

Mayor Neisen's Report

Mayor Neisen announced that the agenda meeting was changed from September 2 to September 3, 1974.

Mayor Neisen read a letter from the Metro Sewer Board in regards to a letter we sent to the Sewer Board on November 6, 1973, concerning payment agreements.

MSP (Neisen-Hodges) receiving the letter and referring it to the attorney to contact Dennis Zylla to update himself on what went on and report back to the Council at the next regular meeting.

5 Ayes

Mayor Neisen acknowledged receipt of a note concerning a call from Mrs. Nylander on August 20, 1974 stating that she wants to make sure Harstad will take care of the grading between Red Oak and Sunnyside.

Mayor Neisen said as of now, no right of way has been returned to the City. As soon as the plans are returned to the City Mr. Harstad can proceed.

Mayor Neisen read a letter from Minnesota Landmarks to residents of St. Paul and Ramsey County. Local Bicentennial Celebration tells of ways we can get parts of \$400,000 to take part in a Bicentennial celebration. Mayor Neisen returned the letter to Mr. Bryant for his disposition.

Mayor Neisen read the list of election judges and counters:

Precinct #1

Judges

Marilyn Benolkin, Chrm.
Isabelle Wille
Pearl Falck

Counters

Joan Godeke, Chrm.
Barbara Haake
Marion Winther

Precinct #2

Judges

Doris Welty, Chrm.
Ruth Cox
Dorothy Winters

Counters

Jean Miller, Chrm.
Judy Dreshar
Mary Linda Dickman
Shirley Sinderson

Precinct #3

Judges

Jan Mortenson, Chrm.
Betty Piehowski
Ann Bendt

Counters

Isabelle Schumacher, Chrm.
Ruby Gerner
Virginia Petro

Precinct #4

Judges

Bernard Falck, Chrm.
Cathy Westling
Ruth Larson
Ralph Hanggi

Counters

Donna Fearing, Chrm.
Vivian Hjelm
Donna Turner

MSP (Neisen-Johnson) Certifying the above list of persons to be elections judges and counters.

5 Ayes

MSP (Baumgartner-Hodges) that a letter be sent to Mr. Biem indicating we would like the balance of his cash dedication and that the County is not interested in that property and we would like to close the transaction.

5 Ayes

MSP (Neisen-Pickar) To approve the licenses: General Contractors - Ashbach Construction Co., Royal Aluminum Products, Norm's Roofing; Heating - Stu Rothgeber Plbg. & Htg.; Refrigeration - Check Refrigeration Co.; Residential Kennel - David & Connie Bissonnette, Harold G. Brandt; Restaurant - McDonald's Restaurant.

5 Ayes

MSP (Neisen-Johnson) To approve the bills: General Fund Checks #8962 thru #8999, Payroll Acct. Checks #1112 thru #1113; Transfer Check #9000 transferring \$12,747.56 to the Payroll Account to pay gross pay of August 30, 1974. From General - \$9,950.38, from Water - \$1,293.53, from Sewer - \$1,503.65. Payroll Checks #1295 thru #1329. Total Disbursements \$31,408.02.

5 Ayes

COUNCILMAN JOHNSON'S REPORT

Councilman Johnson read the resignation notice submitted by Maridelle Wamhoff.

MSP (Johnson-Hodges) To accept Maridelle Wamhoff's resignation as Administrative Secretary.

5 Ayes

Mayor Neisen expressed thanks and regrets to Maridelle. He felt she was a great asset to the City and she did a tremendous job and publicly thanked her for the great job she did while she was employed by the City.

MSP (Johnson-Hodges) To advertise for Administrative Secretary.

5 Ayes

Councilman Johnson inquired about the letter we sent to various people to find out what the situation was on sidewalks.

Acting Deputy Clerk Peddycoart reported that we had received one response from the City of St. Paul Board of Water Commissioners.

Mayor Neisen read the letter which stated if a sidewalk is constructed then the following conditions should prevail: 1. The Board will not be assessed for any such improvement. 2. In the event that maintenance of the conduits requires removal or replacement of sidewalk, such cost would be the responsibility of the City of Mounds View.

Acting Deputy Clerk Peddycoart returned the petition submitted by John Bluhm at the last Council Meeting for a sidewalk along County Rd. I from Long Lake Rd. to Pinewood School. The petition did not have the required 35% signatures.

Mayor Neisen asked Engineer Bearden if any other information has come in from the County.

Mr. Bearden said 'no' but he presented a map of proposed sidewalks in a radius of one mile from the three schools. A rough figure for costs on sidewalks would run about \$214,000 or \$6.25/foot. Different things could be investigated as far as obtaining some assistance with cost. It is possible that some costs could be picked up on MSA streets from MSA funds.

Mayor Neisen said the sidewalk matter would remain tabled until we receive more information.

COUNCILMAN BAUMGARTNER'S REPORT

Councilman Baumgartner read the minutes of the Park and Recreation Meeting of August 22, 1974.

Councilman Baumgartner announced that the Planning Commission will meet this Wednesday, August 28, 1974 at 7:30 P.M.

MSP (Baumgartner-Hodges) to appoint Mr. Bob Rossman, 2504 County Rd. H2 to complete the one year term on the Planning Commission vacated by Mr. Houle. The term will expire December 31, 1974.

5 Ayes

Mayor Neisen directed the office to send letters to the applicants for the Planning Commission thanking them for applying and informing them that their applications would be kept on file in case of future openings.

COUNCILMAN PICKAR'S REPORT

Councilman Pickar reported that the regular meeting of the Lakeside Park Commission was held on the 23rd of August. Lakeside Park now has 900 feet of natural trail with a crushed lime walkway.

Councilman Pickar announced the annual Spring Lake Park celebration which will be held the 7th and 8th of September this year.

Councilman Pickar requested that the Human Rights Commission be dropped from the agenda in the future.

ATTORNEY MEYERS' REPORT

Attorney Meyers reported that the petition on 1973-4 will be presented tomorrow to the court.

The Silver Lake Property came into final agreement with attorney from Engelsma and Minor property with a price of \$95,076. They have granted \$25,000 for easements on the property and \$120,000 worth of park land.

MSP (Hodges-Johnson) To authorize the Mayor and Clerk to sign the agreement and direct the closing on the property as soon as possible.

Councilman Baumgartner asked what the boundaries were on the property. Attorney Meyers stated westerly, Silver Lake Road, middle of County Rd. H2, northerly same as Wilmus property.

A roll call vote was taken on the motion.

Pickar Aye
Baumgartner Aye
Johnson Aye
Hodges Aye
Neisen Aye

Attorney Meyers presented the final draft of the Dog Ordinance amending Chapter 91, "Animals". He noted a change under Subdivision 2, License Required, the word annual should be biannual.

Mayor Neisen gave remarks about Subdivision 13.4 pertaining to running dogs without a leash for training purposes.

Mr. Russell Paul said he would be in favor of a dog being on a leash but felt the dog catcher should have no right to go on a person's private property.

Attorney Meyers stated this provision for the dog catcher to enter private property has always been in our ordinance but it may be unconstitutional, they may have to get a warrant first.

Mayor Neisen said based on his experience in the communities of Maplewood and Roseville while campaigning for representative was that the dogs are kept well under control by their owners. If a dog did get away from his owner he was immediately retrieved.

Councilman Johnson felt Subdivision 13.4 wording of Section 4 should be changed to read for purpose of training and/or working dog.

Attorney Meyers said the dog has to be trained first before a permit to work the dog can be issue.

Councilman Baumgartner felt we should enforce our present ordinance.

Some of the residents felt under the leash law the innocent were being punished along with the guilty.

Councilman Johnson felt the ideal situation would be to have a strict leash law.

Mrs. Buckley, 7770 Greenwood Drive, said that if the special permit system was initiated one way to determine if a dog had been trained would be to ask what obedience school they have been going to.

Darcy Bosell, 2601 Ridge Lane, thought that the license fee on all male dogs should be the same as female unless they were neutered.

Motion (Johnson) Amending Chapter 91 as presented by Attorney Meyers with changes under Subdivision 2.2 insert unspayed females and "non-neutered males". Insert 'biannual' license under License Required, under Subdivision 3, Date of Payment, "25¢" per month instead of 50¢. Another change is under Subdivision 13.4, to allow owner to train and work his dog or dogs without a leash while said dog is under command of said owner or owners household.

Motion (Neisen) To adopt the ordinance as above but change Subdivision 2.2 by dropping and 'non-nuetered males'.

Councilman Pickar said he was against the leash law. He felt that 98% of persons with dogs were causing no problem it was only the other 2% that posed a problem.

A roll call vote was taken

Pickar Naye
Baumgartner Naye
Johnson Naye
Hodges Aye
Neisen Aye

Attorney Meyers presented the blanket easement for sewer, water, storm sewer and drainage purposes over Lots 73, and 74, Block 1, Red Oak Estates #3.

MSP (Hodges-Johnson) to send a letter to Mr. Harstad directing him to comply with 1. The drainage plan, 2. Landscaping Plan, 3. Park or recreation area plan.

5 Ayes

Attorney Meyers reported that in the case of Bayerkohler verses the City of Mounds View that a cross claim has been filed.

ENGINEER BEARDEN'S REPORT

MSP (Neisen-Johnson) to accept the bid tabulation for Project 1974-1 Storm Sewer Improvement for Smith Transfer and award the bid to Par-Z Contracting, Inc., in the amount of \$14,136.50 upon receipt of easements from PBK Investment.

5 Ayes

MSP (Hodges-Pickar) To set a public hearing for Water Improvement Project 1973-5 and Street Improvement 1973-6 for September 23, 1974 at 8:30 P.M.

5 Ayes

Engineer Bearden said that a few months ago there had been discussion on the culvert at Greenwood, Clearview, and Louisa Avenue. This is a 24" Culvert two to three feet long. Engineer Bearden recommended a trash guard be installed on the inlet of the culvert. The cost of this installation would be about \$120.00. Cost would go on 1972-3, 1973-2 and would be installed by City Maintenance men.

Councilman Johnson thought it would be useless to clean out the culvert until the residents in the area completed sodding of their lawns.

MSP (Neisen-Johnson) To have maintenance men install trash guard on culvert.

5 Ayes

D. Bosell said she was glad that action was taken on the culvert.

Councilman Baumgartner asked about the status of Harstad digging the drainage ditch in Red Oak Estates #3.

Engineer Bearden has tried to contact him in regard to this but no progress has been made to date.

MSP (Johnson-Hodges) To adjourn at 12:35 A.M.

5 Ayes

Respectfully submitted,

Arlene Peddycoart
Arlene Peddycoart
Clerk-Typist

Mounds View / City Council Meeting Minutes
Minnesota Historical Society

PROCEEDINGS OF THE CITY COUNCIL
CITY OF MOUNDS VIEW
COUNTY OF RAMSEY

A Special Meeting of the Mounds View City Council was called to order by Mayor Neisen at 6:43 P.M. on September 3, 1974 at the Mounds View City Hall, 2401 Highway #10, Mounds View, Minnesota 55112.

Present:

Mayor Neisen
Councilman Hodges
Councilman Baumgartner
Councilman Johnson
Councilman Pickar

Also Present:

Acting Clerk-Treas. Sandgren

Mayor Neisen explained that this meeting was called due to the mistake of bidding the electrical portion on the new municipal building addition and alterations.

Two days after awarding the bid a call was received by Kenneth Walijarvi, Architect from Tieso Electrical Contractors concerning the low bidder, Lee Electric Company. Architect Walijarvi contacted Mayor Neisen and after research it was found that Lee Electric Company was the low bidder.

Mayor Neisen read a letter received from Lee Electric Company which was picked up by Police Chief Grabowski on August 29, 1974 which stated that Lee Electric Company would extend their bid to September 24, 1974.

MSP (Neisen-Johnson) To cancel the bid of Maurie St. Martin Electric \$25,950 Base Bid, \$12,015 Alt. # E-1 Lower Level, \$3,808 Alt. # E-2 Plaza Lighting, \$160 Alt. # E-3 Lock Up Light, for a total of \$41,933 and accept the bid from Lee Electric Company \$27,600 Base Bid, \$7,495 Alt. # E-1, \$5,300 Alt. # E-2, \$0 Alt. # E-3 for a total of \$40,395.

Councilman Johnson wanted it noted in the minutes that the wrong summary of bidders was given by Architect Kenneth H. Walijarvi.

A roll call vote was taken

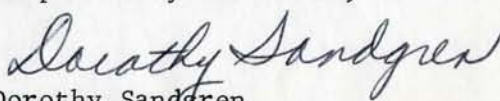
Pickar Aye
Baumgartner Aye
Johnson Aye
Hodges Aye
Neisen Aye

Mayor Neisen directed Acting Clerk-Treasurer Sandgren to send a letter to Architect Walijarvi expressing the Council's disappointment and embarrassment over this matter.

MSP (Hodges-Johnson) To adjourn at 6:47 P.M.

5 Ayes

Respectfully submitted,


Dorothy Sandgren
Acting Clerk-Treasurer

PROCEEDINGS OF THE CITY COUNCIL
CITY OF MOUNDS VIEW
RAMSEY COUNTY, MINNESOTA

A Regular Meeting of the Mounds View City Council was called to order by Mayor Neisen at 8:00 P.M., on September 9, 1974, at the Mounds View City Hall, 2401 Highway #10, Mounds View, Minnesota 55112.

Present:

Mayor Neisen
Councilman Hodges
Councilman Baumgartner
Councilman Johnson
Councilman Pickar

Also Present:

Acting Clerk-Treas. Sandgren
Attorney Meyers
Engineer Bearden

The August 26, 1974 Council Minutes should have the following corrections:
On Page 2, fourth paragraph, should be added that Mr. Mark Achen's starting salary is \$14,800 effective September 16, 1974. If he is accepted after his probationary period is over March 15, 1975 his salary would increase to \$15,500 and he would be eligible for a raise January 1, 1976. The City would pay up to \$400 toward moving expenses.

On Page 2, third paragraph, the Resolution No. should be 634 instead of No. 632.

MSP (Neisen-Hodges) To approve the minutes of August 26, 1974 as corrected 5 Ayes

MSP (Hodges-Pickar) To approve the minutes of the Special Meeting, September 3, 1974. 5 Ayes

Mayor Neisen took time out from the regular meeting to pay special honor to Julie LaVaque who did volunteer work for the City's Park and Recreation Department this past summer. Mayor Neisen said a personal thank you for the fine job she had done coaching the softball team that his two daughters had played on.

Mr. Doug Bryant, Park and Recreation Director also commended Julie on the tremendous job she has done in the Very Important Person Program demonstrating that persons of all ages can work together effectively setting a fine example as a youth leader in the community.

On behalf of the City of Mounds View, Mayor Neisen presented Julie LaVaque with a plaque commending her for outstanding volunteer work 1974 City of Mounds View Park and Recreation Department.

Mayor Neisen's Report:

Mayor Neisen read Justice C.G. V. Carlson's resignation notice effective September 1, 1974 since he is moving out of the state.

MSP (Neisen-Hodges) To accept the resignation notice of Mr. Carlson and direct the Staff to send a letter expressing the Council's feeling on the great service he has done over the past 17 years. 5 Ayes

Mayor Neisen explained that we would not be appointing another Justice to replace Mr. Carlson since the office will be abolished January 1, 1975 and Justice LaVaque will be handling the cases for the remainder of the year.

Mayor Neisen read a letter from the St. Paul Ramsey County Bicentennial directors and staff inviting residents of St. Paul and Ramsey County to the Bicentennial flag raising ceremony in Rice Park across from the Old Federal Courts Building, Thursday, September 12, at 11:45 A.M.

Relevant to the petition received from residents two weeks ago concerning the order from Anchor Inn, Mayor Neisen read a letter from Building Official Walter Skiba stating he had met twice with owner Lou Gydesen concerning the problem. Mr. Gydesen is very cooperative and is checking into suitable installations to alleviate the problem.

Mayor Neisen read Chief Grabowski's recommendation for the hours the Bel Rae Ballroom would remain open on Teen Dance nights.

MSP (Neisen-Johnson) To authorize the Bel Rae Ballroom to change the hours from 11:00 P.M. to 11:30 P.M. for a period of 60 days after which time Chief Grabowski will make his recommendation whether or not to continue these hours. If the hours continue Attorney Meyers will be directed to update the Curfew Ordinance.

5 Ayes

Mayor Neisen read a letter from Architect Kenneth Walijarvi which explains the procedure for construction of the new building. Contracts are issued in triplicate, one copy for the City, one copy for the architects file, and one copy for the contractor. All copies have been mailed to the three prime contractors for their examination and signatures. The contractors will obtain their insurance certificates and bonds, sign the contracts and mail them back for examination. When the City receives the copies, the Council and Attorney will examine them and they will be signed by proper members of the Council. Construction should begin approximately 20 days from the date of the contract. Mayor Neisen stated that two contracts had been received and forwarded to Attorney Meyers for his examination.

MSP (Hodges-Pickar) To authorize the Mayor to sign the contracts after examination and approval of the Attorney.

5 Ayes

MSP (Neisen-Baumgartner) To approve the licenses: Asphalt-Northern Asphalt Const. Inc., Buck Blacktop; Residential Kennel-Susan K. Nordstom, Our Matchmaker Kennels; General Contractor-Panel Craft.

5 Ayes

MSP (Neisen-Hodges) To approve the bills: General Fund Checks #9001 - Void, #9002 through #9056, Payroll Account Checks #1114 through #1117, Bond Account #117, Transfer Check #9057 transferring \$12,472.73 to the Payroll Account to pay gross pay of September 15, 1974. From General \$9,988.15, from Water \$1,222.74, from Sewer \$1,261.84. Payroll Checks #1330 thru #1357, Total Disbursements: \$64,788.43.

Mayor Neisen explained that Check #9005 written to him was a reimbursement for entertainment of the new Clerk-Administrator. He stated he had spent quite some time with him over the Labor Day weekend and had a party Saturday night for him when department heads, office secretaries, the New Brighton Bulletin and St. Paul paper were invited to meet him.

5 Ayes

Councilman Hodges' Report:

Councilman Hodges informed us that according to the Safety Commissions Report Minnesota had the lowest fatality record in ten years. They felt this was due to the new laws and 55 miles per hour speed limit.

Mayor Neisen read a letter from the Agricultural Extension Service informing us about a tour to be held September 10, 1974 from 4 - 7:30 P.M. in Anoka County.

Information concerning peatland activities will be pointed out. Peat soil makes up 20% of Anoka County and is currently valued about \$20,000,000. The tour is sponsored jointly by the Anoka Extension Service and the Anoka County Soil and Water Conservation District.

Mayor Neisen made special note of the statistics received from the Bureau of criminal apprehension for the year 1973. It included Arden Hills, Falcon Heights, Lauderdale, Maplewood, Mounds View, New Brighton, Roseville and Shoreview. Mounds View had a total of 1419 offenses of which 729 were cleared making a grand total of 51%. Arden Hills cleared 15%, Falcon Heights, 20%, Lauderdale 9%, Maplewood 34%, New Brighton 12%, Roseville 20%, and Shoreview 21%. Mayor Neisen felt that we, the citizens of Mounds View, should be very proud of the Police Department. He felt the department is doing a tremendous job and he publicly thanked the Police Chief, the two sergeants and the patrolmen for the excellent job they are doing.

The following names were submitted as meter readers for September and October 1974:

Jean Miller
2291 Hillview Road

Gertrude Ronning
5140 Bona Road

Ilene Syverson
8040 Red Oak Drive

Elmer Adleman
7900 Sunnyside Road

Maridelle Wamhoff
7719 Knollwood Drive

Jim Nerdahl
7941 Edgewood Drive

Bob Wamhoff
7719 Knollwood Drive

Robert Rossman
2504 County Road H2

Arlene Peddycoart
7760 Greenwood Drive

Ralph Hanggi
2475 Woodale Drive

MSP (Neisen-Hodges) To grant the meter readers 35¢ per meter plus 25¢ per call back. Councilman Johnson questioned the number of call backs. Mayor Neisen amended the motion, to be paid for a maximum of two call backs and then if they cannot get the readings to notify the City.

5 Ayes

Mayor Neisen read the letter from Construction Equipment and Service Co. Inc., requesting refund of 75% of the plumbing fees at Scotland Green Apartments because they were removed from the project and replaced by Rose Plumbing. Mayor Neisen stated the reason they were removed was because they didn't do the job properly. He felt the inspector had spent considerable time there and he recommended that the fees not be returned. He felt the work done there was much more than 25% and he requested Mr. Skiba, Building Official, to write a letter to the Council why the company was replaced by Rose Plumbing and how much extra time he had spent at Scotland Green Apartments.

MSP (Neisen-Pickar) To adopt Resolution #635 apportioning the assessments on Spring Lake Park Knolls Addition, Lot 104, Division #48607.

5 Ayes

MSP (Hodges-Baumgartner) To recess the regular meeting at 8:33 P.M.

5 Ayes

Mayor Neisen called the meeting on Dutch Elm and Oak Wilt Diseases to order at 8:34 P.M. He explained that approximately 170 letters had been sent to people with diseased trees and the purpose of the meeting was to explain the program and answer specific questions people may have. Mayor Neisen turned the meeting over to Mr. Doug Bryant, Park & Recreation Director who is in charge of the diseased tree program. Mr. Bryant introduced Mr. John Heineman and Mr. Dennis Reger who are employed for the University of Minnesota Plant Pathology Department. He explained that Mr. Zylla, former Clerk Administrator had initiated the program in June and contacted Mr. French of the University. The inspectors mad a survey in the City in late June and reported back to City Hall, July 1 when Mr. Zylla left the City for another position he turned the program over to Mr. Bryant. The Park & Recreation Department sent out letters and release forms to persons on the first survey. Of about 250 letters sent, about 70% of the forms have been returned allowing City employees to go on private property and vapam diseased trees. The inspectors have been busy vapaming the trees. The key to the success of the program is being able to check the trees as soon as one suspects they are diseased and immediately chemically treat them. Trees may be removed 20 days after being treated with vapam. The City will remove the trees and assess the property owner for the cost or the owner may remove the trees himself. We are presently working on a disposal area.

Only about 5% of the oak trees affected will have to be removed. However, we would have to comply with our nuisance ordinance if the trees were dangerous left standing. Specified oaks have to be removed by April. By next spring there would be another survey taken.

Robert Shelquist, 8025 Fairchild Avenue, asked what the purpose of vapaming the trees was. Mr. Bryant stated that by putting down a vapam barrier it kills the root grafts and prevents the disease from spreading through the root system. After 48 hours the sterilization is gone and you can replant and resod. After 20 days the tree is checked and if there are no beetles the tree (elm) can be removed. If beetles are present it has to be sprayed with penta before it is removed.

Mr. James Bergstrom, 8400 Red Oak Drive said he had vapamed some trees himself last year and wondered if he had to do it every year. Mr. Heineman answered that he didn't. However, you may have to give up healthy trees sometime to get ahead of the disease.

Mayor Neisen asked what would be done about the guy who doesn't want you on his property.

Mr. Bryant stated that ideally he would like a release form signed from every resident in Mounds View. Therefore, as soon as any trees start to wilt, the Park & Recreation Department could be notified and they in turn would notify the University and the inspectors could come out and treat the trees immediately.

Attorney Meyers stated that by the Ordinance we have a right to go on the property but the legal way may be a court injunction.

Mr. Bergstrom asked how the program is funded.

Mr. Bryant answered through the City's General Fund at the present time which includes inspectors fee, communications, postage and publishing in 1974.

The tree removal would be assessed back to the property owner over the next three years. Home owners are encouraged to remove trees themselves.

Mr. Arthur Zielinski, 8344 Groveland Road said that some of his trees were poisoned and others died. He didn't sign the release form because the trees were going anyway. He wondered if he could keep the wood and burn it, they are red oaks.

Mr. Heineman answered he could if it was burned by next spring.

Mr. Bryant stated that if any oak trees develop a mycelial mat, which is very dangerous, it has to be taken down and wrapped, burned or buried.

Mr. Zielinski wondered if the trees could be dying from a lack of water since the water table is dropping. He was told that the water table drop isn't sudden just gradual so the trees dying within the two week period were dying from some other cause.

Richard Dufault, 2924 Spring View Lane said he has a clump of three red oaks on one stump. Two trees are already dead and one is losing its leaves. He had spent a lot of money on grass and shrubs and didn't want to lose them.

Mr. Bryant stated that he could replant them temporarily and wait out the 48-72 hour waiting period. In order to control the disease some damage will be done.

Mr. Bergstrom asked if white oaks are immune. He was told they attract the disease but don't die as quickly, they are a more hardy tree.

What is a safe distance around a single tree. Answer- about 50 feet is a relatively safe distance for root grafts.

D'Arcy Bosell, 2601 Ridge Lane asked about vacant lots in the area if they are treated the same way.

Mr. Bryant mentioned a specific case where a neighbor knew the owner of the vacant lot, contacted them and got them to sign a release form. He recommended supporters for the project.

Mr. Joseph Weaver, 2613 Louisa Avenue asked about the big piece of land across Highway #10 behind Donatelles.

Mr. Reger told him some protective measure would be taken, perhaps girdle the trees.

Mr. David Leverentz, 8035 Long Lake Road asked how one single tree can get the disease. He was told the beetles are attracted by the smell of the mycelial mat and they can begin forming in the borings of the tree.

Mr. Richard Nelson, 2833 County Road H stated that both he and the neighbor signed the release forms. They want to cooperate in every way.

Mr. Bryant said that a brochure would be sent out in about a month showing how to identify the disease and information on what should be done about it.

Mr. Bergstrom asked if it is a state wide problem.

Mr. Bryant answered it was a metropolitan and state wide problem. It's wide spread in the seven county metropolitan area and also southern part of Minnesota.

Mr. Frank Gabrysh, 2832 County Road J asked what trees the City of St. Paul are planting now. Answer- it used to be elm now it's maple.

Councilman Baumgartner stated he was amazed at the outstanding memory of the men who made the presentation this evening and asked how one can identify the mat or mass.

Mr. Heineman stated it was hard to identify. You would have to chop the bark back by a hairline crack to find it. The inspectors will come back to check on it.

Mrs. Richard Huhne, 8406 Red Oak Drive said she heard if you debark the tree you can use it for the fire place. She was told if the tree is debarked it dries out so quickly the fungus doesn't have time to form a mass.

Mayor Neisen asked what is done with the bark after it is stripped off. He was told it wasn't harmful and it could be burned or thrown in the garbage.

Councilman Johnson commented that he was very impressed with the performance of the gentlemen and they were very familiar with the problems in Mounds View. He wondered if the program was going to be successful.

Mr. Bryant informed him that speed, equipment and man power was the key in dealing with and controlling the disease. He would have a proposal for the Council in a few days.

Councilman Johnson asked what the program would cost us.

Mayor Neisen commented that the State has allowed a 1 mill levy that we can assess above the levy limit to control dutch elm and oak wilt disease. It will not come out of the budget.

Mr. Bryant stated approximately \$2,900 - \$4,000 additional over and above assessed cost.

Mayor Neisen thanked Mr. Bryant, Mr. Heineman and Mr. Reger for their tremendous presentation of informing the Council and public.

MSP (Pickar-Baumgartner) To adjourn the special hearing at 9:35 P.M. 5 Ayes

Councilman Johnson's Report:

Councilman Johnson stated he had talked with Mr. Dennis Zylla on September 4, in regards to the 1975 contract demands for the Police Department. Mr. Zylla is on the negotiating committee working with the negotiator that has been hired to negotiate the salary demands of the police departments in 21 cities. A questionnaire was received asking whether we wanted to bargain jointly or consider it a local issue. Mr. Zylla informed Councilman Johnson that it would be to our advantage to bargain jointly. Councilman Johnson filed a copy with the Mn. League of Municipalities and presented a copy for the office file.

MSP (Neisen-Johnson) To officially hire Mark Achen for the position of Clerk-Administrator effective September 16, 1974 for \$14,800 as per terms extended in letter for a six month probationary period. 5 Ayes

MSP (Johnson-Hodges) To authorize the Deputy Clerk to contact the insurance carrier and file an application for a bond coverage on Mark Achen of \$50,000 and on effective date reduce Acting Clerk-Treasurer Sandgren's bond to \$5,000. 5 Ayes

MSP (Johnson-Baumgartner) To direct the Deputy Clerk to contact the Bonding Consultants and put them on notice that we are working on a bond sale for Project 1973-4, to include projects that may be also subject and Attorney Meyers to work with Bonding Consultants.

5 Ayes

Councilman Johnson noted we have received the Spring Lake Park, Blaine, Mounds View Fire Department budget for 1975. The \$174,996 budget is an increase of \$36,282 over the 1974 budget.

MSP (Neisen-Pickar) To authorize Councilman Baumgartner and Councilman Johnson to contact the City of Spring Lake Park, and the City of Blaine to set up a meeting with the Fire Chief to consider the 1975 proposed fire budget.

5 Ayes

Councilman Johnson stated that on September 3, 1974 at approximately 8:15 P.M., he contacted Keith Harstad with regards to the digging or completion of the ditch between Louisa and County Road H2. This is directly behind the townhouses and directly behind the homes located on the north side of Louisa. Councilman Johnson stated concern about the delay in completion of the ditch and some residents are concerned it wouldn't be put in this fall and there would be problems with spring flooding. Mr. Harstad stated the week of August 26 - 30th a cat was brought in but due to the peet, weather conditions and water table the cat was buried in peet. Mr. Harstad assured Councilman Johnson that the problem would be taken care of by September 15, 1974. He would bring in planks and a drag line if need be. He commented that one of his men had hand dug out the ditch and he assured him unequivocally that this hand dug ditch had alleviated any problem that might be created as a result of a down pour. He said there was positive drainage from the rear of the lot south to the judicial ditch which runs parallel to Long Lake Road.

Councilman Johnson again brought to our attention the final draft of the ordinance amending Chapter 91, "Animals" which had been discussed at great length at the August 12, 1974 meeting and again at the August 26, 1974 meeting and defeated. He suggested Subdivision 13 (4) read, The Council, upon receipt of application, the payment of a \$5.00 application fee, and mailed notice to the adjoining neighbors of the applicant may conduct a hearing to consider the granting of a special use permit to allow the owner to work his trained dog or dogs without a leash while said dog or dogs is under the voice command of said owner or member of the owner's household if it is shown that said dog or dogs are trained to respond to commands due to training. Said training shall be established by the owner by a sworn affidavit. The special use permit may be revoked by the Council, without notice if the owner violates any of the provisions of this chapter, or for other cause. Subdivision 2, line 3 should read biannual and the pro-rated fee should be 25 cents per month instead of 50 cents and 50 cents per month instead of \$1.00. Subdivision 3, second line should read biannual license.

MS (Johnson-Neisen) To adopt Ordinance #221 as submitted.

Councilman Hodges questioned the wording in Subdivision 13 (4) line three which states, may conduct a hearing. What criteria would be used. Some you may hold a hearing for some you may not. Attorney Meyers said if you want it mandatory you use "shall".

Councilman Baumgartner stated he would hate to put the Council in a position to determine who they would hold a hearing for, who they would not. He preferred the wording "shall conduct a hearing".

Commenting on the continuing sentence, may/shall conduct a hearing to consider the granting of a special use permit to allow the owner to work his trained dog or dogs etc. Councilman Baumgartner questioned how a person is to obtain a trained dog if he doesn't take his untrained dog someplace and train him.

Councilman Johnson stated that Subdivision 13 (4) is meant to try to accomodate some people who may have a problem with strictly a leash law. They would not be able to take the dog out in the field and train him. He felt if there were too many problems with this subdivision they could forget it and have strictly a leash law but he felt it should be accepted as written, strictly an accomodation.

Councilman Baumgartner felt it would be a nightmare to handle this subdivision. To train his dog he would have to fence his yard and he wasn't about to do this. He also felt you should grant a hearing to revoke a license when you have a hearing to consider granting a license.

Attorney Meyers stated he put in the special use permit, may be revoked by the Council without notice, to make it rather a summary type of proceeding. You can always give a notice if you want but you would have the authority to revoke a license without notice if need be, for instance, if a dog bites someone.

Councilman Pickar felt Subdivision 13 (4) line three whould read, may conduct a hearing. He would hate to have it mandatory to hold a hearing for each one if there should be several applications.

A roll call was taken on the motion.

Pickar Naye
Baumgartner Naye
Johnson Aye
Hodges Aye
Neisen Aye

Ordinance #221 passed.

Councilman Johnson asked Deputy Clerk Sandgren to contact our consultants doing our Comprehensive Plan to find out at what stage of completion they are at. A resident asked when the Dog Ordinance would take effect. She was informed it would have to be published twice in the newspaper first and it would be published in the next newsletter. It becomes effective as soon as it is written into law.

Councilman Baumgartner's Report:

Councilman Baumgartner asked the Attorney to read the ordinance relevant to Used Car Sales Licenses. Attorney Meyers paraphrased Ordinance #109. Councilman Baumgartner stated he had talked with Mr. Jeffrey Goetz concerning a proposed Used Car Sales License. He had supplied him with the Zoning Ordinance also Ordinance #109 and suggested he appear before the Planning Commission with the sight plans.

Councilman Baumgartner read the portion of the Planning Commission minutes of August 28, 1974 pertaining to Mr. Goetz.

Mr. Jeffery Goetz and Mr. Joseph Cox appeared with Attorney David Singer. Attorney Singer explained the proposed business would be located in the presently boarded up gas station on the N.E. corner of Highway #10 and Spring Lake Road. The zoning is B-3 and the lighting fixtures for the lot are sufficient for the business. He stated they had appeared at the Planning Commission to reach an agreement on the buffer requirements. He presented a blue print of the area and explained the details. Mr. Goetz said they were salesmen and not repairmen and the work done on cars would be to get them ready for resale only. Mr. Cox commented that they did not want to run their business like the one down the road which has caused considerable problems. If they wanted to run a repair shop they wouldn't have to consider this much of an investment.

Councilman Johnson inquired as to the definition of a late model car.

Mr. Cox stated this was hard to define. Perhaps a car that was not worn out that doesn't need alot of work. On the average not older than '69 or '70 but then again you may receive a good trade in.

Councilman Johnson stated we have had problems with the only used car lot in the City and wondered how we could make sure we have a used car lot and not a junk yard here.

Mr. Goetz stated we have their word and the license would be subject to revocation if they weren't up to standard.

Attorney Singer stated that both Mr. Cox and Mr. Goetz have established themselves independent of the used car business. Mr. Cox is a concrete finisher and Mr. Goetz is a counselor in the state hospital system. They have run a used car business in Grandy, Minnesota for the past five years.

Mr. Goetz stated they are making a considerable investment by buying the property and they wouldn't pull out in six months.

Councilman Baumgartner stated the front of the building would have to be redone so it wouldn't look like a gas station.

Councilman Johnson asked if it would be a hindrance if the permit stated they could have up to twenty cars on the lot.

Mr. Goetz stated it possibly could. He wasn't sure how many cars would fit on the lot.

Attorney Singer stated they already have the limitation of the lot size and it may be restrictive to set a number limit if one more car would come in they would be in violation of the conditions.

Councilman Johnson asked where they would get the initial inventory of cars.

Mr. Goetz replied auto auctions and through new car dealers.

Councilman Johnson asked what form of business they would take. They replied they would probably form a corporation.

When asked about parking of cars Mr. Goetz replied there would be no parking on the grass area.

Councilman Johnson asked about the drainage.

Mr. Cox replied the lot sloped and drained toward Spring Lake Road.

Councilman Johnson asked the approximate amount of investment. Answer-\$50,000 which includes some of the inventory.

Councilman Johnson inquired if the Planning Commission had checked into the background of the operators.

Councilman Baumgartner stated that was not a function of the Planning Commission but of the Administrative Office.

Mayor Neisen stated there have been no calls made to the Better Business Bureau at this time.

Councilman Baumgartner commented that the reason for fencing as stated in the Planning Commission minutes was that residential property is located across Spring Lake Road.

Mr. Shelquist commented that the Council should impress upon the operators that the Ordinance will be enforced and the operation examined at re-licensing time. They can be an asset to the community if they abide by the conditions.

Motion (Johnson) To set a special hearing on the proposed car lot for October 15, 1974 and to notify residents living in and around approximately 500-600 feet of the closest corner and direct the Staff to investigate the background of the proposed operators and Chief Grabowski to check on the individuals background.

The motion died for lack of a second.

Mr. Goetz stated there were no people living within 500 feet and couldn't see that they would bother anyone.

Councilman Johnson stated the Staff and Police Departments should investigate the gentlemen and he felt certain conditions should be imposed in the licensing agreement.

Attorney Meyers gave suggestions as to conditions that might be imposed. He suggested that the three exhibits presented tonight be marked by the Clerk and kept on file so the Council would have something to refer back to. The blue print was marked Goetz, Cox Exhibit #1, the picture schematic, Goetz, Cox Exhibit #2 and the photograph Goetz, Cox Exhibit #3. All dated 9/9/74 by the Clerk.

Councilman Johnson asked Attorney Meyers how we could control the extent of the repair to do done.

Attorney Meyers stated that auto repair is a permitted use under B-3 but it could be stated that all repairs be done in the building.

A resident who had been a member on Lakeside Park expressed concern that oil may accumulate at the storm sewer opening by Spring Lake. This had happened previously with the former business. He was told there is a holding tank on the premises and the operators stated they would be using this.

Councilman Hodges stated the former problem was corrected by the installation of the holding tank.

Councilman Johnson still questioned the definition of a late model car. By his calculations, four years.

Attorney Meyers stated it may not be a reasonable restriction to state an exact year.

D'Arcy Bosell commented that the body style of a '68 Corvette is considered a late model. She felt "late model" was an ambiguous term.

MS (Baumgartner-Pickar) To approve the used car license application for Mr. Goetz and Mr. Cox subject to satisfying the requirements of the Planning Commission minutes as of August 28, 1974, that they use existing lighting, that no flags other than areal flags be used, no outside storage of parts, no junk vehicles, no additional signs other than those approved through the City Administration, all repairs will be conducted in the building and only on those vehicles subject to resale on their lot or repair of a car that was just sold. This license is contingent upon satisfactory report from the Better Business Bureau and the Mounds View Chief of Police.

Attorney Meyers wanted the minutes to reflect that the two applicants, Mr. Goetz and Mr. Cox do agree to the terms and conditions of this license.

Motion (Johnson) To amend the original motion limiting the number of cars on the lot to 25.

The amendment died for lack of a second.

Motion (Neisen) To amend the motion that the number of cars that be allowed on the lot be such that customers do not have to park on the right of way of the road. Parking to be on the parking lot itself. Second (Hodges)

A roll call vote was taken.

Pickar	Aye
Baumgartner	Naye
Johnson	Aye
Hodges	Aye
Neisen	Aye

The amendment passed 4 to 1.

A roll call vote was taken on the original motion

Pickar	Aye
Baumgartner	Aye
Johnson	Naye
Hodges	Aye
Neisen	Aye

The motion carried 4 to 1.

Exhibit #1, #2, #3 were taken by Mr. Goetz to be duplicated and returned to the City.

Councilman Baumgartner's Report:

Councilman Baumgartner read the Planning Commission minutes of August 28, 1974. He commented that between the two motions made on Page 1 about two hours of activity had passed. They were not in proper sequence.

Councilman Baumgartner stated that the Park and Recreation Commission has not met since the last Council meeting. He announced that the City of Mounds View Park and Recreation Department 1974 Fall Activities Program, which was put together by Mr. Doug Bryant was mailed Friday. He made special note of the dog obedience course offered at the Red Oak Elementary School.

Councilman Baumgartner announced that as of September 1, Mr. Doug Bryant's six month probationary period has expired. From all reports received, his presentation of the Diseased Tree Program this evening, the example of the Fall Brochure, his activities with the Mounds View Baseball Association and other City organizations he has done an outstanding job and there has been nothing but good words said about him. He is now a member in good graces.

MSP (Neisen-Baumgartner) That the six months probationary period for Mr. Doug Bryant is over and he is now in full standing with the Company. 5 Ayes

Councilman Baumgartner asked Mr. Skiba to note in the New Brighton Bulletin that the Fall Activities Brochure has been sent out and there are many interesting and varied items for all ages.

Councilman Pickar's Report:

Councilman Pickar read a memo from Larry Decheine in regards to bids received on a two-way radio communication system and installation charges. The best price was received from Capitol Sales Co, \$2,077 for three units for the maintenance, one unit for office and one unit for Walter Skiba.

MSP (Pickar-Baumgartner) To accept the bid from Capitol Sales Company and proceed with installation of radio communication system.

5 Ayes

Councilman Pickar announced that the Lakeside Park Commission has not met since the last Council meeting.

Attorney Meyers' Report:

Attorney Meyers stated he had talked to Mr. Gydesen about the odors from Anchor Inn, and he indicated he was making every effort to check out prices and a solution to the problem. He stated he had check into Ordinances which may cover odors coming out of a restaurant which are a normal part of business. The Ordinances as stated are vague. It would be difficult to enforce by criminal action. Mr. Gydesen said he had two other restaurants in residential areas which have only $\frac{1}{2}$ the exhaust system of this one and he doesn't seem to have any problems there. He apologized through Mr. Meyers to whoever he talked with that he cut off short. He acknowledged he may have been busy and short at the time.

Attorney Meyers stated he had a long talk with Mr. Weaver about his water problem on Louisa. The water is by the back window now and he was looking for something physical to be done to alleviate the problem. He stated that perhaps if they could not get anywhere with Harstad that with the upcoming bids for storm sewer, etc. and equipment in the City, by some change order they could include some quick drag line work there. However, this may take us into September or October before it would be done. Mr. Harstad has given us a broad easement over everything for certain drainage problems and he has signed an agreement whereby we can assess. This is a possibility that may be considered if nothing else is done.

Councilman Baumgartner stated that earlier a report was made that Mr. Harstad would have the problem taken care of by September 15th. How do we see that this is done.

Attorney Meyers commented that if the City does it we would have to let it out on bids and it may not be the cheapest way. Mr. Harstad would be better off doing it himself.

Attorney Meyers reviewed the proposed contract where Metro Sewer District would like the City to sign a contract to agree to pay them, over the next 15 years, \$4636 at the rate of \$511 per year for 15 years for certain deferred charges that came about in 1971 & 1972. In 1971 there was a determination made by the Metro that there were certain deferrments of payments allowed for reserve capacity in Pigs Eye Plant. Twenty three communities had deferred payments of which Mounds View is one. They are now collecting this money to be distributed to the various communities by a formula which they have worked out. After all communities have signed their contracts or Metro has levied taxes, Mounds View would receive \$14,199.57 over 15 years plus interest. If we do not sign the agreement they will go by the authority they have and levy laxes against us to get the \$4600.

MSP (Hodges-Johnson) To authorize the Mayor and Clerk to execute the agreement between the Metropolitan Sewer Board and the City of Mounds View contract # 275 which means we will pay \$511 a year for the next 15 years and they do agree to refund to us ultimately \$14,000 plus interest accordingly over the next 15 years.

5 Ayes

Attorney Meyers turned over the original letter he received from Metro, the contract and the copy of the Metro Sewer Boards policy for the Office files.

Engineer Bearden's Report:

Engineer Bearden reported he had talked to Mr. Anklan and presently the County has no policy to participate in any cost for construction of sidewalks on what the City may initiate. This has been their past policy too. In some cases where the County has initiated it they have gone in on 25% of the cost.

Mayor Neisen stated the sidewalk plan would be approximately \$214,000. It would not be feasible to get it in for this school year. He suggested pushing the district to pick up the kids.

Councilman Baumgartner stated his wife has been attending the school board meetings and sidewalks was on the agenda at tonight's meeting. They are still considering the busing of children.

Mayor Neisen suggested we wait a couple weeks for further action.

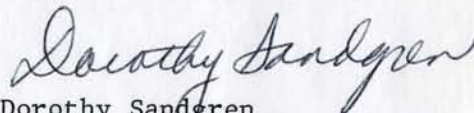
Engineer Bearden reported that the contractors are ready to go to work on Project 1974-1, Storm Sewer for Smith Transfer. The easements are not back from PBK Investments but Mr. Beim, Pres. or Mrs. Beim V.P. have been instructed to sign them so this should not be a problem.

Mayor Neisen stated they could begin work this week.

MSP (Johnson-Hodges) To adjourn at 11:35 P.M.

5 Ayes

Respectfully Submitted,



Dorothy Sandgren
Acting Clerk-Treasurer

Mounds View / City Council Meeting Minutes
Minnesota Historical Society