

REGULAR MEETING
MONDAY, MARCH 22, 2010
7:00 P.M.

MAYOR: GENE WINSTEAD

COUNCILMEMBER'S: AMY GRADY
STEVE ELKINS
VERN WILCOX

KAREN NORDSTROM
STEVE PETERSON
THOMAS HULTING

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 pm

2 INTRODUCTORY

2.1 Flag Presentation

None

3 CONSENT BUSINESS

3.1 Approve Purchase - Single-Axle Cab/Chassis Units

Approved

3.2 Consider Wireless Antenna Lease with Clear Wireless LLC; 7201 W. 83rd St.

Approved

3.3 Resolution Revoking Certain Municipal State Aid Segments

Post. to 4/12

3.4 Resolution Designating Certain Municipal State Aid Segment

Post. to 4/12

3.5 Approve City Council Meeting Minutes: (9/14/09 Study & 11/16/09 Regular)

Approved

3.6 Approve Grant Project Agreement Amendment with Minnesota Department of Health Sage Women's Clinic

Approved

3.7 Approve Agreement Electronic Document Management Systems

Post. to 4/12

3.8 Approve Consultant Contract South Loop District Energy Study

Approved

3.9 Hennepin County Agreement Renewal of Signal Light Maintenance Agreement

Approved

3.10 Approve Plans, Specification, Schedule 2010-101 PMP Street Improvement Project, 2008-303 Street Improvement Project, 2010-303 Street Improvement Project; 2010-802 Streetscape Improvement Project

Adopted Res.

3.11 Accept Donations

Accepted

3.12 Approve Purchase - Single-Axle Dump Bodies

Approved

4 PUBLIC COMMENT PERIOD

*See Notes**

**(Speaker #1: Tom Nightengale, 4300 Morris Lane provided Council with copies of the notices he received from the City's Environmental Health Division and commented on his dealings with City staff. He asked about the numerous violations he continues to observe in his neighborhood and asked what the City is doing about them. Staff to provide him with a report on the outstanding violations in his neighborhood.)*

**(Speaker #2: Peter Clement, 8319 Wyoming Ave. provided Council with a copy of his Proposed Changes to Chicken Ordinances requesting a reduction in the setback for chicken enclosures from 100 feet to 20 feet. It was stated Council will be discussing the ordinance in the near future.)*

4 PUBLIC COMMENT PERIOD continued*See Notes**

**(Speaker #3: Chris Fields, 11309 Rich Cir. also commented on the violation notices he received from the City's Environmental Health Division and on his dealings with City staff. He inquired about the lack of enforcement by Environmental Health after 4:30 pm and suggested that department should have a policy and procedure in place for 24-hour enforcement like the Police Department. Staff to respond.)*

**(Speaker #4: John Jacobs, 8518 4th Ave. So. commented on the violation notices he received from the City's Environmental Health Division and on his dealings with City staff. He suggested he has been unfairly targeted by Environmental Health stating their actions are bordering on harassment. He too mentioned there are worse yards in his neighborhood that seem to go unnoticed by the City.)*

**(Speaker #5: Casey Weisman, 9252 Green Briar Rd. commented on the number of potholes on Colledgeview Rd. stating they are causing a dangerous situation, as drivers tend to drive closer to the center of the roadway to avoid hitting the potholes. Staff explained Colledgeview Rd. is on the City's 2010 Pavement Management Program (PMP) list for reconstruction this summer, which will resolve the situation and reported City crews have begun filling potholes with "cold patches" until the weather is suitable for "hot patches.")*

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

5.1A On Sale Special Event Liquor License; Nativity of Mary Church; 9900 Lyndale Ave. S

Approved

5.1B Therapeutic Massage License Violation Hearings (in conjunction with 5.4C)

*See Notes**

**(Associate City Attorney Lisa Netzer reviewed the stipulation of facts on each the following five therapeutic massage license violations and testimony was received by the owners [through an interpreter] and their attorneys. Council took the following action:*

**(Relaxation Massage: 674 W. 92nd St.: Closed the public hearing and adopted a resolution revoking the massage enterprise license and massage therapist license of Lai Fung Poon, dba Relaxation Massage.)*

Adopted Res.

**(Oriental Massage Therapy: 10558 France Ave. So.: Closed the public hearing and adopted a resolution revoking the massage enterprise license of Min Zheng Kennedy, dba Oriental Massage Therapy LLC.)*

Adopted Res.

**(Yuan-Yuan Spa: 8746 Lyndale Ave. So.: Closed the public hearing and adopted an amended resolution revoking the massage enterprise license and massage therapist license of Qinqi Lu, dba Yuan-Yuan Spa.)*

Adopted Res.

**(Best Massage Therapist: 9923 Lyndale Ave. So.: Closed public hearing and cont. to 4/12/10 so staff can verify the credentials of the current massage therapists at this location.)*

Cont. to 4/12

**(Bloomington Asian Massage: 8905 Penn Ave. So.: Adopted resolution revoking the massage enterprise license and massage therapist license of Li Ying Li, dba Bloomington Asian Massage.)*

*Adopted Res.***5.2 Development Business**

5.2A Revised Final Development Plan Fitness Center, Underground Parking Garage & New Surface Pkg.; 8100 Highwood Dr.; Lifespace Communities (Friendship Village)

Approved

5.3 Transportation and Utility Improvements

- 5.3A Accept Feasibility Study and Order Improvement Project Adjacent to Richfield
Bloomington Credit Union *Adopted Res.*

5.4 Ordinances

- 5.4A Rezone Multiple Parcels to C-4, Freeway Office *Adopted Ord.*
- 5.4B City Code Amendment: *Adopted Ord.*
 1. Modify Driveway Approach Standards *(Modified Option 2B)*
 2. Update Pavement Management Program Policy *Approved*
 3. Resolution Directing Summary Publication *Adopted Res.*
- 5.4C Ordinance Modifying Therapeutic Massage Licensing Requirements *(taken with 5.1B)* *Cont. to 4/12*

5.5 Other

- 5.5A FY 2010 Community Development Block Grant Budget and Application *Approved*
- 5.5B 1. Approval of Agreement for Purchase Alpha Business Center *Approved*
 2. Resolution Authorizing & Directing the Use of Fund 435 Purchase of Certain Lands *Adopted Res.*
 *3. *Authorize City Manager to Act Upon the Contingencies* *Authorized**

6 ORGANIZATIONAL BUSINESS

- 6.1 City Council Policy & Issue Update *See Notes**

**(City Manager Bernhardson reported the regular Council meetings in April will occur on the 2nd & 4th Mondays of the month due to Bloomington's spring break schedule and there will be no study meeting on April 19.)*

**(Elkins reported on the Transportation Infrastructure & Services steering committee meetings he attended during the National League of Cities (NLC) Conference in Washington, D.C. on March 13-17. He reported there will be a second smaller round of TIGER grant funding for which the American Boulevard BRT stop in conjunction with the 494/35W redesign project might be a good candidate.)*

**(Peterson also reported on the Information Technology & Communications steering committee meetings he attended during the NLC Conference in Washington, D.C. He mentioned the focus was on the national broadband plan and that a move by the Administration resulted in a "Call to Action" to move it forward.)*

**(Public Works Director Keel commented on possible funding scenarios for the I-494/Hwy. 169 project.)*

**(Nordstrom distributed information to the Council on Bloomington Heritage Days that was provided to her by a Rotary member.)*

7 ADJOURN

11:54 pm

Future Meetings: April 12 – Study Meeting @ 5:30 pm
 April 12 – Regular Meeting @ 7 pm
 April 19 – Study Meeting @ 7 pm (Cancelled)
 April 22 – Jt. Council/Port Authority Meeting @ 5:30 pm
 April 26 – Study Meeting @ 5:30 pm
 April 26 – Regular Meeting @ 7 pm