

A G E N D A

Mounds View City Council
October 10, 1978

1. Roll call of officials
2. Approval of minutes of regular meeting September 25, 1978, and special meeting October 2, 1978
3. Citizen comments and requests

CITIZENS: BEFORE SPEAKING, PLEASE GIVE YOUR FULL NAME
AND ADDRESS FOR THE MINUTES

4. Approval of consent agenda:
 - Item A. Appoint election officials
 - B. Set Berwyn Addition easement vacation hearing
 - C. Establish absentee ballot precinct
 - D. Order bids for Greenfield Park improvements
 - E. Bills for payment
 - F. Licenses
5. Northcrest Park Development Agreement 78-25
Improvement Project 1978-3
6. Public hearing 7:50 PM
Rezoning 2525 Co Rd I to R-2 (duplex) residential district
7. Industrial revenue bonding (final action)
Midway Industrial Supply and Thesenga Land developments
8. Street light request
Greenfield Avenue north of Hillview Road
9. Reports of officials
10. Adjournment

CONSENT AGENDA
October 10, 1978

The consent agenda is a technique designed to expedite handling of routine and miscellaneous official business of the City Council. The entire agenda may be adopted by the Council in one motion. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual Council Member, any item can be removed from the consent agenda and placed upon the regular agenda for debate.

ITEM A. Appoint the following election officials to serve during the general election, November 7, 1978. Election officials shall be paid as follows: chairperson \$45 per day, judges \$35 per day, counters \$4 per hour, and \$6 per training session.

<u>election official</u>	<u>position</u>	<u>party</u>
Precinct No. 1		
Marilyn Brick	chairperson	IR
Shirley Sinderson	judge	IR
Janet Strauss	judge	IR
Phyllis Blanchard	judge	D
Marlene Maciejny	judge	D
Sharon Moracco	judge	D
LaDelle Mackeben	judge	IR
Ingeborg Kelnor	alternate	IR
Sandy Cooney	alternate	Ind
John Wells	alternate	IR
Linda Diekmann	counter	D
Renee LeBlanc	counter	IR
Precinct No. 2		
Marilyn Benolkin	chairperson	D
Ethel Lewis	judge	D
Karen Rauscher	judge	D
Jane Nunn	judge	IR
Isabella Wille	judge	IR
Noel Samuelson	judge	IR
Kathleen MacRunnels	judge	IR
Edith Johnson	alternate	D
Otto Meyer	alternate	IR
Lucille Anderson	counter	IR
June Schleiss	counter	IR
Precinct No. 3		
Betty Skelly	chairperson	D
Ruth Prose	judge	D
Gertrude Krawczyk	judge	D
Lea Burggraff	judge	IR
Ruth Schmidt	judge	IR
Marion Winther	judge	D
Georgianna Harris	judge	IR
Precinct No. 4		
Roberta Malraison	chairperson	D
Pauline Foster	judge	D
Kathy Gobats	judge	D
Lili Ripley	judge	IR
Muriel Christensen	judge	IR
Ralph Hanggi	judge	D
Pauline Stauner	judge	IR
Dorothy Willhaus	alternate	D
Karen Lake	alternate	D
Mary Jane Czech	counter	D
Precinct No. 5		
Jan Mortenson	chairperson	D
Ann Bendt	judge	D
Lenor Kinderman	judge	D
Helen Larson	judge	IR
Rose Nejedly	judge	D
Helen Saari	judge	IR
Judith Peterson	judge	IR
Bev Raes	alternate	D

ITEM A. Election judges (continued)

Precinct No. 6

Donna Bowman	chairperson	IR
Sharon Sanders	judge	IR
Karen McNamara	judge	IR
Marvalyn Koenker	judge	D
Betty Piehowski	judge	D
Ruby Gerner	judge	IR
Lawrence Young	judge	D

Precinct No. 7

Doris Welty	chairperson	IR
Jean Christianson	judge	IR
Mary Schroeder	judge	IR
Judy Dreshar	judge	D
Helen Edwards	judge	D
Geraldine Erickson	judge	D
Carolyn Buhr	judge	IR
Barbara Stasz	alternate	D
Elizabeth Goebel	counter	D

ITEM B. Set public hearing for 7:40 PM, Monday, November 13, 1978, on the vacation of certain road easements in the Berwyn Addition.

ITEM C. Adopt Ordinance No. 285 establishing an absentee ballot precinct to be located at the Mounds View City Hall.

ITEM D. Approve specifications for Greenfield Park hockey rink lighting system and authorize advertisement for bids to be opened at 10:00 AM, Monday, October 23, 1978.

ITEM E. Approve the October 10, 1978, bills for payment.

ITEM F. Approve the following licenses:

CONTRACTORS - expire 6/30/79

Masonry - new

Figg Masonry
2981 N. Victoria

Hanson & Smith
22 - 104th Lane N.W.

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 Tuesday, October 10, 1978 at the Mounds View City Hall, 2401 Highway 10, Mounds View, Minnesota 55112.

Members Present:

Mayor Pickar
Councilmember Baumgartner
Councilmember Hodges
Councilmember Rowley

Also Present:

Clerk/Administrator Achen
Attorney Meyers

Administrator Achen reported that Councilmember Ziebarth was out of town.

MSP (Hodges-Rowley) to approve the minutes of the October 2, 1978 meeting as presented.

3 ayes
1 abstain

Councilmember Baumgartner stated he was abstaining from the vote as he had not been present at that meeting.

MSP (Baumgartner-Hodges) to approve the minutes of the September 25, 1978 meeting as presented.

4 ayes

CITIZENS COMMENTS AND REQUESTS

Mayor Pickar congratulated those people selected for the charter commission.

Dave Notaro, 2749 Ardan Avenue NE asked what action had been taken so far concerning the MTC buses being rerouted. Administrator Achen replied that he had spoken to the MTC staff twice in the past week and also sent them a letter, and that the MTC seems to be considering only rerouting the buses to Red Oak Drive. One other possibility would be to reroute the buses so they go out on Ardan and come back in on Red Oak Drive. Administrator Achen stated that he was still waiting for a reply to his letter from the MTC.

Mr. Notaro stated that the citizens of the area would be willing to volunteer their services to reach some kind of compromise.

Mayor Pickar reported that they had suggested to the MTC to reroute the buses along the service road along Spring Lake Park but the MTC did not seem agreeable to that.

Mr. Notaro asked for an update of the storm water problem since the Task Force report had been submitted to the Council. Administrator Achen replied that Comstock and Davis has not responded yet with any recommendations.

Mr. Notaro asked how long it would be before the Council could expect a solution. Mayor Pickar replied that the City has indicated to Comstock and Davis that finances would play a big part in the solution and that they will hopefully have something back next year.

Councilmember Rowley stated that she would like to get responses from both Comstock and Davis and Short, Elliott, Hendrickson on when the City can expect reports back.

Mr. Notaro asked if Comstock and Davis was given a copy of the Task Force report. Councilmember Rowley replied that the Council had been told by the Task Force that Comstock and Davis would be getting a copy.

Peter Sargent stated that to his knowledge, a copy had not been sent from the Task Force yet. Councilmember Rowley asked that it be sent out within the next week, if at all possible.

APPROVAL OF THE CONSENT AGENDA

MSP (Baumgartner-Rowley) to approve the consent agenda as follows:

4 ayes

ITEM A. Appoint the following election officials to serve during the general election, November 7, 1978. Election officials shall be paid as follows: chairperson \$45 per day, judges \$35 per day, counters \$4 per hour, and \$6 per training session.

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Karen Rauscher	judge	D
Jane Nunn	judge	IR
Isabella Wille	judge	IR
Noel Samuelson	judge	IR
Kathleen MacRunnels	judge	IR
Edith Johnson	alternate	D
Otto Meyer	alternate	IR
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Ruth Schmidt	judge	IR
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Roberta Malraison	chairperson	D
Pauline Foster	judge	D
Kathy Gobats	judge	D
Lili Ripley	judge	IR
Muriel Christensen	judge	IR
Ralph Hanggi	judge	D
Pauline Stauner	judge	IR
Dorothy Willhaus	alternate	D
Karen Lake	alternate	D
Mary Jane Czech	counter	D

Precinct No. 5

Jan Mortenson	chairperson	D
Ann Bendt	judge	D
Lenor Kinderman	judge	D
Helen Larson	judge	IR
Rose Nejedly	judge	D
Helen Saari	judge	IR
Judith Peterson	judge	IR
Bev Raes	alternate	D

Precinct No. 6

Donna Bowman	chairperson	IR
Sharon Sanders	judge	IR
Karen McNamara	judge	IR
Marvalyn Koenker	judge	D
Betty Piehowski	judge	D
Ruby Gerner	judge	IR
Lawrence Young	judge	D

Precinct No. 7

Doris Welty	chairperson	IR
Jean Christianson	judge	IR
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NORTHCREST PARK - IMPROVEMENT PROJECT 1978-3

Administrator Achen stated that at the September 25 meeting the Council had directed that contracts for construction not be executed, due to Mr. Beim's unwillingness to enter into a development agreement with the City. He added that Mr. Beim is still unwilling to sign a development agreement and the Council will now have to withdraw the contracts and bond for the project. He also stated that Staff had met with Mr. Beim a good deal the past two weeks to try and work out the differences.

Attorney Meyers stated that after the Council's action at the last meeting, he had spoken to Staff and held a meeting last Friday with Mr. Beim and his attorney to try and reach an agreement and to prepare a contract that Mr. Beim would be willing to live with and one that would guarantee the City that the bond payments would be made.

Attorney Meyers recommended that the Council take action to not enter into the contract with the low bidder and cancel the bond issue and the tentative approval of the plat, and cancel previous rezoning action based on that plat and restore the property to how it was before the project started.

Mr. Beim stated he had mixed emotions regarding the project. He stated that he had received a good deal of cooperation from Administrator Achen, Official Rose and Staff and Council but that several things had been done to take the feasibility out of the project, such as the park dedication, ten year assessments rather than twenty year, and guarantees which would amount to approximately \$2,000,000. He added that that was a change over Council procedure from the past and he never would have started the project had he know what the requirements would be. Mr. Beim stated that he was very disappointed and sorry that the project had not worked out.

Mayor Pickar stated that the Council was also sorry but felt the stipulations for the project were fair and just.

Administrator Achen read resolution #939, regarding the recinding of Council approval of the project and the rezoning and subdivision, the access road bid and awarding of the sale of the bonds.

MSP (Pickar-Baumgartner) to adopt Resolution #939 as presented.

4 eyes

Ron O'Connell asked if the proposed road would still be going through his fathers property. Attorney Meyers replied that it would not and that he would be contacting Mr. O'Connell to tell him about it.

Mayor Pickar closed the regular meeting and opened the public hearing.

REZONING 2515 COUNTY ROAD I TO R-2 - PUBLIC HEARING

Steven Garke stated that he had lived in the area for five years and it has been strictly a single family area and he would like it kept that way, and that he objected to the rezoning as he was afraid if the one lot was rezoned, other lots in the area would follow suit.

Willard Graham, owner of the property, explained that it faces County Road I and is across the street from an apartment building and next door to a double bungalow. He added that he did not feel a new, attractive building would be out of place along County Road I. He added that the property has a very costly sewer and water entry and that the total cost would be too high for a single family home.

Mayor Pickar pointed out that the Planning Commission had recommended approval of the rezoning.

Ernie Gustafson, 2525 County Road I stated he has 250' of property, which abuts Mr. Graham's property, and that he does not object to the rezoning, nor do the Staples or the people on the other side, in the double bungalow.

Frank Veno, 7700 Long Lake Road stated that he owns seven acres by the property and that he also feels that the cost of sewer and water would be too high for a single family home and that a double bungalow was the only route to go.

Mayor Pickar asked about the recommendation from the Staff to move the dwelling 21' to the east. Administrator Achen explained that that was done to allow a road easement, since some residents of the area had indicated they might request a road sometime in the future.

Mr. Graham stated that a 30' dedication will be given to the City for the future road and that the dedication could be made now.

MSP (Baumgartner-Rowley) that the Council grant the rezoning request of Willard B. Graham, 2515 County Road I, to rezone from R-1 to R-2 as recommended by the Planning Commission and that a 30' easement be granted to the City on the western boundary of the property.

4 eyes

Administrator Achen recommended that the Council also take action to authorize a development agreement.

Councilmember Rowley asked if the terms of the development agreement had been discussed with Mr. Graham. Mr. Graham replied that they had been.

MSP (Rowley-Hodges) to authorize a development agreement to be entered into, to include sodding, paving, concrete sidewalks, plantings, drainage to County Road I and a \$1,000 bond or escrow.

4 eyes

Mayor Pickar closed the public hearing and reopened the regular meeting.

INDUSTRIAL REVENUE BONDING - MIDWAY INDUSTRIAL SUPPLY AND THESENGA LAND DEVELOPMENT

Richard Martin, bonding agent representing Midway Industrial and Thesenga, stated that they were before the Council tonight for final Council action to authorize the closing of the transactions. He added that he would like to reiterate that the City would not be liable for payment of the industrial revenue bond, should the two companies default.

Attorney Meyers read the statute regarding industrial revenue bonds. He also explained that in the past, the City had billed Century Motor Freight for any work undertaken by the City on the bond and that he would like to inform Midway Industrial Supply and Thesenga Land Corporation that they will be billed for any future costs incurred by the City.

Attorney Meyers also stated that the only liability the City would experience if there should be a default on the bond would be the bad publicity. He added that there is no other risk to the City.

MSP (Baumgartner-Hodges) to approve Resolution #940 for Midway Industrial Supply's bond. 4 ayes

MSP (Pickar-Rowley) to approve Resolution #941 for Thesenga Land Corporation's bond. 4 ayes

STREET LIGHT REQUEST - GREENFIELD AVENUE NORTH OF HILLVIEW ROAD

Administrator Achen reported that Staff has examined the property, as well as the Police Department, who's recommendation was that there was nothing unusual about the lighting on the block. He added that Staff recommends that the Council authorize Staff to prepare a policy on street lighting, since the street lighting cost is quite substantial, and Staff feels the money should be spent as wisely as possible. He added that Staff expects the proposed policy to be submitted by the end of November. Administrator Achen explained that if Council does delay action, it would most likely delay the installation of a light until next spring.

Mayor Pickar stated that NSP is behind considerably now in putting in lights. Administrator Achen added that this light would involve quite a bit of work with the installation.

MSP (Pickar-Baumgartner) to order the City to make the study on street lighting and report back to the Council in order to be able to take action on the request at the December 11 meeting. 4 ayes

Mayor Pickar explained that the light is not being denied at this time but only postponed until a study can be completed. Councilmember Baumgartner asked that Mr. Cardell, who had requested the light, be informed of the postponement.

ADMINISTRATOR ACHEN'S REPORT

Administrator Achen reported on the candidates who had filed for election for Mayor and Council.

Administrator Achen asked that a bid opening date be set for the sewer jet rodder bids. He added that he plans to submit the specs on October 23.

MSP (Baumgartner-Hodges) to set the bid opening date for the sewer jet rodder for Thursday, November 9 at 11:00 AM. 4 ayes

Administrator Achen requested Council authorization to appoint the Metro Area Management Association to represent the City in police negotiations.

MSP (Rowley-Pickar) to appoint the Metro Area Management Association to represent the City in joint police negotiations for the 1979 contract with Local 320. 4 ayes

Administrator Achen reported that he had received a copy from the Met Council of MAC's plan for the Anoka Airport and that he will be having copies made for the Council. He asked that two Council members be designated as primary members to work on the airport issue.

Councilmember Rowley and Mayor Pickar stated they would like to work on the issue.

ATTORNEY MEYERS' REPORT

Attorney Meyers reported that the civil rights case the City is involved in will be going before Judge Devitt on October 16.

Attorney Meyers also reported that the attorney for Mounds View Shopping Center has indicated that they do not plan to appeal the recent decision on the assessment they were given.

Attorney Meyers reported that James Refrigeration has filed an amended complaint and that an amended answer has been filed and that case should come up within the next six months.

COUNCILMEMBER BAUMGARTNER'S REPORT

Councilmember Baumgartner reported that there would be no Planning Commission meeting on October 11 as there were no items on the agenda.

COUNCILMEMBER ROWLEY'S REPORT

Councilmember Rowley reported that there would be a Lakeside Park meeting on October 12 at the Spring Lake Park City Hall.

COUNCILMEMBER HODGES' REPORT

Councilmember Hodges had no report.

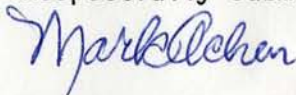
MAYOR PICKAR'S REPORT

Mayor Pickar had no report.

MSP (Baumgartner-Rowley) to adjourn the meeting at 8:35 PM.

4 ayes

Respectfully submitted,



Mark Achen
Clerk/Administrator

Mounds View / City Council Meeting Minutes
Minnesota Historical Society

A G E N D A
Mounds View City Council
October 23, 1978

1. Roll call of officials
2. Approval of minutes of regular meeting October 10, 1978
3. Citizen comments and requests
CITIZENS: BEFORE SPEAKING, PLEASE GIVE YOUR FULL NAME
AND ADDRESS FOR THE MINUTES
4. Approval of consent agenda:
 - Item A. Designation of precinct polling places
 - B. Change Veteran's Day holiday
 - C. Specifications for sewer jet rodder
 - D. Reschedule first agenda session in November
 - E. Cancel Project 1978-6 hearing and continue Dailey Knolls preliminary plat hearing
 - F. Receive September activity reports
 - G. Bills for payment
 - H. Licenses
5. Public hearings
 - (a) Rezoning of 2291 Knoll Drive
From R-1 Single to R-2 Duplex Residential District (7:40 PM)
 - (b) Rezoning of Seven-Eleven property
From B-2 Highway to B-1 Neighborhood Commercial District (8:20 PM)
6. Metro Clean Air Committee
Presentation by Marge Christensen
7. Project 1978-9 bid award
Repainting of Elevated Water Tower and Treatment Plant No. 1
8. Greenfield Park skating rink lighting bid award
9. Project 1978-4 bid cancellation
Mounds View Industrial Park No. 2 street & utility extensions
10. Reports of officials
11. Adjournment

CONSENT AGENDA
October 23, 1978

The consent agenda is a technique designed to expedite handling of routine and miscellaneous official business of the City Council. The entire agenda may be adopted by the Council in one motion. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual Councilmember, any item can be removed from the consent agenda and placed upon the regular agenda for debate.

- ITEM A. Adopt Resolution No. 942 designating polling places for the November 7, 1978, General Election. This action changes the Precinct 6 polling place from the Cross of Glory Lutheran Church to the Mounds View city hall basement, because the former is not available for the General Election. All other precinct polling places will be the same as in the Primary Election.
- ITEM B. Adopt Ordinance No. 286 amending Chapter 6.31 of the Municipal Code entitled Personnel, Holidays. The Minnesota Legislature recently changed Veteran's Day to fall on the traditional date, November 11th, rather than on a Monday. This ordinance includes Veteran's Day with other holidays, such as Christmas and Independence Days, for observance on the day before or after the actual date whenever such holiday falls on a Saturday or Sunday.
- ITEM C. Approve specifications and authorize solicitation of bids to be opened at 11:00 AM CST, Thursday, November 9, 1978, for the purchase of a truck mounted combination vacuum and high pressure water jet sewer cleaning system (sewer jet rodder) as authorized in the 1979 Budget.
- ITEM D. Reschedule the regular Council agenda session, Monday, November 6, 1978, to Thursday, November 9, 1978, at 7:00 PM.
- ITEM E. Cancel the continuation of Project 1978-6, Silver Lake Road sewer and water extensions, improvement hearing. The applicant for the Dailey Knolls proposed plat was the only involved property owner who submitted a proposal for utility service extensions as requested by the Council at its August 14, 1978, hearing on Project 1978-6. Continue the Dailey Knolls preliminary plat hearing at 7:50 PM, Monday, November 13, 1978.
- ITEM F. Receive the September, 1978, activity reports of the city attorney, police, fire and nuisance abatement departments.
- ITEM G. Approve the October 23, 1978, bills for payment.
- ITEM H. Approve the following licenses:
- | | |
|---------------------------------------|--|
| CONTRACTORS - expire 6/30/79 | |
| General - renewal | Cement - renewal |
| B & K Builders
5727 Knox Ave. N. | L. H. Huot
7723 Groveland Road |
| Heating - new | Sewer & Water - new |
| The Tinn Shoppe
110 Hamel Road | Galaxy Mechanical Cont. Inc.
1308 - 113th Ave. N.E. |
| Daleiden Plbg & Htg
120 - 1st N.E. | |

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 Monday, October 23, 1978, at the Mounds View City Hall, 2401 Highway 10, Mounds View, Minnesota 55112.

Members present:

Mayor Pickar
Councilmember Hodges
Councilmember Rowley
Councilmember Ziebarth

Also present:

Clerk-Administrator Achen
Attorney Meyers

Members absent:

Councilmember Baumgartner

MSP (Rowley-Hodges) to approve the minutes of the October 10, 1978, meeting.

3 ayes
1 abstain

Councilmember Ziebarth stated he was abstaining from the vote as he had been absent at the October 10 meeting.

METRO CLEAN AIR COMMITTEE

Marge Christensen of the Metro Clean Air Committee gave a presentation to the Council and explained what the Metro Clean Air Committee was doing to assist in public participation in the Clean Air Act and controls.

Ms. Christensen asked that the Council designate a member to act as liaison to the Metro Clean Air Committee. Mayor Pickar replied that either Councilmember Rowley or Councilmember Ziebarth would be acting as liaison.

Attorney Meyers stated that he would like to report to the citizens relative to a conference he had had with the Council before the regular meeting was called to order at 7:30. He reported that he had been in federal district court the previous week on a civil rights case involving the city since 1973 and that Judge Devitt had instructed him to meet with the Council and discuss the case. This is permitted under the open meeting law.

CITIZENS COMMENTS AND REQUESTS

Jesse Varns, 7350 Silver Lake Road, asked what permission he needed to burn some 5' to 7' tall cattails in a slough in back of his property. Administrator Achen replied that there are general metro-wide regulations to be followed and also advised that if cattails were involved, that the DNR be contacted as they have regulations to be followed. Administrator Achen also advised that Mr. Varns contact the Mounds View/Spring Lake Park/Blaine Fire Department for their input.

Mr. Varns asked if the Council had considered providing relief to senior citizens on their water bills. Mayor Pickar replied that the water bills cost to the City is going up and that the City must restructure the billing program. He added that consideration will be given to senior citizens when the billing program is restructured.

Lloyd Scott, 5100 Red Oak Drive, stated that he has a bad water problem with the City water coming in rusty. Mayor Pickar asked how long he had been experiencing the problem; Mr. Scott replied that they had had trouble since they moved in eight years ago and had already had to replace the water heater. He added that he had spoken to various City officials but had not been informed of any resolutions to the problem.

Mayor Pickar asked if any of the neighbors in the area had experienced the same problem. Mr. Scott replied that a few had, but not as frequently. Mayor Pickar replied that the City would be getting back to Mr. Scott on the problem.

Neil Loeding, 5046 Longview Drive, referred to the Series 1978 issue and asked what Task Force had been formed to relieve basement flooding. Mayor Pickar replied that it was the same Task Force that Mr. Loeding had been on. He added that he would like a copy of the report Mr. Loeding was referring to so he could reply to him further.

REZONING OF 2291 KNOLL DRIVE FROM R-1 SINGLE TO R-2 DUPLEX RESIDENTIAL DISTRICT

7:45 PM Mayor Pickar recessed the regular meeting and opened the public hearing on rezoning of 2291 Knoll Drive.

Mayor Pickar explained that the applicant, Mr. Jurgensen, has asked the City for permission to rezone from R-1 to R-2. He added that Mr. Jurgensen had appeared before the Planning Commission on August 9, and the Planning Commission recommended that the rezoning not be granted as it is not consistent with the Comprehensive Plan and would be spot rezoning and it is not compatible with the neighborhood, and the petitioner has not demonstrated a need for the property to be rental property. Mayor Pickar added that Staff has informed the Council that the arrangement in the home does meet R-2 duplex definitions.

George Hall, 2307 Knoll Drive, stated that he had no objections to the rezoning.

Neil Johnson, 2277 Knoll Drive, stated that he was not in favor of residential rezoning from R-1 to R-2. He stated that he moved to Mounds View from St. Paul to get away from multiple family dwellings. Mr. Johnson also stated that he was concerned with parking congestion and that he was afraid this rezoning could set a precedent for further spot rezonings.

John Oberdahl, 2274 Knoll Drive, stated that he was against the rezoning as there were enough cars in the street already and that he was afraid the value of property would go down.

Shirley Berg, 2291 Lois Drive, stated that she had no objections to the rezoning and that she felt the extra cars would cause no more problems than those created by families with grown children living at home.

Charles Wilken, 2283 Knoll Drive, stated that he felt it was a quiet section of town and that a multiple dwelling would deviate from it.

Jerry Linke, 2319 Knoll Drive, stated that he disagreed with Mr. Wilken.

Councilmember Ziebarth asked if there were any other duplexes in the area. Mr. Jurgensen replied that there were none.

Councilmember Hodges stated that spot rezoning requests had come up in the past and

that the Council had turned them down and that he was not in favor of starting to approve them now, after turning other applicants down.

Councilmember Rowley stated that she agreed with Councilmember Hodges and added that she does not feel approving multiple family dwellings in single family areas would be a good idea.

Mr. Jurgensen stated that he had lived in the house for almost 25 years and had never had any parking problems or other problems. Mrs. Jurgensen added that the reason the basement was finished as a separate apartment was because their son had married at a young age and had lived in the basement with his wife for a year. They moved out and a friend from Wisconsin took over the basement apartment.

MSP (Ziebarth-Hodges) to deny the request for the rezoning.

3 ayes
1 abstain

Mayor Pickar stated he was abstaining from the vote as he was a neighbor of the Jurgensons.

Charlotte Forslund, 7886 Sunnyside Road, asked if the home was a duplex. Mayor Pickar replied that it meets the definition of a duplex.

Mrs. Jurgensen explained that the friend who is living in the basement is getting married on December 2 and asked if he could live there until his wedding.

MSP (Pickar-Ziebarth) to grant permission for the resident to continue living with the Jurgensen's until December 2. 4 ayes

8:02 PM Mayor Pickar closed the public hearing and reopened the regular meeting.

APPROVAL OF CONSENT AGENDA

Councilmember Ziebarth asked that Item F be removed from the consent agenda.

MSP (Rowley-Hodges) to approve the consent agenda as follows:

4 ayes

- ITEM A. Adopt Resolution No. 942 designating polling places for the November 7, 1978, General Election. This action changes the Precinct 6 polling place from the Cross of Glory Lutheran Church to the Mounds View city hall basement, because the former is not available for the General Election. All other precinct polling places will be the same as in the Primary Election.
- ITEM B. Adopt Ordinance No. 286 amending Chapter 6.31 of the Municipal Code entitled Personnel, Holidays. The Minnesota Legislature recently changed Veteran's Day to fall on the traditional date, November 11th, rather than on a Monday. This ordinance includes Veteran's Day with other holidays, such as Christmas and Independence Days, for observance on the day before or after the actual date whenever such holiday falls on a Saturday or Sunday.

- ITEM C. Approve specifications and authorize solicitation of bids to be opened at 11:00 AM CST, Thursday, November 9, 1978, for the purchase of a truck mounted combination vacuum and high pressure water jet sewer cleaning system (sewer jet rodder) as authorized in the 1979 Budget.
- ITEM D. Reschedule the regular Council agenda session, Monday, November 6, 1978, to Thursday, November 9, 1978, at 7:00 PM.
- ITEM E. Cancel the continuation of Project 1978-6, Silver Lake Road sewer and water extensions, improvement hearing. The applicant for the Dailey Knolls proposed plat was the only involved property owner who submitted a proposal for utility service extensions as requested by the Council at its August 14, 1978, hearing on Project 1978-6. Continue the Dailey Knolls preliminary plat hearing at 7:50 PM, Monday, November 13, 1978.
- ITEM G. Approve the October 23, 1978, bills for payment.
- ITEM H. Approve the following licenses:

CONTRACTORS - expire 6/30/79	
General - renewal	Cement - renewal
B & K Builders 5727 Knox Ave. N.	L. H. Huot 7723 Groveland Road
Heating - new	Sewer & Water - new
The Tinn Shoppe 110 Hamel Road	Galaxy Mechanical Cont. Inc. 1308 - 113th Ave. N.E.
Daleiden Plbg & Htg 120 - 1st N.E.	

Councilmember Ziebarth stated he would like to make sure everyone was aware of the item on the consent agenda which changed the polling place for Precinct 6.

Councilmember Ziebarth stated he would like more information on the September police report as to the type of calls they had received from the Mermaid Lounge. He noted that he wants to know whether having a 24 hour operation has increased police problems.

MSP (Ziebarth-Rowley) to accept Item F of the Consent Agenda, to receive the September, 1978 activity reports of the city attorney, fire, police and nuisance abatement departments.

4 ayes

PROJECT 1978-9 BID AWARD - REPAINTING OF ELEVATED WATER TOWER AND TREATMENT PLANT NO. 1

Administrator Achen reported that bids for Project 1978-9, the repainting of the water tower no. 1 and treatment plant no. 1 were received from five companies. Administrator Achen presented the breakdown of the bids for Schedule A, the repainting of the eleva-

tor tower, with H & A Water Specialists being low bidder at \$23,075, and for Schedule B, the treatment plant, with Tenyer Coatings being the low bidder at \$12,000, and with H & A Water Specialists being the overall low bidder with a total bid of \$36,375. Administrator Achen explained that Larson Tank Co. of Hopkins had submitted a bid of \$36,000 for Schedule A but had not bid on Schedule B. Comstock & Davis contacted them to make sure they only intended their price to cover Schedule A, as it was \$36,000, which would have made them the overall low bidder, but they verified that they intended their bid to cover Schedule A only.

Attorney Meyers recommended that the City get a letter from Larson Tank Co. verifying that their bid only covered Schedule A.

MSP (Rowley-Ziebarth) to accept the low bid of H & A Water Specialists for \$36,375 for cleaning and repainting of the elevated water tower and treatment plant no. 1, contingent upon verification that the Larson Tank Co. bid was based strictly upon bidding on Schedule A and not meant to be bid for both Schedules A and B, per a statement from John Bearden of Comstock & Davis.

4 ayes

REZONING OF SEVEN-ELEVEN PROPERTY FROM B-3 HIGHWAY TO B-1 NEIGHBORHOOD COMMERCIAL DISTRICT

8:25 PM Mayor Pickar recessed the regular meeting and opened the public hearing on rezoning Seven-Eleven property from B-3 to B-1.

Mayor Pickar asked if there was anyone present in the Council Chamber to represent Seven-Eleven. There was no response.

Administrator Achen reported that the legal notice had been published in the New Brighton Bulletin on October 12, 1978, and that the legal notices had also been mailed on October 12, 1978, to the required property owners within 350'. He stated that Seven-Eleven was sent a legal notice and had been sent a letter on September 26, 1978, informing them that the Council had set a public hearing for October 23, 1978, for downzoning, although they are not present.

Administrator Achen stated that since the last Council meeting the City has received no communication from Seven-Eleven. He stated that the City had sent them a letter informing them of the time and date of this public hearing and that the Council would be discussing the rezoning.

Administrator Achen explained that the Planning Commission, at the time it considered Seven-Eleven's application for conditional use permit for gas sales, recommended the property be downzoned to B-1 to conform with the Comprehensive Plan.

Attorney Meyers stated that authorization for rezoning lies with the Council and that such a decision requires a 4/5ths vote by the Council. Attorney Meyers stated that downzoning may involve the property owners rights but that with B-3 to B-1, the existing use would be permitted to continue and should cause no liability or damage on the part of the City. Attorney Meyers also stated that he did not feel a court would be sympathetic with Seven-Eleven since they had not shown up for several of the Council or Planning Commission meetings to discuss their request or the rezoning, nor were they at this hearing.

Duane McCarty asked if gas pumps were allowable under B-3. Administrator Achen replied they would require a conditional use permit, and that they would not be allowed under B-1.

MSP (Pickar-Ziebarth) to rezone the parcel of property described from B-3 to B-1, neighborhood commercial district, based on the reports from the Planning Commission, Midwest Planning and recommendations by City Staff. The Councilmembers are all familiar with the property and have viewed it.

A rollcall vote was taken:	Councilmember Rowley - aye	
	Councilmember Ziebarth - aye	
	Councilmember Hodges - aye	
	Mayor Pickar - aye	4 ayes

8:38 PM Mayor Pickar closed the public hearing and reopened the regular meeting.

GREENFIELD PARK SKATING RINK LIGHTING BID AWARD

Administrator Achen reported that the budget for the project was set at \$11,500, with \$3,500 for materials and \$8,000 for the rink lights. Administrator Achen presented the bids received on both portions of the project. The low bids of Siwek Lumber and Millwork for \$3,800 for materials and of Collins Electric of \$11,400 for the lights came in \$3,700 over budget, which Administrator Achen reported would have to come out of the revenue sharing fund.

Park Director Anderson stated that the specs had included moving a light pole from Greenfield to Edgewood, which had not been budgeted for. He explained that there was presently no lighted pleasure rink in the southeast corner of the City and that this light would provide lighting at Edgewood. He also stated that if the bids were relet for a quartz system, they would most likely come back within budget but explained that the maintenance costs on the quartz system was much higher.

Mayor Pickar stated that the project had been delayed for quite some time and that he felt any additional delay would result in additional cost.

MSP (Pickar-Ziebarth) to accept the low bid of Siwek Lumber and Millwork of \$3,800 for materials and the low bid of Collins Electric of \$11,400 for lighting. The reason Lake Elmo Hardware is not being considered is because their bid was for lumber only. The \$3,700 over budget is to be paid by the revenue sharing fund. 4 ayes

Councilmember Ziebarth stated that he also felt the cost of the project would not get any cheaper by waiting.

PROJECT 1978-4 BID CANCELLATION - MOUNDS VIEW INDUSTRIAL PARK NO. 2 STREET AND UTILITY EXTENSIONS

Administrator Achen stated that following Council's action at the last meeting concerning the bond sale, he had directed the engineering consultant to cancel the bids on Project 1978-4, which was to be financed by the bond sale.

MSP (Ziebarth-Hodges) to cancel the bids for Project 1978-4. 4 ayes

Bill Doty asked where Project 1978-4 was located. Administrator Achen replied that it is Mounds View Industrial Park, with the extension of Mustang Road, and that it would not have any bearing on the two businesses just approved for the Park as they front on Old Highway 8.

ADMINISTRATOR ACHEN'S REPORT

Administrator Achen reported that he had spoken to the Metropolitan Council regarding their review of MAC's Scope of Work for the Anoka County Airport and that review will be delayed until November 8. It will then go before the Transportation Subcommittee and on November 16 before the Physical Development Committee, and on November 30 before the full Council. He stated that comments could be submitted at the November 8 and November 16 meetings.

Councilmember Rowley reported that the North Suburban Chamber of Commerce has taken a stand supporting the upgrading of the airport and asked that Mounds View send them a letter telling them Mounds View's position on the airport.

MSP (Rowley-Ziebarth) to have any resolutions the Council passed regarding the airport issue forwarded to the North Suburban Chamber of Commerce so they know where Mounds View stands. 4 ayes

Administrator Achen reported that he had written to the Metropolitan Council regarding the Shoreview diseased tree burning site.

Administrator Achen reported that the Ramsey County League will meet at 7:30 PM on October 25 at the North St. Paul City Hall.

Administrator Achen asked who planned on attending the League of Minnesota Cities meeting on November 1. Councilmember Ziebarth stated that he was interested and would know for sure in the morning.

ATTORNEY MEYERS' REPORT

Attorney Meyers reported he has the deeds for the Random Park property and release of the mortgage. He added that they will have to wait until a resolution is passed to have the land forfeited to the City. He added there may be some taxes due on the property.

Attorney Meyers reported that the case before Judge Devitt will be heard again around the first of the year, and the Waljarvi case is set for January 22, 1979.

COUNCILMEMBER ROWLEY had no further report.

COUNCILMEMBER ZIEBARTH'S REPORT

Councilmember Ziebarth reported that there would be a meeting of the Park, Recreation and Forestry Department on October 26 at 6:30 PM.

COUNCILMEMBER HODGES had no report.

MAYOR PICKAR'S REPORT

Mayor Pickar stated that he had called Judge Hachey's office regarding the letter he had written to the Judge and had been informed that a reply was in the mail.

MSP (Rowley-Ziebarth) to adjourn at 9:15 PM.

Respectfully submitted,



Mark Achen
Clerk-Administrator