

MSP (Pickar-Hodges) to adopt Ordinance #264, amending municipal code chapter 6.32 subdivision 4 entitled Personnel, Compensation, Overtime Pay.

5 ayes

MSP (Ziebarth-Rowley) to authorize City Administrator to implement 4 day work week for administrative clerical staff on a trial basis beginning on June 6 and ending August 26, with the authorization given to the City Administrator to terminate the program at his discretion.

5 ayes

ADMINISTRATOR ACHEN'S REPORT

Administrator Achen reported that the June 6th agenda session conflicts with high school graduation ceremonies.

MSP (Pickar-Rowley) to cancel agenda meeting scheduled for June 6 and reschedule agenda meeting for 6:30 PM on June 13.

5 ayes

Administrator Achen requested that councilmembers inform him of their vacation plans for the summer so that he may keep track of who will be out of town when.

ATTORNEY MEYER'S REPORT

Attorney Meyers reported that Sunday versus Mounds View will have a preliminary hearing on June 6 and the City is not involved in the lawsuit except if a judgement is ruled against the policeman involved. Attorney Meyers did not recommend that the City make any offer. The jury trial is set for June 13.

ENGINEER HUBBARD'S REPORT

Engineer Hubbard had no report.

COUNCILMEMBER HODGES REPORT

Councilmember Hodges reported that he had received a letter from a resident of County Road J, inviting him to come out and listen to the noise and watch the traffic on J.

COUNCILMEMBER BAUMGARTNER'S REPORT

Councilmember Baumgartner had no report.

COUNCILMEMBER ROWLEY'S REPORT

Councilmember Rowley had no report.

COUNCILMEMBER ZIEBARTH'S REPORT

Councilmember Ziebarth reported that the Metro Advisory Committee is looking at the system statements and will send a plan back and look at those which concern the City, i.e., the airport.

MAYOR PICKAR'S REPORT

Mayor Pickar had no report.

MSP (Baumgartner-Ziebarth) to adjourn the meeting at 11:50 PM.

5 ayes

Respectfully submitted,



Mark Achen  
Clerk-Administrator

Mounds View / City Council Meeting Minutes  
Minnesota Historical Society



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 Pickar at 7:30 PM on June 13, 1977 at the Mounds View City Hall, 2401 Highway 10, Mounds View, Minnesota 55112.

Members Present:

Mayor Pickar  
Councilmember Rowley  
Councilmember Ziebarth  
Councilmember Hodges

Also Present:

Clerk-Administrator Achen  
Attorney Meyers  
Engineer Hubbard

Mayor Pickar mentioned that Councilmember Baumgartner was absent on vacation.

MSP (Hodges-Ziebarth) to approve the minutes of the May 23, 1977 regular meeting.

4 ayes

CITIZEN COMMENTS AND REQUESTS

Rachel Bardwell, 2932 County Road J, presented a letter she had received from the Minnesota Department of Transportation in reply to her request for cutting off the new TH 10 access between 35W and County Road J.

Mrs. Bardwell reported that she had spoken to the Governor concerning the heavy traffic on County Road J, and that he was not aware of the situation and would be getting back to her on it.

Mn/DOT told Mrs. Bardwell the new TH 10 spur is a state aid route in Ramsey County and Anoka County, as well as a federal aid urban route on the federal system. Both of the county boards would have to concur in closing the access, as well as the affected cities, which are Blaine, Spring Lake Park and Mounds View.

Mrs. Bardwell made requests to the councils of Blaine and Spring Lake Park, but neither took action. Spring Lake Park is waiting to see what action Mounds View and Blaine take before acting on the request.

Jackie Willprecht, 8398 Groveland Road, expressed concern over the heavy traffic on County Road J, stating it had taken her 10 minutes to get onto J that evening.

Dell Ford, 8378 Groveland, also expressed concern over the heavy traffic and wondered how long the road would hold up.

Mayor Pickar expressed his concern over the heavy traffic flow on County Road J but questioned where the traffic would go if it were kept off J. He felt that it would just filter down through the residential streets, and therefore just move the problem from one street to another.

Councilmember Rowley stated that she would be comfortable with stop signs on J



but did not feel that the new TH 10 access should be cut off to the road.

Councilmember Ziebarth stated that he would like to talk to the City of Blaine to get their input into the situation, and that he did not feel that closing the TH 10 spur would solve the problem. He felt that stop signs would slow the traffic down and help to alleviate the problems, but that no solution would actually occur until the new TH 10 freeway was completed to TH 47.

Councilmember Ziebarth stated that old Highway 10 already is getting overcrowded and that closing off J would just move the traffic problem from one road to another. However, if stop signs were put up on County Road J, that should eliminate the heavy truck traffic as the drivers would not want to stop and they could go down old Hwy 10 and time the lights.

Councilmember Hodges also agreed that stop signs would be beneficial and the best solution to the present problem.

Mayor Pickar stated he felt the request for closing the new TH 10 spur was premature, but that he would agree with stop signs.

MSP (Pickar-Ziebarth) to direct the City Clerk to compose a letter to Ramsey County asking for temporary stop signs to be installed on County Road J at its intersections with Red Oak Drive and Spring Lake Road, with citizen input to follow on the success of the stop signs. 4 Ayes

APPROVAL OF THE CONSENT AGENDA

MSP (Ziebarth-Rowley) to approve the consent agenda as follows: 4 Ayes

ITEM A. Approve the following licenses:

CONTRACTORS - expire 6/30/77

Sign - renewal

Nordquist Sign Company  
312 Lake Street W  
Minneapolis, MN 55408

Asphalt - new

C W Holm Company  
814 North 62nd Avenue  
Brooklyn Center, MN 55430

General - new

Greenkeeper Lawn Co (sprinklers)  
11 South 18th Avenue  
Hopkins, MN 55343

Quality Builders (remodeling)  
8774 Jefferson Street NE  
Blaine, MN 55343

Solmica Midwest, Inc  
1053 N Dale Street  
St Paul, MN 55113

Masonry - new

G C Avery Construction  
1120 California Avenue W  
St Paul, MN 55108

Waterproofing - new

General Basement Waterproofing  
44 South Seventh Street #1421  
Minneapolis, MN 55402

Excavating - new

Hayes Contractors, Inc  
Metro Sewer & Water Division  
1010 Currie Avenue  
Minneapolis, MN 55403

Miller Excavating  
14027 Crosstown Blvd NW  
Andover, MN 55303



RESTAURANTS - renewals - expire 6/30/77

Anchor Inn  
2400 County Rd H-2  
Mounds View, MN 55112

Country Kitchen  
2145 Highway Ave.  
Mounds View, MN 55112

McDonald's  
2201 Highway 10  
Mounds View, MN 55112

Perkins Cake & Steak  
2214 Highway 10  
Mounds View, MN 55112

Bridgemans  
2535 Highway 10  
Mounds View, MN 55432

Donatelle's Inc.  
2400 Highway 10  
Mounds View, MN 55112

Mermaid Cocktail Lounge, Inc.  
2200 Highway 10  
Mounds View, MN 55112

SUNDAY ON-SALE INTOXICATING LIQUOR - renewals - expire 6/30/77

Anchor Inn  
2400 County Rd. H-2  
Mounds View, MN 55112

Mermaid Cocktail Lounge  
2200 Highway 10  
Mounds View, MN 55112

Donatelle's Inc.  
2400 Highway 10  
Mounds View, MN 55112

ITEM B. Set public hearing for 7:40 PM, June 27, 1977, on Albert J. Hartinger (dba Launching Pad Supper Club) application to renew on-sale intoxicating liquor license.

ITEM C. Set public hearing for 8:30 PM, June 27, 1977, on plans and specifications for noise barriers along Interstate Highway 35-w.

ITEM D. Appoint the following summer personnel:

Parks Dept.

Tom Ordahl	Forestry maintenance	\$3.00/hr.
Scott Richard	Groundskeeper	2.30/hr. (CETA)
Phillip Marincell	Groundskeeper	2.30/hr. (CETA)

Administration Dept.

Renae Fodness	Clerk-typist	2.30/hr. (CETA)
Tim Walters	Administrative Aide	2.60/hr.* (CETA)

\*\$2.30/hr. Ceta funding, \$.30/hr. City funding)

ITEM E. Appoint Police Chief Ernest Grabowski as the City of Mounds View's official reimbursement applicant for the Minnesota Police Officers Training Board.

ITEM F. Adopt Resolution No. 835 approving the Rindahl Addition final plat which meets the terms and conditions established April 11, 1977, by the City Council in approval of the preliminary plat.



ITEM G. Authorize the following budgeted pay increases for part-time/ temporary personnel:

	<u>position</u>	<u>date hired</u>	<u>current rate</u>	<u>new rate</u>	<u>effective date</u>
Bill Jenson	Engineering Aide	10/4/76	\$2.50	\$2.75	6/14/77
Lauren Maker	Housing Inspector	7/28/76	3.50	3.75	7/1/77

ITEM H. Adopt Resolution Nos. 836-837 reapportioning assessments for the following subdivisions respectively: Moe Homestead Addition, major subdivision request of Norbert D. Moe; Harvey W. Melby minor subdivision of 8371 Eastwood Drive.

ITEM I. Approve June 13, 1977, bills for payment.

RESIDENTIAL DEVELOPMENTS

Mayor Pickar opened the public hearing on the Groveland Terrace preliminary plat.

Mr. K. Harstad has submitted a preliminary plat for approval of 14 lots fronting both Groveland Street and Fairchild Avenue with a cul-de-sac entering the property from the west off Groveland. All lots conform to code area requirements, but two of the lots are 2 to 3 feet short of frontage requirements, which would require a variance. Services for the lots fronting Groveland and Fairchild are available and the service improvements for the five interior lots for the cul-de-sac need to be petitioned for.

The Planning Commission voted 6 to 2 to approve the request of Mr. Harstad for a major subdivision as presented in his plat, allowing a variance on lots 3 and 12.

Mr. Harstad reported that the smallest lot in the development would be 11,000 square feet, while the largest would be 17,200 feet. He also stated that all utilities would be put underground for the cul-de-sac and that he had checked with NSP and Northwestern Bell to confirm this.

Dell Ford, 8378 Groveland, expressed concern that there would be a great amount of traffic coming from the five homes on the cul-de-sac, which is directly in front of his home.

Bruce Zakeski, 8425 Fairchild, asked Mr. Harstad what type of homes he intended to put in the area. Mr. Harstad replied that they would all be single family homes, in the \$60,000 and up price range

Jackie Willprecht expressed concern that there would be a heavy increase in traffic and that she did not want the cul-de-sac because of the traffic hazard to her children.

Dell Ford stated that he had approached the City Council approximately a year earlier regarding subdividing his lot, but was told everything had to stay in a straight line.



Mayor Pickar pointed out that the lots are within the square footage limits and the City cannot dictate how a property owner should use his property.

Attorney Meyer stated that the Council must find an undue hardship to the property owner in order to grant a variance.

Councilmember Rowley stated that she did not feel the issue presented an undue hardship to Mr Harstad, and that she would like to have letters from NSP and Northwestern Bell stating that they did intend to put in underground utilities.

Mr Harstad stated that he was applying for the variance on the two lots so that he could develop 14 lots, rather than 13 larger lots, due to the economics of the situation. He stated that the cost of the cul-de-sac could not be justified with only 13 lots.

Councilmember Ziebarth questioned Lot #10, regarding the size and if it would need a variance also. Administrator Achen explained that a staff error had been made earlier in measuring the depth of Lot 10, and that it did fit the requirements.

Engineer Hubbard pointed out that the plat he was looking at did not seem to be accurate in it's scale versus indicated lot measurements. However, in checking further, the lots appear to be bigger than what is indicated, rather than smaller. Mr Harstad pointed out that the plat was a preliminary one and therefore was not 100% accurate and the surveyor normally draws the lots smaller on the preliminary than they actually are.

Councilmember Hodges stated that he had looked at a development Mr Harstad had built previously, on a cul-de-sac, and he felt the homes were very attractive and an asset to the neighborhood.

Mr Harstad stated that the cul-de-sac was planned to come out on Groveland rather than Fairchild because more trees could be saved that way.

Mayor Pickar closed the public hearing.

MSP (Hodges-Ziebarth) to approve request of Mr Harstad, 8400 Groveland, for a major subdivision as presented on the April 14, 1977 plat allowing for variances on Lots 3 and 12, Lot 3 requiring a 5' variance and Lot 12 a 5' frontage variance; and that Mr Harstad get in writing the agreement with NSP and Northwestern Bell that all utilities will be underground.

A rollcall vote was taken:

Councilmember Rowley - nay	
Councilmember Ziebarth - aye	
Councilmember Hodges - aye	3 ayes
Mayor Pickar - aye	1 nay

Councilmember Rowley stated her nay was based on the fact that she felt there was no undue hardship to the property and therefore no reason to grant any variances.

#### SUBDIVISION/PUBLIC IMPROVEMENT ALTERNATIVES - KNOLLWOOD PARK ADDITION

Administrator Achen reported that this item was placed on the agenda due to a previous request from a citizen that he be allowed to subdivide his property in the area in question. The Council denied his subdivision request at that time and recommended polling the residents of the area to get their feelings on subdividing their property and putting in further roadways, and to determine whether there is sufficient interest for Council to pursue the matter further.



Administrator Achen presented four possibilities that the Staff had drawn up for subdividing the area and putting roads through. The proposals varied from providing 26 lots to 45 lots in the area, taking into consideration a holding pond and park area, and assessments ranged from \$8,665 to \$9,870 per lot.

Ted Martin, 3000 County Road H2, asked if there had been any feasibility studies done on developing the area as he felt there was too much peat in the area to build on. Administrator Achen replied that there had not, that this meeting was being held to first determine if there was any interest in the development, before going into it further.

Engineer Hubbard stated that the assessment figure was a rough figure, but that the Engineering Department felt that the assessment figures were high, so as not to provide any surprises if the development were to occur and problems were run into.

Earl Staurseth, 2908 County Road H2, stated that he had been assessed at one time for his water and sewer and did not want to face another assessment again on the same property.

At Councilmember Rowley's request a poll was taken of the residents present at the Council meeting and 11 were against any development in the area, 2 were interested and 2 were indifferent, with 10 families not represented.

Mayor Pickar stated since the majority of the residents were not interested in any development, the issue would be tabled. He also reminded the citizens that they did not have to worry about the City deciding at a later date to go in and develop the area, since that area was their's and the decision to develop would have to be their's.

#### COMMERCIAL/MIXED DEVELOPMENTS - ST. PAUL RENT-ALL

MSP (Hodges-Rowley) adopt Resolution No 838 authorizing Mayor Pickar and Adm Achen to enter into the contract with St Paul Rent-All, Inc upon receipt of the corrected contract from Rent-All, or any other conditions that the City Attorney deemed necessary. 4 ayes

#### COMMERCIAL/MIXED DEVELOPMENTS - GUSTAFSON OFFICE BUILDING

Mr. Gustafson has requested approval of a plot plan and development proposal for an office building development (B-1) at 7664 Greenfield Avenue. The proposal as presented would require variances of parking and setback requirements.

Mr. Gustafson has requested Council's reaction to the sketch plan concept before proceeding with detailed drawings. He indicated that the building would be similar to the real estate office located at the southwest corner of 85th Avenue NE and Old Central Avenue in Fridley.

The Planning Commission gave variance of required parking in order to obtain wider "green" space between parking lot and street. The change effectively increases the "green" space between the street and parking lots by the width of the boulevard.



The proposed office building could be used as a sales office for the neighboring townhouse development under consideration. It could include barber and beauty shops, dental office, laundromat, numerous types of retail stores, etc. It will contain approximately 3,712 square feet of floor space. The Staff has recommended that particular attention be given to parking provisions to avoid excessive street parking.

Councilmember Ziebarth stated that he was uncomfortable with the number of parking places planned, 16 rather than the required 22. However, he did not see any problem in the zoning change, from B-4 to B-1.

Councilmember Hodges suggested that Mr. Gustafson check into the possibility of using some of the parking spaces in the lot next door to his proposed office building, thus avoiding parking on the street.

Mayor Pickar stated that the Council should address themselves to rezoning the area from B-4 to B-1 and take into consideration the Comprehensive Plan, which has proposed a residential medium density use, R-3.

Councilmember Rowley stated that she felt there was no problem in rezoning the area B-1 but that she was concerned with the parking situation, and that she would prefer foregoing the 15 foot green space and having 20 parking spaces.

MSP (Pickar-Ziebarth) to grant a variance to Mr. Gustafson for the property at 7664 Greenfield for 20 parking spaces rather than 22, and approve in principle the preliminary plot plan and set a public hearing for July 11, 1977 at 8:00 PM for rezoning the property from B-4 to B-1, with a conditional use permit for the office building.

4 eyes

#### COMMERCIAL/MIXED DEVELOPMENTS - NORTHCREST PARK PUD

Administrator Achen read the letter he had received from Mn/DOT in reply to his letter requesting a signalized interchange on TH 10 between County Road H and County Road H2. The letter stated that the median opening and signal were not possible under present conditions, and informal discussions with Mn/DOT have indicated they will strongly resist such an intersection until new TH 10 is completed in 1983.

Adm Achen stated the technical problems of synchronizing traffic signals on TH 10 is the real problem. Mn/DOT strongly feels traffic must be able to flow smoothly as long as the vehicle load is so heavy. Their experience indicates an increased risk of accidents when adequate synchronization is not provided on such heavy use roadways.

The Staff has recommended that full development of the Northcrest Park plan should include the intersection. However, it may be possible to stage development using only right turn access to TH 10 until new TH 10 is completed.

The Staff has also recommended that Council at least insist upon Mn/DOT's commitment to the signalized intersection upon completion of new TH 10. It appears that the old TH 10 overlay project may not be the right lever to use with Mn/DOT.



Administrator Achen reported that the Council had three options open to them, to stick to their guns and not approve the overlay until the interchange is okayed, or to drop the issue of approving the overlay but continue to discuss the interchange with Mn/DOT, or approve the overlay project with a compromise condition, to get Mn/DOT to approve the interchange when new TH 10 is put in.

Mn/DOT will be opening the bids for the overlay project on June 24, and Administrator Achen suggested that the Council could hold a special meeting the night of June 22 and request the State send a representative to the meeting to discuss the interchange and work out an agreement.

Attorney Meyers stated he felt the City had a good lever to use with Mn/DOT and that he did not feel Mn/DOT could bypass the City without it's approval of the overlay project.

MSP (Rowley-Ziebarth) to hold a special meeting the night of June 22 at 7:00 PM and that Mn/DOT be directed to study the issue and have the results of that study presented to the Council that evening.

4 ayes

#### CONTRACTORS LICENSE BONDS - ORDINANCE

Administ. Achen presented a survey of other cities' licensing and bonding requirements. Mounds View's current bonding requirement creates two problems in that the administration and enforcement are very time consuming and the costs to contractors are greater than in most communities.

The bonding requirement serves as an enforcement threat but the City has actually never collected on a bond. The City Attorney has advised that for smaller bonds the cost of collecting may exceed the amount collected and that the collection process can be lengthy. He indicated that a cash deposit is much more effective because the City holds the money.

Complete elimination of the bonding requirement seems to be the best solution. The legal costs required to enforce code or ordinance requirements is probably less than the combined costs of contractor bond costs which are undoubtedly passed on to the consumer, the City's cost to annually administer the bonding provisions, and the City's costs to collect on such bonds. In addition, the City's rather comprehensive licensing requirements provides an enforcement tool.

Adm Achen stated if complete elimination seems too extreme, a standard contractor's bond of \$2,000 could be maintained as a nominal enforcement tool. Such a bond will cost most contractors only \$40-50 and does not require elaborate financial statements.

Mr. Harstad stated that as a contractor he was well aware of the bonding problems and that while they serve as a nuisance to large contractors, the bond often prevents the smaller contractors from working. They cannot get bonded, or afford to meet the bonding requirements.

MSP (Ziebarth-Rowley) to adopt Ordinance #265, repealing Chapter 60.02 of the Mounds View Municipal Code, Subdivision 10, requiring bonding.

4 ayes



BONA ROAD DEVELOPMENT

Mr Harstad requested the Council again look into the issue of development of Bona Rd between County Road I and Hillview, specifically Greenfield Plat 3. He stated that it is his intention to build only split entries in the area, which would not experience any water problems. All basement elevations would be higher than the existing house on Lot 5, which is the lowest on Bona Road.

Mayor Pickar stated that development would increase drainage problems for the other residents already located in the area. Mr Harstad replied that it was his experience that the more buildings that were put on property, the more the water table drops, not rises. He stated that if there would be a problem then storm sewers should be put in.

Mr Harstad reminded the Council that he is paying taxes on improved lots, but he cannot build on them, and that he has been waiting for two years for the approval to build.

Councilmember Rowley recommended that Mr Harstad be put on the agenda of a future Council meeting, allowing the Staff time to gather information of this issue.

Mr Harstad stated he would like to sit down with Bannister-Short and a representative from the City of Mounds View to work out the problem.

MSP (Rowley-Ziebarth) to table discussion on the Bona Road development until the June 27 Council meeting, and the Staff and Mr Harstad prepare the necessary information before that meeting. 4 Ayes

SALE OF POP BY MESSIAH LUTHERAN CHURCH SOFTBALL TEAM - TRANSIENT MERCHANT LICENSE

Administrator Achen reported that he had received a request from Lyle Groth of the Messiah Lutheran softball team for removal of the fee of \$25 for selling soft drinks at their softball games. He stated that they did not believe the proceeds from the sale would amount to \$25, that the pop would be sold for the players convenience, and that any proceeds would be donated to a ladies softball team for next year.

MSP (Pickar-Ziebarth) to issue a transient merchants license and waive the fee of \$25 for the Messiah Lutheran Church softball team for selling soft drinks on June 25 & 26, 1977.

COMSTOCK AND DAVIS CONSULTANTS - ENGINEERING SERVICES AGREEMENT

Engineer Hubbard reported that he has reached agreement with Comstock and Davis on a contract for engineering services. The contract is identical to that made with Banister - Short except Comstock and Davis does not want payment for projects under \$40,000 to be based upon a percentage of the project cost.

Engineer Hubbard recommended that the contract be signed with the stipulation that the fee for jobs under \$40,000 be negotiated.

MSP (Ziebarth-Pickar) to authorize execution of a contract with Comstock and Davis for their engineering services, with the details to be worked out by the City Administrator and Engineer concerning negotiating the fee for jobs under \$40,000.



ADMINISTRATOR ACHEN'S REPORT

Administrator Achen recommended the Council authorize City participation in 1978 joint police contract negotiations, represented by the Metropolitan Area Management Association (MAMA), with Teamsters Local No 320.

MSP (Pickar-Rowley) to authorize City participation in 1978 joint police contract negotiations, represented by the Metropolitan Area Management Association.

Administrator Achen reported that copies of the United States Jaycees handbook on parliamentary procedures was issued to City Council members and Planning Commission members.

MSP (Ziebarth-Hodges) to schedule hearing for July 11, 1977 at 8:20 PM on the Singer rezoning and conditional use permit for a recuperative home. 4 Ayes

Administrator Achen reported that one additional recreation person was being hired, Randy Perralt.

MSP (Hodges-Ziebarth) to approve hiring of Randy Perralt as a Rec Attendant II at \$2.30 per hour effective June 6, 1977. 4 Ayes

ATTORNEY MEYERS' REPORT

Attorney Meyers had no report.

ENGINEER HUBBARD'S REPORT

Engineer Hubbard reported that \$2,260 was netted from the surplus equipment sale on June 11, 1977.

COUNCILMEMBER ROWLEY'S REPORT

Councilmember Rowley had no report.

COUNCILMEMBER ZIEBARTH'S REPORT

Councilmember Ziebarth stated he felt meal costs were rather high at the Rochester League of Minnesota Cities convention, and that he thought that feeling should be conveyed to the LMC Board of Directors.

COUNCILMEMBER HODGES' REPORT

Councilmember Hodges had no report.

MAYOR PICKAR'S REPORT

Mayor Pickar reported that Mounds View is eligible to apply for a 10 percent budget levy limitation base extension.

MSP (Ziebarth-Rowley) to adjourn the meeting at 12:20 AM.

4 Ayes

Respectfully submitted,

*Mark Achen*

Mark Achen  
Clerk-Administrator



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

A special meeting of the Mounds View City Council was called to order by Mayor Pickar at 7:30 PM on June 20, 1977 at the Mounds View City Hall, 2401 Highway 10, Mounds View, Minnesota 55112.

Members Present:

Mayor Pickar  
Councilmember Baumgartner  
Councilmember Hodges  
Councilmember Ziebarth  
Councilmember Rowley

Also Present:

Clerk-Administrator Achen

OPENING OF PROJECT 1977-2 AND 3 BIDS

Administrator Achen reported that four bids had been received for the projects, ranging from a low of \$42,651 to a high of \$57,364.44. The low bidder was Alexander Construction Co., Inc. of Apple Valley.

Project 1977-2 includes the street and utility service improvements necessary to develop the Berwyn Addition plat on Bona Road between County Road H and Woodcrest Drive.

Project 1977-3 includes extension of a six inch watermain from Knoll Drive to the interior of Greenfield Park where a fire hydrant will be installed for ice rink flooding. It also includes extension of a plastic line to the general area of the pitcher's mound for a future underground sprinkling system.

MSP (Ziebarth-Hodges) to award the bid for projects 1977-2 and 1977-3 to Alexander Construction of Apple Valley, Minnesota for \$42,651. 5 ayes

Mayor Pickar adjourned the meeting until 8:00 PM, the scheduled time for the public hearing on recreational and commercial vehicles.

PUBLIC HEARING ON RECREATIONAL VEHICLES

Mayor Pickar opened the public hearing on recreational vehicles and stated that the Council was looking for input from the citizens on how they would like Chapter 40 revised.

Mayor Pickar gave a brief background of Chapter 40. It was revised in February 1977 after the Planning Commission spent two years revising and updating it. A public hearing was held on February 8, 1977 on Chapter 40. The Chapter was passed at that meeting and controversy immediately arose. Mayor Pickar indicated that the Planning Commission and City Council members were aware that there would be immediate controversy but that the Chapter was passed as a whole with the idea to go back to problem areas.

The Planning Commission again discussed the recreational and commercial vehicle laws and gathered input from the citizens. It voted on the issue and was tied at 3 to 3.



The City Council at that time set the hearing for tonight to get the citizens input.

Mayor Pickar asked that recreational vehicles be covered first.

Cedric Beckfield, 7738 Knollwood Drive questioned if the parking ban on recreational vehicles was legal. He stated that it had been found to be unconstitutional in other states and cities. He also stated that he pays \$1,000 a year in taxes and that he should be able to park his vehicle in his yard. His vehicle is a pick-up camper, which he uses for work. He would have to drive past his neighbor's bedroom window if he was to try and get his camper in his back yard.

Mayor Pickar replied that the City Attorney had informed the City Council that the ordinance on parking recreational vehicles was legal and constitutional.

Administrator Achen informed Mr. Beckfield that his particular vehicle was not in violation of the ordinance since it did not have a 1 ton chaise or more, or was 22 feet in length or more.

Harry Hermanson, 5219 Greenfield Avenue stated that he owned a \$12,000 camper and had licensed it and questioned why he could not park it in his driveway.

Mayor Pickar replied that the Mounds View police force had not been enforcing the ordinance until a Council decision was made, and no one had been tagged for violations, and that was why the hearing was being held, to discuss the issue and come to a decision. He stated that the Council had an option to specify a set distance off the street for vehicles to be parked in driveways.

Nello Digiovanni, 5120 Long Lake Road stated that he owns a 28 foot motor home and asked why the ordinance had a length limit. He stated that he had been a resident of Mounds View for 20 years.

Mayor Pickar replied that the 22 foot length limitation had been set and asked the citizens how they would determine how big is too big?

Mr. Digiovanni suggested that vehicles should be allowed to park in front of homes, perhaps with the stipulation that they be 20 feet or more from the curb.

Ron Johnson, 8294 Red Oak Drive stated that he owned a pickup truck with a camper on it, which met the weight limitation but not length limitation.

Mayor Pickar stated that the vehicle at present would be considered a violation because of the length.

Mary Dumas, 8360 Spring Lake Road asked why the City needed the ordinance.

Mayor Pickar replied that several cities were involved in the area. The issue was originally brought forward by citizens in opposition to looking out their windows and not being able to see anything but a recreational vehicle parked next to them.

Bill Skaroild, 2470 Ridge Lane stated that he had seen several recreational vehicles parked in the parking lot of City Hall over the weekend and questioned why outsiders or visitors would be able to park without problem in the city yet the residents would not be able to.

Mayor Pickar repeated that no one had been issued a violation as yet and that the meeting was being held to reach a decision on the ordinance.



Arnold Knapp, 5210 Greenfield Avenue stated that he wanted to park his recreational vehicle at his own home and stated that a property owner should be able to do what he pleases on his own property.

Mayor Pickar replied that he agreed, that the City had a democratic system and that the problem had to be worked out to the peoples satisfaction.

Bill Kirberger of New Brighton introduced himself as a state legislative representative of the Good Sam Camping Organization, which has 3,200 members and stated that he was concerned about the ordinance and had received complaints from citizens of Mounds View, which was why he was present at the meeting.

He stated that he did not believe the City officials had the right to put the ordinance into effect, that it was unconstitutional and should not be put into effect because of a neighbor who did not like the view. He also asked what the City expected to gain by the ordinance.

He stated that a town in Texas had been faced with the same problem and their City Council decided to build a recreational vehicle park, at a cost of \$139,000 and they ended up making a considerable amount of money on it.

Councilmember Ziebarth replied that to answer the question of what the City expected to accomplish by the ordinance, was that safety factors be established and enforced, such as parking a recreational vehicle on an incline close to the street.

Mr. Kirberger stated that he agreed that there should be safety factors enforced. He asked that the City Attorney contact the State Attorney General regarding the constitutionality of the ordinance.

Ann Ross, 5142 Eastwood Road stated that she knew where there were several junk cars parked in the city and wondered why just recreational vehicles were being pursued and not junk cars also. Mrs. Ross asked if any action had been taken yet on the flyer the City sent out on recreational vehicles.

Mayor Pickar gave the background of the flyer for those who were not aware of it. It was included in the March 1977 Newsletter and was a questionnaire on recreational vehicle parking. A total of 132 questionnaires were returned. These included 23 photocopied questionnaires that one resident went house-to-house asking citizens to complete.

Of the 132 responses, 92 (70%) came from owners of recreational vehicles. Of these 92 recreational vehicle owners, 60 (66%) indicated they ALWAYS park these vehicles in the front or side yard, and 9 indicated they NEVER park in the front or side yard. The balance parked in the front yard or side yard as follows:

0-5 days	3
5-25 days	6
25-50 days	6
over 50 days	3
summer only	10

Of the 92 owners of recreational vehicles, 80 (87%) do not store the vehicle off their premises in the winter. 63 (68%) do not use the vehicle for daily transportation.



Objections to parking some kind of recreational vehicle in the front yard were expressed by a total of 47 (36%) of the respondents; 25 respondents who do not own such vehicles, and 22 respondents who own recreational vehicles. The types of vehicles objected to were as follows:

	<u>NON-OWNERS</u>	<u>OWNERS</u>	<u>TOTAL</u>
House Trailer	21	12	33
Chassis Mounted Camper	16	3	19
Housecar	11	2	13
Motorhome	18	5	23
Tent Trailer	15	4	19
Slip-In Camper	16	4	20
Converted Bus	21	15	36
Converted Van	11	5	16

A total of 18 (14%) of the respondents (15 non-owners/3 owners) indicated a permit should be obtained in order to park the objectionable vehicle within a neighbor's view. Sixteen (12%) of the respondents (14 non-owners/2 owners) indicated the objectionable vehicle should be prohibited entirely from parking within a neighbor's view.

Wayne Spiczka, 7634 Groveland Road asked who started the ordinance.

Councilmember Baumgartner replied that it first came up 2½ to 3 years ago and started with two converted school buses. The problem in eliminating the eyesore is that some criteria must be established, and that in trying to get rid of the buses, the ordinance came about. There is no one individual who could be considered the originator of the ordinance.

Mr. Spiczka questioned why fences could be put up and why a vehicle couldn't be put behind it. He stated that if a recreational vehicle had to be parked away from the home, it would be open to vandalism, higher insurance rates, etc.

Mr. Kirberger stated that insurance coverage is lost on recreational vehicles once they are stored off the owner's property.

Mr. Beckfield mentioned that if recreational vehicles were moved to the back yards, they would then just become an eyesore for the neighbors in back of the owner.

Wayne Mortenson, 2175 Bronson Drive stated that his motor home takes away no more visibility than anything else. He questioned where the 1 ton chassis limit came about. His recreational vehicle is only 19 feet long but has a 1½ ton chassis so is in violation of the ordinance. He did not feel the weight limit should be considered on recreational vehicles since often times a longer vehicle will weigh less than a shorter one.

Mayor Pickar stated that the major concern was the safety factor in blocking the view with a vehicle, not the weight.

Administrator Achen stated that the weight limit was put into the ordinance because the ordinance covers both recreational and commercial vehicles and they tried to set up one set of regulations, since they could not discriminate between the recreational and commercial vehicles.



Mr. Mortenson asked what good the law was if it was not being enforced.

Mayor Pickar replied that there was an immediate reaction against the ordinance when it was passed in February so the Council decided to let the law ride and work the problem out.

Councilmember Ziebarth stated that the City must look to the future and try to foresee what problems might arise within the next 10 years.

Mayor Pickar stated that the hearing was for the people to realize that there is a problem as far as safety and for getting their input as to what the solution might be.

Delbert Stimpson, 5132 Long Lake Road stated that the Council should remember that many citizens have invested a great deal of money into motor homes and trucks. Mr. Stimpson said that his own livelihood would be lost if the law was enforced.

Mr. Skaroild asked if the Grandfather Law was being taken into consideration. The Grandfather Law says that if the people involved in an issue were living in the area before the issue arose, they cannot be affected by any such ordinance.

Councilmember Hodges stated that the Grandfather Law no longer applies if the original owner moves out and a new person moves in.

Mr. Skaroild stated that he did not receive the New Brighton Bulletin and thus was not aware that a hearing was even being held until a neighbor told him.

Mayor Pickar replied that the New Brighton Bulletin was the official paper of the City of Mounds View since Mounds View did not have it's own paper. Also, notice was published on the board outside City Hall.

Harry Gillman, 7805 Greenwood questioned if his vehicle were parked 20 feet away from the curb, what would the length of his vehicle matter?

Mayor Pickar replied that the length limitation was put in as a basis to work around, and was subject to revision.

Vernon Hall, 2186 Bronson Drive stated that he felt the ordinance should just be involved with the length of open area from the end of the vehicle to the curb, not the size or weight of the vehicle.

Mayor Pickar agreed that the safety factor was more important than a weight or length limitation. He asked if anyone present at the hearing would like to speak in favor of the ordinance. There was no response so Mayor Pickar polled the council members.

Councilmember Baumgartner stated that he had been against the ordinance since the ordinance first came about but that he had been outvoted. He also stated that he felt approximately 75% of the people in Mounds View would not be able to get their vehicles into their back yards, if the ordinance were enforced.

Councilmember Baumgartner stated that he would like to see the areas of front yard parking, weight requirements and length requirements taken out of the ordinance but some type of footage requirement, perhaps 15 feet, put in between the curb and the vehicle.

Councilmember Baumgartner stated that he had driven around the City before going to



the hearing and that the two converted buses in question had been parked in excess of 15 feet from the curb, so they would not be in violation of the ordinance if it were passed with just a footage requirement. However, he did see many passenger vehicles that were less than 15 feet from the curb. Councilmember Baumgartner stated that he felt most recreational vehicle owners were smart enough to not park their vehicle close to the street.

Councilmember Hodges stated that he agreed with Councilmember Baumgartner and that parking near the street did present a safety hazard. He also stated that he was aware of the eyesore problem but did not feel that it was connected directly to the recreational vehicles but rather to buses. He stated that he would go along with a parking requirement from the curb.

Councilmember Ziebarth stated that he felt the City and the citizens should involve themselves with problem solving, and that people generally come to a hearing of this type with something to defend, and that while the people could be noisy it did not solve the problem. He felt the people should look to the future and that they should look far enough ahead and then put the issue in a problem solving situation and come up with some answers.

Councilmember Ziebarth also stated that he felt at least 20 feet was needed from the curb in order for someone to see who was backing down a driveway or for someone driving down the street to detect that someone was coming out of the driveway. He felt the safety factor was the most important feature of the issue.

In addition to the footage requirement from the curb, Councilmember Ziebarth stated he felt that the length should be looked at because in the future manufacturers are going to continue building the recreational vehicles longer, and the City must decide a cut-off point.

Councilmember Rowley stated that she was not happy with the ordinance as it presently stands and that she agreed the safety factor was the most important issue. She felt the City could not define what a vehicle could look like; however, it must be licensed as a recreational vehicle. Also, Councilmember Rowley wanted to know how many vehicles should be allowed per yard? She felt the Council should look to the future and decide what should be allowed.

Mayor Pickar stated that one of the problems involved in changing the ordinance as such is that the ordinance is referred to in many different places. The areas involved are:

Chapter 40 (Zoning)

- 40.02, Subd B (84)
- 40.05, Subd N (2) & (4)
- 40.06, Subd D (4) & (5)
- 40.07, Subd D (6) & (8)
- 40.07, Subd F (3), (4) & (6)
- 40.10, Subd C (1), (2) & (3)

Chapter 81 (Parking)

- 81.01 Entire
- 81.02, Subd 3



Mayor Pickar stated that he felt a change should be made in the ordinance, and that he was not happy with the ordinance when it was adopted but that the ordinance was passed just to get it through after two years work on it.

Mayor Pickar expressed concern over the distance of the vehicles from the road. He stated he did not believe it was possible to regulate how the vehicles could look.

Mayor Pickar stated that changes would be made in the ordinance and that the citizens should watch for a notice to be published in the New Brighton Bulletin and the sign board outside City Hall. He expressed his gratitude for the people who came to the hearing and gave their input. He summarized that the Council appears to be in favor of doing away with the weight and length limitations but that some restriction would be put on the distance from the curb.

Robert Shelquist, 8025 Fairchild introduced himself as a former member of the Planning Commission who had worked on the ordinance. He stated that the Planning Commission had spent many hours studying the ordinance, especially the recreational and commercial vehicle section. He stated that the Planning Commission and City Council recognized that a good percentage of the residents of the City of Mounds View owned either recreational vehicles or commercial vehicles.

However, Mr. Shelquist stated that he had had his home appraised by a realtor and was told that because he lived in Mounds View, which was known for being so open with their ordinances, that his home was worth less than if it had been in New Brighton or another nearby suburb. He felt the presence of such vehicles were a detriment to the neighborhood.

Mayor Pickar recessed the public hearing on recreational vehicles.

#### PUBLIC HEARING ON COMMERCIAL VEHICLES

Mayor Pickar opened the hearing by stating that the background of the commercial vehicles was basically the same as that of recreational vehicles.

Gerald Tesch, 5135 Long Lake Road stated that his neighbor owned a commercial vehicle and that it was not unsightly to him, and that the truck had always been kept up and was only home weekends when the owner was home. Mr. Tesch stated that having the truck across the street from him did not bother him. He did, however, feel that the distance from the street for a commercial vehicle should be the same as for a recreational vehicle.

Herb Lutnik, 5391 Raymond asked the Council if the same rules for recreational vehicles apply to commercial vehicles. Mayor Pickar replied that they do.

Mr. Digiovanni stated that his commercial vehicle is within the same restrictions as the recreational vehicles and why not put commercial vehicles in the same class and have the same 20 foot restriction from the street.

Mayor Pickar stated that concern had been expressed about businesses being run from the home, which would involve a commercial vehicle being at the home.

Mel Stukard, 5386 Clipton stated that he and his son are in business together and that he likes to be able to bring his truck home when he wants to. He stated that he has had no complaints from his neighbors.