code. *Adopted Ord.*

5.4B Zoning Ordinance Amendment:
1. Establish New Commercial Zoning District and Standards; City of Bloomington *Adopted Ord.*
2. Resolution Directing Summary Publication *Adopted Res.**
**(Council requested staff indicate in the summary publication where this amended ordinance can be found on the City’s Website.)*

5.4C Rezone from B-3, General Business to B-2, General Commercial; City of Bloomington; 9200 Old Cedar Avenue *Adopted Ord.*

- 5.4D Rezone from B-3, General Business to B-2, General Commercial; City of Bloomington; 8820 Lyndale Avenue *Adopted Ord.*
- 5.4E Ordinance Imposing 8-Month Moratorium on Construction and/or Operation of Additional Pawnshops and Secondhand Dealers *Adopted Ord.*

5.5 Other

- 5.5A 2006 Assessment Roll No. 5 Oxboro Streetscape Maintenance *Adopted Res.*
- 5.5B Resolution Adopting Prelim. 2007 Levy **(Set Preliminary @ 5.75%.)* *Adopted Res.**
- 5.5C Resolution Adopting Prelim. 2007 Gen. Fund Budget **(Set Preliminary @ \$49,664,800.00.)* *Adopted Res.**

6 ORGANIZATIONAL BUSINESS

- 6.1 City Council Policy & Issue Update *Provided*

7 ADJOURN

10:09 pm

Future Meetings:

- September 18 – Study Mtg.**
- September 25 – Regular Mtg.**
- October 9 – Regular Mtg.**
- October 24 (Tuesday) – Study Mtg.**
- October 30 – Regular Mtg.**