

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, February 19, 2013 at 7:00 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: Hoffmann, Libby, Peak, Selton, Adams, Budziszewski, and Deshler.

STAFF:

City Manager A. Norris, City Attorney M. Norton, Community Development Director P. Peters, City Planner/Assistant Community Development Director J. Sutter, Public Works Director T. Mathisen, Finance Director C. Hansen and City Clerk C. Serres.

PLEDGE OF ALLEGIANCE

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

II. ACKNOWLEDGEMENTS

The Mayor acknowledged the following donations:

1. \$2,500 from 2MK Sports Marketing for the Crystal Recreation Activity Assistance Scholarship Program; and
2. \$1,000 from Daryl Carlson toward a memorial bench at Bassett Creek Park.

III. COUNCIL MEETING MINUTES

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

- a. The Regular City Council Meeting from February 5, 2013;
- b. Two Council Work Sessions from February 5, 2013; and
- c. The Council Work Session from February 7, 2013.

Moved by Council Member Budziszewski and seconded by Council Member Libby to approve the following minutes in a single motion:

- a. The Regular City Council Meeting from February 5, 2013;
- b. Two Council Work Sessions from February 5, 2013; and
- c. The Council Work Session from February 7, 2013.

Motion carried.

IV. 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; and
3. Approval of Resolution No. 2013-11 relating to amending the 2012 and 2013 Permanent Improvement Revolving (PIR) Fund budgets.

Moved by Council Member Deshler and seconded by Council Member Budziszewski to approve the consent agenda.

Motion carried.

V. PUBLIC HEARING

Mayor Adams opened a public hearing to receive comment and Council consideration of a resolution allocating Community Development Block Grant funds for Program Year 2013.

City Planner/Assistant Community Development Director J. Sutter addressed the Council and answered questions.

Mayor Adams opened the public hearing for testimony.

HOME Line Housing Attorney Matt Eichenlaub addressed the Council regarding a funding request for the HOME Line organization.

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

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

RESOLUTION NO. 2013 – 12

RESOLUTION APPROVING PROPOSED USE OF 2013
URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM FUNDS AND AUTHORIZING EXECUTION OF
SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY
AND ANY THIRD PARTY AGREEMENTS

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

Motion carried, resolution declared adopted.

VI. OPEN FORUM

No public comment was given during open forum.

VII. REGULAR AGENDA

1. The Council considered the appointment of Jeff Kolb to the Ward 2 vacancy on the Planning Commission for an unexpired term expiring December 31, 2014.

Applicant Jeff Kolb addressed the Council and answered questions.

Moved by Council Member Peak and seconded by Council Member Deshler to approve the appointment of Jeff Kolb to the Planning Commission for an unexpired term expiring December 31, 2014.

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

Motion carried.

2. The Council considered the appointment of Andrew Richter to the Ward 4 vacancy on the Planning Commission for an unexpired term expiring December 31, 2013.

Applicant Andrew Richter addressed the Council and answered questions.

Moved by Council Member Hoffmann and seconded by Council Member Deshler to approve the appointment of Andrew Richter to the Ward 4 vacancy on the Planning Commission for an unexpired term expiring December 31, 2013.

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

Motion carried.

3. The Council considered civil penalties for the violation of ordinances and laws relating to the illegal sale of alcohol after 8:00 p.m. on Christmas Eve and to an obviously intoxicated person by Robert Enterprises, Inc. d/b/a Red Dragon Liquors located at 5924 West Broadway.

City Clerk C. Serres and City Attorney M. Norton provided a report addressing the facts of the violations.

Attorney Robert M. Christensen offered testimony in mitigation of the penalties on behalf of Robert Enterprises, Inc. d/b/a Red Dragon Liquors.

Moved by Council Member Budziszewski and seconded by Council Member Hoffmann to impose civil penalties of a one day license suspension and a fine of \$750 for the violation of city ordinances and state laws relating to the illegal sale of alcohol after 8:00 p.m. on Christmas Eve and to an obviously intoxicated person by Robert Enterprises, Inc. d/b/a Red Dragon Liquors located at 5924 West Broadway, with the city clerk determining the fine and suspension dates.

VII. REGULAR AGENDA CONTINUED

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

Motion carried.

4. The Council considered a Conditional Use Permit for Motor Vehicle Repair at 5215 Lakeland Avenue North for Rusty & Sons Auto Repair.

City Planner/Assistant Community Development Director J. Sutter addressed the Council and answered questions.

Moved by Council Member Budziszewski and seconded by Council Member Deshler to approve the conditional use permit for Motor Vehicle Repair at 5215 Lakeland Avenue North for Rusty & Sons Auto Repair as recommended by the Planning Commission at its meeting on February 11, 2013, based on findings of fact and subject to the conditions outlined in Section B of the staff report.

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

Motion carried.

5. The Council considered a resolution awarding a contract for Aerial Survey and Topographic Mapping for Street Reconstruction Phases 14 – 16.

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

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

RESOLUTION NO. 2013 – 13

**AWARDING CONTRACT FOR AERIAL PHOTOGRAPHY AND MAPPING
PHASE 14-16 STREET RECONSTRUCTION - PROJECT NO. 2013-09**

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

Motion carried, resolution declared adopted.

6. The Council considered a resolution authorizing purchase of replacement Street Department pick-up truck #306.

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

VII. REGULAR AGENDA CONTINUED

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

RESOLUTION NO. 2013 – 14

**APPROVING PIR EXPENDITURE FOR REPLACEMENT
STREET DEPARTMENT UNIT #306 PICKUP TRUCK**

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

Motion carried, resolution declared adopted.

VIII. INFORMATION AND DISCUSSION

Mayor Adams read the following announcements:

- a) The Crystal Business Association meets at 8:30 a.m. on Wednesday, February 20, at Crystal V.F.W. Post 494, 5222 56th Avenue North.
- b) The Council will hold a work/teambuilding session at 6:00 p.m. Tuesday, February 26, in Conference Room A at City Hall.
- c) The next City Council Meeting begins at 7:00 p.m. on Tuesday, March 5, in the Council Chambers at City Hall.
- d) Jennifer Sodd was appointed by Chief Judge Peter Cahill to fill the vacant position on the Crystal Charter Commission.

IX. ADJOURNMENT

Moved by Council Member Peak and seconded by Council Member Libby to adjourn the meeting.

Motion carried.

The meeting adjourned at 8:19 p.m.



 Jim Adams, Mayor

ATTEST:



 Chrissy Serres, City Clerk