

I. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof, the Regular Meeting of the Crystal City Council was held on Tuesday, June 17, 2014 at 7:03 p.m. in the Council Chambers at 4141 Douglas Drive in Crystal, Minnesota. Mayor Adams called the meeting to order.

ROLL CALL

Mayor Adams asked the city clerk to call the roll for elected officials. Upon roll call, the city clerk recorded the following attendance:

COUNCIL

Present: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

STAFF

City Manager A. Norris, City Attorney M. Norton, Assistant City Manager/Human Resources Manager K. Therres, Public Works Director T. Mathisen, Community Development Director P. Peters, City Planner J. Sutter, Police Chief S. Revering and City Clerk C. Serres.

PLEDGE OF ALLEGIANCE

Mayor Adams led the Council and audience in the Pledge of Allegiance.

Mayor Adams announced that the cities of Crystal, Golden Valley, New Hope, and Robbinsdale were officially proclaimed as Beyond The Yellow Ribbon Cities on June 15, 2014 and thanked Councilmember Deshler for her efforts with the project.

II. COUNCIL MEETING MINUTES

The Council considered the minutes from the following meetings in a single motion:

- a. The Regular City Council Meeting from June 3, 2014; and
- b. The Council Work Session from June 3, 2014.

Moved by Councilmember Peak and seconded by Councilmember Hoffmann to approve the above minutes in a single motion.

Motion carried.

III. CONSENT AGENDA

The Council considered the following items, which are routine and non-controversial in nature, in a single motion:

1. Approval of the list of license applications submitted by the City Clerk to the City Council, a list that is on file in the office of the City Clerk;
2. Approval of disbursements over \$25,000 submitted by the Finance Director to the City Council, a list that is on file in the office of the Finance Director;

III. CONSENT AGENDA CONTINUED

3. Approval of Resolution No. 2014-45, accepting donations from Armstrong Cooper Youth Hockey Association and the Crystal Lions;
4. Approval of Resolution No. 2014-46, authorizing continued participation in CDBG and other HUD programs in 2015 – 2017;
5. Approval of a special permit to serve wine and beer for up to 50 guests at Bassett Creek Park on June 19, 2014, from 5-10 p.m., submitted by Jeffrey Angelini;
6. Approval of Resolution No. 2014-47, regarding State of Minnesota performance measures;
7. Approval of Resolution No. 2014-48, appointing election judges to the Absentee Ballot Board for the Primary Election on August 12, 2014 and the General Election on November 4, 2014;
8. Approval of the precinct election judge appointments for the Primary Election on August 12; and
9. Approval of a Joint Powers Agreement for School Resource Officer services at Robbinsdale Middle School.

Moved by Councilmember Hoffmann and seconded by Councilmember Deshler to approve the consent agenda.

Motion carried.

IV. PUBLIC HEARINGS

1. The Mayor announced the purpose of the Public Hearing:

The consideration of two resolutions vacating certain streets and easements for a new public works facility at 5001 West Broadway.

City Planner John Sutter addressed the Council.

The Mayor opened the public hearing for testimony. There being no one wishing to appear before the Council to give testimony, Mayor Adams declared the public hearing closed.

Moved by Councilmember Budziszewski and seconded by Councilmember Libby to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2014 – 49

RESOLUTION VACATING STREET EASEMENTS
AT 4947 AND 5017 WEST BROADWAY

IV. PUBLIC HEARINGS CONTINUED

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried, resolution declared adopted.

Moved by Councilmember Budziszewski and seconded by Councilmember Libby to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2014 – 50

RESOLUTION VACATING PART
OF FAIRVIEW AVENUE NORTH
ADJACENT TO 4947 WEST BROADWAY

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried, resolution declared adopted.

2. The Mayor announced the purpose of the Public Hearing:

The consideration of two resolutions for Winnetka Hills Phase 1 Mill and Overlay Project No. 2014-21.

Public Works Director T. Mathisen addressed the Council and answered questions.

The Mayor opened the public hearing for testimony. The following persons addressed the Council:

- Bruce Johnson, 8200 35th Avenue North, regarding concerns about the project assessment costs.
- John Lindholm, 8117 32nd Avenue North, regarding concerns about traffic, project assessment costs and road cracking.
- Elizabeth Dahl, 8217 30th Avenue North, presented the Council with a list of residents that are not in favor of the project costs being assessed.

There being no one else wishing to appear before the Council to give testimony, Mayor Adams declared the public hearing closed.

The Council discussed options to finance the proposed project.

Moved by Councilmember Selton to move forward with ordering the project. The Mayor called Councilmember Selton out of order. Councilmember Selton did not challenge the decision of the Mayor.

IV. PUBLIC HEARINGS CONTINUED

Moved by Councilmember Peak and seconded by Mayor Adams to delay the project in order to have further discussion.

Councilmember Selton called for the question.

By roll call and voting aye: Adams and Peak.

Voting nay: Budziszewski, Deshler, Hoffmann, Libby, and Selton.

Motion failed.

Moved by Councilmember Selton and seconded by Councilmember Hoffmann to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2014 – 51

ORDERING PUBLIC IMPROVEMENT PROJECT #2014-21 AND
PREPARATION OF PLANS AND SPECIFICATIONS
WINNETKA HILLS MILL AND OVERLAY

By roll call and voting aye: Budziszewski, Deshler, Hoffmann, Libby and Selton.
Voting nay: Peak and Adams.

Motion carried, resolution declared adopted.

Moved by Councilmember Selton and seconded by Councilmember Deshler to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2014 – 52

APPROVING PLANS AND SPECIFICATIONS AND ORDER
ADVERTISEMENT FOR BIDS – PROJECT #2014-21
WINNETKA HILLS PHASE 1 MILL AND OVERLAY

By roll call and voting aye: Deshler, Hoffmann, Libby, Selton and Budziszewski.
Voting nay: Peak and Adams.

Motion carried, resolution declared adopted.

3. The Mayor announced the purpose of the Public Hearing:

The consideration of new on sale liquor licenses located at 3545 Douglas Drive submitted by Milton's Café LLC d/b/a Milton's Café.

City Clerk Chrissy Serres addressed the Council.

IV. PUBLIC HEARINGS CONTINUED

Milton's Café owners Phil and Francine Weber addressed the Council and answered questions.

The Mayor opened the public hearing for testimony. The following persons addressed the Council:

- Bruce Johnson, 8200 35th Avenue North, in favor of the Council approving the new on sale liquor licenses.
- Jeff Kolb, 6404 38th Avenue North, in favor of the Council approving the new on sale liquor licenses.

There being no one else wishing to appear before the Council to give testimony, Mayor Adams declared the public hearing closed.

Moved by Councilmember Deshler and seconded by Councilmember Peak to approve the application for new on sale liquor licenses at 3545 Douglas Drive North submitted by Milton's Café LLC d/b/a Milton's Café.

By roll call and voting aye: Hoffmann, Libby, Peak, Selton, Budziszewski, and Deshler.

Abstention: Adams.

Motion carried.

Mayor Adams changed the order of the Regular Agenda by moving Regular Agenda #3 to Regular Agenda #1.

V. REGULAR AGENDA

1. The Council considered a conditional use permit for Milton's (3545 Douglas Drive North) to close at 12:00 midnight seven days a week and 1:00 a.m. on January 1 of each year.

City Planner J. Sutter and Chief Revering addressed the Council and answered questions.

The City received written objection to the proposed conditional use permit:

- Jennifer and Tom Schmitt, 3430 Florida Ave N

Milton's Café owners Phil and Francine Weber addressed the Council and answered questions.

Moved by Councilmember Peak and seconded by Councilmember Libby to approve the conditional use permit to allow Milton's (3545 Douglas Drive North) to close at 12:00 midnight seven days a week and 1:00 a.m. on January 1 of each year as recommended by the Planning Commission at its meeting on June

V. REGULAR AGENDA CONTINUED

9, 2014, based on findings of fact and conclusions outlined in Section C of the Staff Report.

Voting aye: Libby, Peak, Selton, Budziszewski, Deshler and Hoffmann.

Abstention: Adams.

Motion carried.

2. The Council considered bids and a resolution awarding 2014 Cure In Place Sanitary Sewer Lining Project No. 2014-08.

Public Works Director T. Mathisen addressed the Council and answered questions.

Moved by Councilmember Hoffmann and seconded by Councilmember Libby to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2014 – 53

AWARDING CONTRACT - SEWER UTILITY PROJECT 2014-08
CIPP SANITARY SEWER LINING
FOREST SOUTH NEIGHBORHOOD

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried, resolution declared adopted.

3. The Council considered authorizing execution of Amendment to the Bassett Creek Watershed Management Commission Joint Powers Agreement to extend Agreement to 2025.

Public Works Director T. Mathisen addressed the Council.

Bassett Creek Watershed Management Organization Commissioner Guy Mueller addressed the Council and answered questions.

Moved by Councilmember Hoffmann and seconded by Councilmember Peak to authorize execution of Amendment to the Bassett Creek Watershed Management Commission Joint Powers Agreement to extend the Agreement to 2025.

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried.

V. REGULAR AGENDA CONTINUED

4. The Council considered a conditional use permit for MD Liquors (7200 56th Avenue North) to close at 10:00 instead of 9:00 p.m.

City Planner J. Sutter addressed the Council and answered questions.

Moved by Councilmember Hoffmann and seconded by Councilmember Budziszewski to approve the conditional use permit to allow MD Liquors (7200 56th Avenue North) to close at 10:00 instead of 9:00 p.m. as recommended by the Planning Commission at its meeting on June 9, 2014, based on findings of fact and conclusions outlined in Section C of the Staff Report.

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried.

5. The Council considered a variance for a freestanding monument sign at St. Raphael's School (7301 56th Avenue North) to be 10 feet 6 inches high instead of 6 feet.

City Planner J. Sutter addressed the Council and answered questions.

Moved by Councilmember Selton and seconded by Councilmember Budziszewski to approve the variance to allow a freestanding monument sign at St. Raphael's School (7301 56th Avenue North) to be 10 feet 6 inches high as recommended by the Planning Commission at its meeting on June 9, 2014, based on findings of fact and conclusions outlined in Section C of the Staff Report.

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried.

6. The Council considered a conditional use permit, variances and site & building plans for a new public works facility at 5001 West Broadway.

City Planner J. Sutter addressed the Council and answered questions.

Moved by Councilmember Budziszewski and seconded by Councilmember Peak to approve a conditional use permit, variances and site & building plans for a new public works facility at 5001 West Broadway as recommended by the Planning Commission at its meeting on June 9, 2014, based on findings of fact and conclusions outlined in Section C of the Staff Report.

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried.

V. REGULAR AGENDA CONTINUED

7. The Council considered authorizing a contract for demolition of 4947 West Broadway (public works facility site).

City Planner J. Sutter addressed the Council and answered questions.

Moved by Councilmember Budziszewski and seconded by Councilmember Hoffmann to approve authorizing a contract for demolition of 4947 West Broadway (public works facility site) to Kevitt Excavating.

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried.

8. The Council considered a resolution approving plans and specifications and ordering advertisement for bids - Project #2014-10 Public Works Facility Construction.

Public Works Director T. Mathisen addressed the Council and answered questions.

Ed Kodet from Kodet Architectural Group, Ltd. addressed the Council and answered questions.

Moved by Councilmember Peak and seconded by Mayor Adams to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2014 – 54

APPROVING PLANS AND SPECIFICATIONS AND ORDER
ADVERTISEMENT FOR BIDS – PROJECT #2014-10
CONSTRUCTION OF NEW PUBLIC WORKS FACILITY

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried, resolution declared adopted.

9. The Council considered a resolution dissolving Five Cities Transportation Joint Powers Agreement.

City Manager A. Norris addressed the Council.

Moved by Councilmember Hoffmann and seconded by Councilmember Peak to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2014 – 55

V. REGULAR AGENDA CONTINUED

RESOLUTION PROVIDING FOR NOTICE OF WITHDRAWAL BY THE CITY OF CRYSTAL FROM THE FIVE CITIES SENIOR TRANSPORTATION PROJECT AND TERMINATION OF THE PROJECT

Voting aye: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak and Selton.

Motion carried, resolution declared adopted.

VI. OPEN FORUM

(Open forum is a time for individuals in the audience to address the Council on subjects not on the regular Council agenda. Individuals are asked to step up to the podium and speak clearly into the microphone. You are allowed 3 minutes to make your comments and no items may be addressed more than ten minutes. The Council will not take action on items discussed during open forum or discuss matters under pending or threatened litigation; however, the Council may add the item to a future meeting agenda and ask city staff for follow-up.)

No comments will be taken during tonight's Open Forum regarding the Ramirez matter. The Council is well aware of the issues and concerns of members of the community group, Communities United Against Police Brutality and Crystal residents. The group's members have attended many city council meetings and have been in contact by telephone, email and written letter. The city has responded many times to requests for information. The city will provide any public information available in the future. Citizens are invited to communicate with city staff or the Mayor and Council by email or letter about this or any other topic.)

Michael Knowles, 3030 Douglas Drive N, addressed the Council regarding his concerns about the maintenance of the retention pond adjacent to The Heathers Manor and presented the Council with a list of residents that support his concerns.

VII. INFORMATION AND DISCUSSION

Mayor Adams read the following announcements:

- a) The Crystal Business Association meets on June 18 at 8:30 a.m. at Crystal City Hall.
- b) Busking Becker will be held on June 19 at Becker Park starting at 6:00 p.m.
- c) City offices are closed on Friday, July 4, in observation of the Independence Day holiday.
- d) The City is not conducting a fireworks display for the Fourth of July Holiday.
- e) The next City Council Meeting will be at 7:00 p.m. on Tuesday, July 15 in the Council Chambers at City Hall.

VII. INFORMATION AND DISCUSSION CONTINUED

f) Upcoming events in the City include:

- Crystal Frolics - July 24-27;
- MN Night to Unite is Tuesday, August 5. Registration forms are due by July 25.
- Log onto the city's website to learn more at www.crystalmn.gov

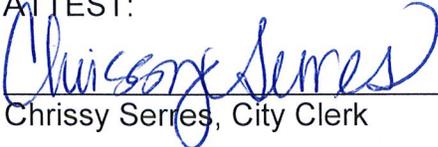
VIII. ADJOURNMENT

Moved by Councilmember Deshler and seconded by Councilmember Budziszewski to adjourn the meeting.

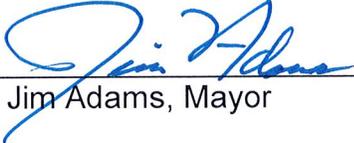
Motion carried.

The meeting adjourned at 9:48 p.m.

ATTEST:



Chrissy Serres, City Clerk



Jim Adams, Mayor