

**REGULAR MEETING**  
**MONDAY, AUGUST 6, 2007**  
**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](http://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](http://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>Brownie Trp. 1157</i>    |
| 2.2 Proclamation - National Night Out   | <i>Read &amp; Presented</i> |
| 2.3 Proclamation - Partnership for Working Toward Inclusive Communities                 | <i>Read &amp; Presented</i> |
| 6.4 City Facilities Naming Policy (timed 7:15) <i>*(Approved version dated 7/10/07)</i> | <i>Approved*</i>            |

**3 CONSENT BUSINESS**

- |   |                               |
|---|-------------------------------|
| 3.1 Adopt Resolution Approving Application by Tuineau and Lisa Alipate for Variance at 801 East 101 <sup>st</sup> Street  | <i>Adopted Res.</i>           |
| 3.2 Adopt Resolution and Approve Wetland Conservation Act Decision: Bloomington Street Improvement Project 2006-201 Wetland Replacement Plan  | <i>Adopted Res.</i>           |
| 3.3 Accept Donations  | <i>Accepted</i>               |
| 3.4 Resolution Abating Debt Service Levy  | <i>Adopted Res.</i>           |
| 3.5 Review and Ratify 2007/08 Fire Pension Contribution   | <i>Ratified</i>               |
| 3.6 Approve Amendment #2 - Child & Teen Checkups Program Agreement w/ Hennepin Co.  | <i>Approved</i>               |
| 3.7 Approve Travel Expenses   | <i>Approved</i>               |
| 3.8 Approve City Council Meeting Minutes: 10/30/06 Special Study & 4/23/07 Regular  | <i>Approved</i>               |
| 3.9 Approve Auto Thief Prevention Program Grant and Adopt Resolution Accepting Grant  | <i>Adopted Res.</i>           |
| 3.10 Variance to Reduce the Side Yard Setback; Jon Bushard; 8720 Beard Road   | <i>Adopted Res.</i>           |
| 3.11 Administrative Variance to Reduce the Prevailing Setback Along W. 86 <sup>th</sup> Street; Jon Waldock; 8600 Pine Hill Road<br><i>*(Approved with additional staff recommended Cond. #5 to read as follows: "Public lands disturbed during construction shall be stabilized and re-vegetated in a manner deemed acceptable by the City Engineer.")</i> | <i>Adopted Res.*</i>          |
| 3.12 Variance to Reduce Prevailing Front Yard Setback; Maurice Johnson; 8667 Oakland Ave.   | <i>Adopted Res.</i>           |
| 3.13 Approve Payment to Hennepin County for Excess TIF  | <i>Approved</i>               |
| <i>*3.14 Authorize Transmittal of Support Letter to Metro Transit Re: Extension of Route 540</i>  | <i>Authorized Transmittal</i> |

continued...

**4 PUBLIC COMMENT PERIOD***See Note\**

*\*(Speaker #1: Melanie Weborg, 1304 E. 88<sup>th</sup> Street showed examples of some small-scale stormwater runoff controls used in other communities she suggested Bloomington consider.)*

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

- 5.1A Approve Renewal Application for Lawful Gambling Premise Permit; Eagles Aerie #3208; 9251 Old Cedar Avenue S. *Adopted Res.*
- 5.1B Approve Renewal Application for Lawful Gambling Premise Permit Northwestern Health Sciences University; at Saints Hall 311 W. 84th Street *Adopted Res.*
- 5.1C Approve Renewal Application for Lawful Gambling Premise Permit; Bloomington Lions Club; at David Fong's; 9329 Lyndale Avenue S. *Adopted Res.*
- 5.1D Approve New Therapeutic Massage Enterprise License; Luxury Health Center; 8905 Penn Avenue S. *Approved*

**5.2 Development Business**

- 5.2A Renewal of a Temporary Conditional Use Permit for a Billboard; California Closets T.C.L.C., Inc.; 5000 West 78<sup>th</sup> Street *Approved*
- 5.2B Renewal of a Temporary Conditional Use Permit for a Billboard; 1301 Partners; 1301 (West 79<sup>th</sup> Street) American Boulevard West *Approved*
- 5.2C Renewal – Temp. Conditional Use Permit for Billboard; Gil Williams; 405 E. 78<sup>th</sup> St. *Approved*
- 5.2D Renewal of a Temporary Conditional Use Permit for a Billboard; Corridor MN Building, LLC; 9600 Aldrich Avenue *Approved*
- 5.2E BRB Development LLC(dba Lock-Up); 221 American Boulevard West
1. Conditional Use Permit for a Self-Storage Facility *Adopted Res.\**
  2. Final Site and Building Plans for a Self-Storage Facility *Approved*
- \*(Approved w/ amended Cond. #5 to read as follows: “Should the railroad spur be constructed, there shall be no parking, storing and/or loading and unloading rail cars on this property;”)*
- 5.2F Variance to Increase Total Garage Area Square Ft; Jeff Latzke; 7400 West 100<sup>th</sup> Street *Adopted Res.*
- 5.2G Conditional Use Permit for an Athletic Club in an Existing Building; Puckmasters Hockey Training Center; 6523 Cecilia Circle *Acknowledged Withdrawal*

**5.3 Transportation and Utility Improvements (none)***None***5.4 Ordinances**

- 5.4A Public Hearing for an Ordinance Change Renaming Marth Road *Cont. to 9/10\**
- \*(Cont. to 9/10 to allow staff to renotify those affected of staff's recommendation to retain the name of Telegraph Road for the cul-de-sac off of Marth Road while maintaining the residential portion of Telegraph Road.)*
- 5.4B Ordinance Amending Chapter 12 of the City Code Relating to Trespassing *Adopted Ord.\* & Adopted Res.\**
- \*(Adopted ordinance as amended deleting the word “improved” in the definition of Covered premises and adopted resolution directing summary publication.)*
- 5.4C Ordinance Amending Chapter 14 of the City Code Relating to Transient Merchant/Peddler/Solicitor Licenses *Adopted Ord. & Adopted Res.\**
- \*(Adopted ord. as presented and adopted resolution directing summary publication.)*

**5.4 Ordinances *continued***

- 5.4D RRH Group, LLC (Culvers) 7801 Nicollet Avenue:
- |  |                     |
|--|---------------------|
| 1. Rezone from Freeway Development FD-1 to Freeway Commercial C-2 Planned Development; | <i>Adopted Ord.</i> |
| 2. Preliminary Development Plan for a Freestanding Hotel/Motel and Restaurant;         | <i>Approved</i>     |
| 3. Final Development Plan for a Freestanding Hotel/Motel and Restaurant;               | <i>Approved</i>     |
| 4. Conditional Use Permit - Freestanding Rest. as part of a Planned Development;       | <i>Adopted Res.</i> |
| 5. Three-lot, One-Block Preliminary Plat of RRH Addition; and                          | <i>Approved</i>     |
| 6. Three-lot, One Block Final Plat of RRH Addition                                     | <i>Adopted Res.</i> |
- 5.4E Bloomdale, LLC, 3901 & 3919 W. Old Shakopee Rd, 10718, 10724, 10750 France Av:
- |  |                     |
|--|---------------------|
| 1. Rezone from Neighborhood Commercial Center B-4 to Neighborhood Commercial Center Planned Development B-4(PD); | <i>Adopted Ord.</i> |
| 2. Preliminary Development Plan for a Retail Shopping Center & Office Uses; and                                  | <i>Approved</i>     |
| 3. Final Development Plan for a Retail Shopping Center and Office Uses   | <i>Approved</i>     |

**5.5 Other**

- 5.5A Adopt Resolution Approving Amendment to 2007 Fee Schedule *Adopted Res.*

**6 ORGANIZATIONAL BUSINESS**

- 6.1 City Council Policy & Issue Update *Provided\**
- \*Additional Comments:*
- *(Reminder of the Airport Runway Closure open house at Civic Plaza on Wednesday, Aug. 8 from 6:30-8:30 pm.)*
  - *(Announcement that the Bloomington Symphony Orchestra will perform the last summer concert at the Normandale Lake Bandshell on Thursday, Aug. 9 at 7 pm.)*
- 6.2 Authorize Transmittal of Comment Letter - Edina Gateway Draft AUAR *Auth. Transmittal*
- 6.3 Approve Public Improvement Agreement - United Land, LLC *Post. to 8/20*
- 6.4 City Facilities Naming Policy (*timed*) *\*(Approved based on 7/10/07 revision.)* *Approved\**

**7 ADJOURN***9:58 pm*

**Future Meetings:**

- August 20 – Regular Mtg.**
- August 21 – Special Strategic Planning @ 7 pm**
- August 27 – Study Mtg.**