

ITEM D. Approve request of Mrs. Ernest Danielson to extend the deadline for filing the minor subdivision of property located at 8445 Eastwood Drive. This subdivision was approved by Council October 27, 1975, and one of the two new lots has been recorded. The applicant shall remit an additional administrative fee of \$80.00.

ITEM E. Appoint the following temporary summer recreation program personnel:

REC. INSTRUCTOR II - \$6.00/hr.

Karen Moeller

REC. INSTRUCTOR IV - \$10.00/hr.

Bill Bakken

ITEM F. Change the time of the Monday, May 2, 1977, City Council agenda session from 7:00 PM to 6:00 PM.

ITEM G. Receive the petition of Berwyn J. and Muriel A. Christensen requesting public street and utility improvements to be known as Public Improvement Project 1977-2. Declare said petition sufficient to commence public improvement proceedings under authority of Minnesota Statutes Chapter 429.

ITEM H. Approve April 25, 1977, bills for payment.

ITEM I. Approve the following licenses:

GENERAL CONSTRUCTION - new

David C. Curry
5125 E. Twin Lake Blvd.
Minneapolis, MN 55429

G & B Construction
3888 White Bear Ave.
White Bear Lake, MN 55110

Rand Construction Co.
6358 Willow Lane
Brooklyn Park, MN 55430

HOUSE MOVING - new

Dale Movers
7816 Central Ave. N.E.
Minneapolis, MN 55432

BLACKTOPPING - new

Tri-County Blacktop
19257 Martin St. N.W.
Cedar, MN 55011

MASONRY - new

Findell Cement, Inc.
7428 - Hyde Park Drive
Minneapolis, MN 55435

ITEM C on the consent agenda concerned approval of a minor subdivision request of Peter Stasz, as recommended by the Planning Commission, to create two lots from existing property located at 8044 Greenwood Drive. The north lot is to be 80 feet wide by 231 feet deep and the south lot 85 feet wide by 231 feet deep.

Councilmember Baumgartner stated that he withdrew Item C from the consent agenda as he felt that Mr. Stasz was not comfortable with the lot division as approved by the Planning Commission.

Mr. Stasz stated that he was comfortable with the lot division. The concern he had expressed at the Planning Commission meeting had been that he might end up being over the lot line, but he now feels that if it is approved as stated above, he will be well within the required setbacks. The house he intends to build on the property is 70 feet wide.

MSP (Baumgartner-Hodges) to approve, as recommended by Planning Commission (4/13/77 minutes), minor subdivision request of Peter Stasz to create two lots from existing property located at 8044 Greenwood Drive. The north lot shall be 80 feet wide by 231 feet deep and the south lot 85 feet wide by 231 feet deep. 5 ayes

PUBLIC HEARING ON RELOCATION OF TWO BEDROOM RAMBLER DIRECTLY SOUTH OF 7288 SILVER LAKE ROAD

John Mezzenga of 1461 Mississippi has requested permission from the City Council to relocate a single family dwelling from its present location at 3515 Highway 61 in White Bear Lake to the lot south of 7288 Silver Lake Road. The house is a two bedroom rambler, 26 feet wide by 44 feet long and was built in 1964.

The house has been inspected and there are no major code deficiencies. The staff recommends approval of the house relocation and recommends that the City require a minimum \$1,000 deposit to insure all minimum code requirements are met.

Mr. Mezzenga stated that the house is being relocated because the property it is presently located on is being developed. The lot he is requesting to put the home on, at 7288 Silver Lake Road, is 104 feet by 216 feet. Mr. Mezzenga has a petition with 20 signatures out of 26 which he attempted to get.

Concern was expressed by a neighbor about a possible water problem if the ditch that runs behind the property were closed. There had been a problem two years ago when the water came up in the yards along the ditch, and it was feared that the problem could occur again if the new resident closed the ditch on his property.

Mr. Mezzenga stated that he had already taken three loads of debris out of the ditch and that he planned to keep it open. It had apparently been used as a dumping ground previous to his purchase of the property, thus causing water to back up during heavy rains.

Eng. Hubbard suggested that an easement could be taken on the property to insure that the ditch was kept open. Mayor Pickar agreed that the City could retain control of the ditch and thus prevent any future problems. There has not been a water problem recently and Mr. Mezzenga reported that he had taken water tests and did not foresee any problems. He said that his basement level would be no lower than the house adjacent to the lot, that of the Lewis's.

Councilmember Baumgartner stated that if an acceptable drainage plan was agreed upon, i.e., the City taking an easement and being responsible for the ditch, he would agree to the relocation of the home.

Councilmember Rowley stated that she felt it would be advantageous to have someone living on the property since that would discourage others from dumping refuse into the ditch and thus blocking it.

Mr. Mezzenga stated that he would gladly give an easement to the City for the ditch and that he was facing a time problem in that he must move the house from its present location in White Bear Lake, or at least put it on blocks, by May 1. Mayor Pickar recommended that Mr. Mezzenga get together with the City Engineer and lay out the easement.

Atty. Meyers stated that the easement could be taken two ways, either as a City easement, whereby the City would have full responsibility for it, or as an easement running to the properties benefitting from the ditch.

MSP (Pickar-Hodges) to grant permission to Mr. Mezzenga to move the home from White Bear Lake to the lot just south of 7288 Silver Lake Road with the stipulation that Mr. Mezzenga be responsible for establishing the ditch according to the direction of the City Engineer, at which time, when the house was moved, the City would accept responsibility of the ditch, and also that the City obtain the required easement for the drainage ditch from the property owner. 5 ayes

Councilmember Rowly was concerned on the type of easement to be taken, whether it be a City easement whereby the City would be responsible, or a private easement where the resident would be responsible.

Councilmember Ziebarth stated that he would also like the City to keep the options open on what type of easement to take on the ditch.

MSP (Ziebarth-Baumgartner) to amend the previous motion to authorize the City Engineer to determine the type and kind of easement required for adequate ditch drainage. 5 ayes

PETITION REQUESTING ADDITIONAL TRAFFIC CONTROLS ON COUNTY ROAD J

Rachel Bardwell, 2932 County Rd. J, presented a petition of signatures requesting that the speed limit on County Road J be lowered to 30 mph from its present 40 mph. Mrs. Bardwell reported that a study done in 1974 revealed that 7,200 cars per day travel on County Road J, and that she feels the speed limit must be lowered to 30 mph or that two stop signs be put up on the road.

Mayor Pickar recommended that the petition be forwarded to Ramsey County since it is a county road and Mounds View does not have control over it. The cities of Blaine, Spring Lake Park, and Mounds View and Ramsey and Anoka counties all have jurisdiction over parts of this road.

Councilmember Rowley recommended to Mrs. Bardwell that the petition be presented to all the other city councils involved since there is multiple jurisdiction and there were several signatures on Mrs. Bardwell's petition from residents of cities other than Mounds View. Councilmember Rowley felt that better impact would be achieved if the different city councils were made aware of the petition.

Mrs. Bardwell asked how long it would take for the petition to go through the proper channels and to have the speed limit changed or signs put up. Admin. Achen stated that speed limit requests generally take some time for the State to handle, when it is simply a yes or no answer. Since the Council is asking for more than a yes or no, Admin. Achen felt it would take more time.

Mrs. Bardwell stated that she felt the Council was not concerned with the problem on County Road J. Mayor Pickar replied that the Council was very aware and sympathetic of the problem but that their hands were tied since they are not the lone authority, and that it is ultimately a State decision on whether to approve the requests. Mayor Pickar stated that the City could forward the petition on to the other City Councils but recommended that Mrs. Bardwell go before the different City Councils in person with her petition.

Councilmember Ziebarth also felt it would be better for Mrs. Bardwell to hand carry the petition to the other Councils for greater emphasis.

George Ingberg, 3032 County Road J, stated that he felt the exit off I-35W was the root of the whole problem. He reported that the cross streets are also suffering because drivers are taking the side streets to avoid the problem of traffic on County Road J.

Councilmember Ziebarth questioned if stop signs would increase the problem by backing up traffic. It was reported that the highway may be finished in another two years which would solve the problem.

MUNICIPAL LIABILITY INSURANCE BIDS. Admin. Achen reported that the city sent letters to 50 insurance agents and firms inviting them to participate in bidding. Complete specifications were automatically sent to 10 of those agents who currently are active in the municipal market. Three of the other agents receiving letters requested and were sent complete specifications.

Only one bid was received from Larry Donohue of Donohue-Thornton, who handles the present insurance. Gulf Insurance, who presently provides the City's comprehensive general liability, multi-peril and commercial umbrella coverages, is withdrawing from the Minnesota market. Thus, the policy for the city will be cancelled when it comes up for renewal at midnight April 30, 1977.

The existing coverage is based upon rates established in 1974. Gulf's bid from 1974 provided constant, flat rates during the entire three year policy period. However, there has been a rash of recent lawsuits against public agencies, large corporations and individuals who are wealthy. The bid received from Home Insurance Co. is for \$45,618 or nearly \$25,000 more than what was budgeted. However, Home Ins. will not provide umbrella coverage or police liability. A good number of insurance firms have lately been refusing to provide coverage in these areas due to the apparent open-ended risks.

Home Insurance's bid of \$45,618 is for the first year of a three year period. Their rates may increase for both the remaining years.

It was felt by the Councilmembers that umbrella coverage was needed in case of a lawsuit in excess of the \$300,000 maximum allowed by the State, since Atty. Meyers stated that it is possible that an award could be made in excess of the \$300,000 maximum at any time. Admin. Achen pointed out that if a City provides themselves with more than \$300,000 coverage, they are then open to lawsuits above the \$300,000. If they carried only the \$300,000 coverage, they could very possibly be sued in excess of \$300,00 and have damages awarded in excess of \$300,000.

Mr. Donohue reported that he had gone to 12 different insurance companies. Home Insurance was the only company that would bid on the policy. The insurance companies have become very reluctant to write coverage for municipalities.

Mayor Pickar asked if the insurance package that was put together for the City of Mounds View was the most economical way to go. Mr. Donohue replied that the only possible alternative would be to hire a professional insurance consultant and have him look at the various exposures the City has and draw up specifications and get companies to bid on them. The present insurance coverage was drawn from past coverage and the model League of Minnesota Cities

specifications and updated to reflect new exposures.

Mayor Pickar questioned if the \$1,000,000 umbrella coverage was really needed. Mr. Donohue said that in his judgment it is important to carry it, and questioned where the funds would come from if someone did successfully sue the City in excess of their liability coverage.

There was much general discussion on the options available and whether or not to include them. Broken glass coverage was not bid because the specifications did not list all the windows to be covered. The premium for that coverage would not be expensive. Admin. Achen stated that boiler and machinery coverage should be included.

MSP (Pickar-Baumgartner) to accept the bid of Mr. Donohue from the Donohue-Thornton Agency for basic coverage in the amount of \$45,618, with the additional options of \$500,000 public liability coverage, \$1,000,000 public official coverage and boiler and machinery coverage, and request a bid on the \$1,000,000 umbrella coverage. 5 ayes

MSP (Pickar-Ziebarth) to direct the City Administrator to investigate the possibility of hiring a professional insurance consultant to consider the possibility of a reduction in some areas for future insurance. 5 ayes

MINOR SUBDIVISION REQUEST OF GOODWIN AMUNDSON FOR 7990 SUNNYSIDE ROAD. Goodwin Amundson has requested to subdivide his lot 165 feet by 231 feet into two lots. The northerly lot is to be 85 feet by 231 feet and the southerly lot to be 80 feet by 231 feet. Mr. Amundson had surveys drawn up for an equal split. However, after consulting with the staff and his attorney, he decided to request an unequal split to obtain the yard storage of his boat.

The Planning Commission had previously been requesting that 165 foot lots be split equally. However, since the Council did not fully support that position, the Commission was reluctant to insist upon it in recent situations. The Amundson request was turned down by the Planning Commission at their April 13th meeting when a tie vote occurred and one member abstained.

MSP (Hodges-Rowley) to approve the request of the Goodwin Amundson minor subdivision for two lots, one to be 85 feet by 231 feet and the other to be 80 feet by 231 feet with a variance of five feet for the paved area. 5 ayes

Councilmember Rowley stated that she felt the Planning Commission members should be required to vote since they are there to serve a purpose. Mayor Pickar agreed that if everyone has the same information, they should all be required to vote. Atty. Meyers suggested that it could be recommended by the Chairman of the Planning Commission that no one be allowed to abstain. Councilmember Baumgartner stated he would bring it up at the next Planning Commission meeting on May 11th.

PARK AND RECREATION COMMISSION REQUEST TO EXPEND UNBUDGETED PARK AND PLAYGROUND FUND MONIES. The Park and Recreation Commission has requested to expend the unbudgeted Park and Playground Fund balance. The Commission recommends that the money not be used for acquisition of additional Silver View Park Land or for tennis court construction. During budget preparation the Council informally agreed to reserve the Park and Playground Fund balance for Silver View LAWCON Land acquisition. At that time the continuance of Revenue Sharing was uncertain.

Revenue Sharing has been continued and it is now anticipated that receipts will amount to \$52,000 in 1977. Combined with the balance available at the end of 1976, \$71,000 is available for Council appropriation.

The Park and Recreation Commission would like to make the following park improvements:

1. Greenfield Park - water line	\$8,000 est.
2. Greenfield Park - baseball field 4' wire fencing from player benches to four poles (safety purposes)	1,700 est.
3. Greenfield Park - sod baseball field infield and 30 feet into outfield	1,600 est.
4. Hillview Park - seasonal hockey boards and posts	3,000 est.
5. Woodcrest Park - culvert to widen driveway into park	1,350 est.
6. Woodcrest Park - parking lot (gravel)	550 est.
7. Two bleachers to be used as needed	1,000 est.
8. Lambert Park - set of hockey nets	220 est.
9. Hillview Park - set of hockey nets	220 est.
	<u>\$17,640 est.</u>

With the approval of this expenditures, all the items in the 1977 capital improvement program will be accomplished with the exception of the acquisition of additional land at Silver View Park. The above items were not funded in the budget but they were requested, and the money is presently in the Park and Playground Fund and cannot be used elsewhere.

Admin. Achen asked if the Maintenance Dept. would be able to complete all the above listed items by next fall. Eng. Hubbard felt there would be no problem in accomplishing this.

MSP (Ziebarth-Hodges) to expend \$17,640 from the Park and Playground Fund for the above listed items. 5 ayes

Mayor Pickar expressed concern and stated that he was not comfortable with the Park and Recreation Dept. being able to get everything that they asked for and felt that that should be taken into consideration when planning the budget for next year.

Admin. Achen stated that Council was not aware, at the time the budgets were planned, that money would be available so they were not able to budget for it. It also was not certain at that time if LAWCON funding could come through or not.

BONDING REQUIREMENTS FOR LICENSED CONTRACTORS. The staff has not yet developed an adequate alternative to the present contractors' bond requirements. Discussions with bonding agents indicate the cost of regular contractors' license bonds is about \$20 per thousand and of the more rigorous bond, such as the City of Mounds View requires, about \$50 per thousand. Due to the complexity of the issue, staff desires additional time to come up with a solution. In the meantime they recommend the current requirements continue to be enforced. Staff will have a report and recommendation on the matter prior to the beginning of the next license year, July 1, 1977.

Allen Zepper, 5255 Irondale Road, stated that he has checked into getting bonded and that he must have a CPA do a profit and loss statement for his company before he can be bonded. Mr. Zepper stated that there are several contractors coming in and doing their work and quickly leaving without getting a permit.

Admin. Achen suggested that next year certain types of contractors not be required to have bonds. He does not know how to make a favorable decision for Mr. Zepper and still be equitable to other contractors who have secured the bond. He could post cash in lieu of the bond, but he would still be required to post \$1,000.

Mr. Zepper mentioned that the City cashed his check for his license and then did not allow him to work. Admin. Achen clarified the situation by saying that Mr. Zepper does possess the license he applied for, but he has not been able to get the permits that are required before he can work in the City.

Concern was expressed by all present, but it was felt that it would not be fair under the circumstances to make an allowance for Mr. Zepper only.

NORTHWEST SUBURBAN YOUTH SERVICE BUREAU FUTURE ORGANIZATION AND FUNDING. A presentation was made last week by the Northwest Suburban Youth Service Bureau and there was discussion at that time of the funding of the Youth Service Bureau. They are looking for an answer as to a support/non-support position from the Council.

Mayor Pickar stated that he believes the Bureau is doing a lot of things for the amount of money that they have to operate with.

Councilmember Ziebarth stated that he felt that as long as the Bureau does not duplicate other agencies' efforts it is a very worthwhile organization. It is a necessity from the school district's point of view.

Councilmember Hodges felt that there was no one else to provide the service of the Youth Service Bureau and felt that it is a very good program and should be supported in the future.

Councilmember Baumgartner felt it also was a worthwhile organization.

Councilmember Rowley also felt it was a good organization but stated she would like to see them pursue the 10 to 20 percent area of funding to see where it will come from, specifically school districts and user fee schedules.

ADMINISTRATOR ACHEN'S REPORT

Admin. Achen reported that Boy Scout Troop 415 has requested permission to use the city facilities for a car wash. Such use does not appear to present any special problems. The maintenance garage could be used and the restrooms made available without providing access to the garage. Notice could be put on the city sign. It would be cold water only that would be available for the Scouts' use.

Councilmember Baumgartner asked if it would be necessary to have any maintenance personnel available. Admin. Achen said no, that the key could be given to the troop leader for the restrooms.

There was general discussion as to if allowing the Boy Scouts to use the garage facilities for their car wash and use the city sign would set a precedence. It was decided to face this problem when it arises.

MSP (Ziebarth-Hodges) to allow Boy Scouts Troop 415 to use the city facilities for their car wash, including maintenance garage restrooms, and to allow notice to be put on the city sign, for Saturday, May 14, from 10:00 AM to 5:00 PM.

Mayor Pickar received a letter from Mrs. Felicia Linnell regarding the appointment of her and her husband to the Human Rights Commission. Apparently there was a misunderstanding and the Linnell's did not want to serve. They were simply trying to help the City find a senior citizen to appoint.

MSP (Pickar-Rowley) to appoint Louise Nerdahl as representative to the Human Rights Commission and that Floyd Linnell be removed as representative to the HRC and that Felicia Linnell be removed as alternate to the HRC.

Admin. Achen reported on a request received from GARY MARTINSON to MOVE A GARAGE FROM 2106 MADISON STREET N.E. TO 5302 JACKSON. Staff does not see a problem with this request but there is a timing problem. He recommended a public hearing be set for the next Council meeting.

MSP (Baumgartner-Rowley) to set a public hearing for the May 9, 1977, City Council meeting, at 7:50 PM on the request of Gary Martinson to move a garage from 2106 Madison Street N.E. to 5302 Jackson.

Admin. Achen received a call from the Finance Director of Mounds View School District 621 who complained about the letter that Admin. Achen had sent out concerning property taxes. He apparently did not like the way the tax increase was explained. The School District is proud of the fact it held its levy increase in 1977 to only 7.4% above the 1976 levy. Councilmember Ziebarth pointed out the school district has their own newspaper to present their version of the issue.

ATTORNEY MEYERS REPORT. Atty. Meyers reported that there are presently two cases coming up for trial -- Fuller vs. Mounds View with a trial date of May 17 and Sundae vs. Mounds View with a pretrial date of June 6 and a trial date of June 13.

The Council had set a hearing for the intoxicating liquor license of Al Hartinger dba LAUNCHING PAD for May 9, 1977. Mayor Pickar stated that a letter should go out with the notification that a hearing would be held in time to meet the deadline for renewal of licenses on July 1, 1977.

MSP (Pickar-Baumgartner) that the public hearing previously set for May 9th be rescheduled for May 23, with letters going out to individuals or organizations this week, notifying them of the time limits required to renew a liquor license. 5 ayes

Admin. Achen asked if the agenda session for May 9 should still be held at 6:00. Councilmember Ziebarth stated that he felt it was not necessary until the Council received a response back from the Launching Pad.

MSP (Pickar-Ziebarth) that the agenda session Monday, May 2, previously scheduled for 6:00 pm be held at 7:00 pm, regular time. 5 ayes

ENGINEER HUBBARD'S REPORT. He questioned how the Mounds View Square assessment was coming. There was no further information available on it.

COUNCILMEMBER ZIEBARTH chose not to make any report due to the lateness of the hour.

COUNCILMEMBER HODGES reported that he had written a letter and succeeded in getting the Spring Lake pump turned on and the pump house painted. He also reported that the Spring Clean-up went well.

COUNCILMEMBER BAUMGARTNER reported that Rent-All Service, located at Highway 10 and Co. Rd. H had requested additional space for development. The Planning Commission approved the request. Staff is to prepare a development agreement before the matter is considered by Council.

The Planning Commission discussed the task force and reviewed the guidelines submitted by Staff and made some comments.

The subject of the division of 165' lots was brought up, and Councilmember Baumgartner reported that he did not recall that it was in the old zoning code. Admin. Achen stated he believed it was. Mayor Pickar felt that it was not cut and dried.

The Planning Commission recommended that the Council request that the City of Spring Lake Park inform Mounds View of any development of Spring Lake as it pertains to environmental impact, in the lake's entire marsh/swamp watershed.

Atty. Meyers suggested that Council should request Spring Lake Park to request the developer of the property to provide an environmental assessment..

MSP (Baumgartner-Ziebarth) that the Mounds View City Council respectfully request the City of Spring Lake Park to inform the City of Mounds View of any contemplated development of the northwest area of Spring Lake and that Spring Lake Park request the developer to submit an environmental assessment of any said development as it pertains to the lake and the entire marsh/swamp area.

5 ayes

Councilmember Baumgartner reported that the Ramsey County League meetings were very interesting and he highly recommended them to the other Councilmembers.

COUNCILMEMBER ROWLEY reported that Bruce Madsen had verbally resigned from the Lakeside Park Commission. She asked him for a letter of resignation but had not received one as yet. The Council agreed that he should submit a written letter.

Councilmember Rowley also reported that a letter had been sent to the Mounds View Maintenance Superintendent requesting repair of the faucet at Lakeside Park.

Mark Price has been hired as a maintenance person for the summer.

Councilmember Rowley mentioned the condition of the staff kitchen and suggested that everyone who uses it do their share to keep it clean.

MAYOR PICKAR asked if the Planning Commission had reached any decision yet on the parking of recreational vehicles. Councilmember Baumgartner replied that it will be put on the agenda for the next Planning Commission meeting.

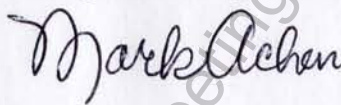
Mayor Pickar inquired if there had been a recap of the costs yet for the City Clean-up. There was not a final cost estimate as yet but it was reported that the proceeds amounted to \$403.60. Councilmember Ziebarth asked if there was a permanent file established on Spring Clean-up. Councilmember Hodges replied that he presently had the file. Admin. Achen requested that all bills and proceeds from the Clean-up be turned over to him for proper disposition.

Councilmember Baumgartner recommended that the task force guidelines be sent to the Park Board and any other group that might want to use them.

MSP (Baumgartner-Ziebarth) to adjourn at 12:10 PM.

5 ayes

Respectfully submitted,



Mark Achen
Clerk-Administrator

Mounds View / City Council Meeting Minutes
Minnesota Historical Society