

**REGULAR MEETING**  
**MONDAY, DECEMBER 19, 2005**  
**7:00 P.M.**

**MAYOR: GENE WINSTEAD**

**COUNCILMEMBERS: DAVE ABRAMS**  
**STEVE ELKINS**  
**AMY GRADY**

**HEATHER HARDEN \*(ABSENT)**  
**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**

7:08 pm

**2 INTRODUCTORY**

2.1 Flag Presentation

None

**3 CONSENT BUSINESS**

- |   |                      |
|---|----------------------|
| 3.1 Accept Donation Blue Cross Blue Shield MN Blood Pressure Machine & Maintenance Agmt.  | <i>Approved</i>      |
| 3.2 Approval of Lease Agreement with Hennepin County for Election Equip.  | <i>Approved</i>      |
| 3.3 Approve Human Services Contract with The Bloomington School District #271 for Even Start and Older Adult Fitness Programs                       | <i>Approved</i>      |
| 3.4 Approve Hennepin South Services Collaborative Agreement and By-laws   | <i>Adopted Res.</i>  |
| 3.5 Approve 2006 Community Health Services Agreement with City of Edina   | <i>Approved</i>      |
| 3.6 Approve Renewal Agreement with City of Edina for Public Health Preparedness and Response to Bioterrorism  | <i>Approved</i>      |
| 3.7 Resolution Approving a Schedule for City Council Meetings <i>*(Added 3/27 &amp; 10/9 study mtgs.)</i>   | <i>Adopted Res.*</i> |
| 3.8 Resolution Approving Amendment to 2006 Fee Schedule   | <i>Adopted Res.</i>  |
| 3.9 Reimbursement Resolution  | <i>Adopted Res.</i>  |
| 3.10 Accounts Receivable Write-Offs   | <i>Approved</i>      |
| 3.11 Accept Donations   | <i>Accepted</i>      |
| 3.12 Support Resolution for Constitutional Amendment for Motor Vehicle Sales Tax Dedication   | <i>Adopted Res.</i>  |
| 3.13 Approve Transfers of Carlton TIF Revenues to Facilities Fund   | <i>Approved</i>      |
| 3.14 Approve Transfers of Park Donations  | <i>Approved</i>      |
| 3.15 Approve of 2006 Port Authority Budget  | <i>Approved</i>      |
| 3.16 Approve Contract Extension - Quicklime for Water Treatment   | <i>Approved</i>      |
| 3.17 Approval of Resolution for Cost Participation for C.S. 2782-290 (T.H. 35W) - T.H. 35W @ W 94th St. (east and west ramps)                       | <i>Adopted Res.</i>  |
| 3.18 Approve Minutes May 9 (Jt. CC/School Bd.), May 16 (Special/Study), June 20 (Special/Study), September 12 (Regular), and September 26 (Regular) | <i>Approved</i>      |
| 3.19 Approve Settlement Agreement w/ Engineering & Construction Innovations, Inc. (Handout)   | <i>Approved</i>      |
| 3.20 Approve Sculpture Donations from Dale Peterson & Lloyd Bergquist (Handout)   | <i>Approved</i>      |

continued...

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

*\*(Speaker #1: Ed Fong, Fong's Restaurant requested Council keep an eye on the effect Hennepin County's recent amendment to their smoking ban ordinance will have on Bloomington bars and restaurants. He expressed concern that Richfield has indicated their intention to allow exemptions to the County's ordinance for establishments meeting the criteria in their city.)*

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

- 5.1A Liquor Violations A & S Kwik Mart *\*(Deemed violation non-willful & imposed a \$500 fine.)* *See Note\**
- 5.1B Renewal of Premise Permits:
1. Knights Fraternal Corporation; 1114 American Boulevard West; @ Same *Adopted Res.*
  2. Climb Inc.; 6415 Carmen Ave E.; Inver Grove Heights, MN; @ AMF Southtown Bowl *Adopted Res.*
  3. VFW Post 1296; 311 W. 84th Street *Adopted Res.*
  4. MOC Pup Tent 51; 311 W. 84th Street @ VFW *Adopted Res.*
- 5.1C New On-Sale Liquor License for Le Bourget Aero Suites *Approved*
- 5.1D New Off-Sale 3.2% Malt Beverage license for India Mart *Approved*
- 5.1E Renewal of On-Sale and Off Sale 3.2% Malt Beverage Licenses *Approved*

**5.2 Development Business**

- 5.2A Steven Marlin Grant Homes, Inc. 8063 Ensign Road;
1. Preliminary Plat of Bradley Williams Addition, *Approved*
  2. Final Plat of Bradley Williams Addition, Subdivide One Lot into Two Lots *Adopted Res.\**
- \*(Council approved with condition that house plans be approved by Planning Manager to ensure compatibility of new homes within the existing neighborhood.)*
- 5.2B Interim Use Permit for Open Storage; Chief's Towing 1201 West 96<sup>th</sup> Street *Approved*
- 5.2C Interim Use Permit Temp. Retail Use; Fleetham Furniture dba Refurnish 4950 W 78<sup>th</sup> St. *Approved*
- 5.2D Revised Final Development Plan for Retail Sales; Wixon Jewelers 9801 Lyndale Ave. *Approved*
- 5.2E Duke Realty; 5600 American Blvd.
1. Preliminary Development Plan Norman Pointe II *Approved*
  2. Final Development Plan Norman Point II Office Building & Parking Ramp *Approved\**
- \*(Approved with added Condition #10: "Sidewalk connection be provided from the walk parallel to Normandale Lake Boulevard to the west building entrance.")*

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

- 5.4A City of Bloomington Various Addresses West Old Shakopee, France & Ewing: *Post. to 1/3/06*
1. Rezone Properties from B02, Retail Business, B-1, Limited Business & R-1, Single Family Residential to B-2 (PD), Retail Business (Case 10713A-05)
  2. Preliminary and Final Plat Development for Retail/Office (Case 10713BC-05)
- 5.4B Ordinance to Vacate Easement (V2005-639) Beaconsfield Outlot D; 10620 Maryland Cr. & Various on Oregon Ave *Adopted Ord.*
- 5.4C Baton Building Company; 2701 & 2617 West 102<sup>nd</sup> St & 10209 Upton Ave *Adopted Ord.*
1. Rezone From R-1 Single Family Residential to R-1 (PD), Single Family Residential (Planned Development) *Adopted Res.*
  2. Preliminary Development Plan for 11 Townhomes *Approved*
  3. Conditional Use Permit for 11 Townhomes *Adopted Res.*
- 5.4D Ordinance Establishing Standards for Construction and Use of Smoking Shelters *Adopted Ord.\**
- \*(Adopted per Council's amendment to have language added that indicates the availability of a variance application process relating to the location and size of a smoking shelter in unique situations.)*

