

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, April 16, 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: Adams, Budziszewski, Deshler, Hoffmann, Libby, Peak, and Selton.

STAFF

City Manager A. Norris, City Attorney M. Norton, Assistant City Manager K. Therres, Public Works Director/City Engineer T. Mathisen, City Planner/Assistant Community Development Director J. Sutter, Police Lieutenant D. Oyaas, and City Clerk C. Serres.

PLEDGE OF ALLEGIANCE

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

II. PRESENTATION

The Council received a presentation on Crystal's Storm Water Pollution Prevention Program from Engineering Department representative David Fritzke.

III. PROCLAMATION

Mayor Adams read a proclamation declaring May 1, 2013 as *Arbor Day* in the City of Crystal.

IV. COUNCIL MEETING MINUTES

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

- a. The Regular City Council Meeting from April 3, 2013;
- b. The Council Work Session from April 3, 2013; and
- c. The Council Work Session from April 11, 2013.

Moved by Council Member Hoffmann and seconded by Council Member Libby to approve the following minutes in a single motion, with the amendment of "Major" to "Mayor", under *Pledge of Allegiance*, on page 2533.

- a. The Regular City Council Meeting from April 3, 2013;
- b. The Council Work Session from April 3, 2013; and
- c. The Council Work Session from April 11, 2013.

Motion carried.

V. 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; and
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.

Moved by Council Member Selton and seconded by Council Member Hoffmann to approve the consent agenda.

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

Motion carried.

VI. PUBLIC HEARINGS

1. The Mayor opened a hearing to receive comment and Council consideration of a resolution adopting the assessment roll for Phase 13 Becker Park Street Reconstruction Project No. 2012-13.

Public Works Director/City Engineer T. Mathisen addressed the Council. Aaron Ditzler, SEH consultant, presented to the Council and audience.

Mayor Adams opened the public hearing for testimony. The following persons addressed the Council in regards to the street reconstruction project:

- Carolyn Maristany, 5300 Idaho Avenue N
- Attorney Erick Kaardal, representing TMC Equities LLC, for property located at 5340, 5332, 5324 Hanson Court N
- Melanie Haddox, 5330 Georgia Avenue N
- Bonita Geer, 6132 Lakeland Avenue N

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

*The City received written objection to the proposed assessment from:

- Kristine Burton, 5241 Maryland Avenue N
- Bonita Geer, 6132 Lakeland Avenue N
- Blaine Hansen, 5153 Idaho Avenue N
- Sandra Harb, 5230 Maryland Avenue N
- Carolyn Maristany, 5330 Idaho Avenue N
- Stephanie Meyer, 5205 Louisiana Avenue N
- Richard Rostamo, 6014 Lakeland Avenue N
- Sharon and Bob Wigen, 5324 Maryland Avenue N
- Ginny Metzger, Parish Business Administrator of the Church of St. Raphael's, for property located at 7301 56th Ave N

VI. PUBLIC HEARINGS CONTINUED

- Joseph Noonan, on behalf of TMC Management Corporation, for property located at 5340, 5332, 5324 Hanson Court
- Shawn Weinand, Chief Manager of Modern Mini Storage LLC, for property located at 5225, 5128, 5217 Hanson Court N
- V.M., 5418 Louisiana Avenue N

*Other appellant information is available for review in the city clerk's office.

Moved by Council Member Budziszewski and seconded by Council Member Hoffmann to adopt the following resolution except as to those properties for which owners have appealed their assessments, and to continue the public hearing to May 7, 2013, for possible review and consideration of those properties that have appealed, and for possible reassessment or supplemental assessment, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2013 - 25**ADOPTING ASSESSMENT ROLL
PROJECT #2012-13 PHASE 13 BECKER PARK AND
COUNTY ROAD 81 LOCAL STREETS RECONSTRUCTION**

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

Motion carried, resolution declared adopted.

2. The Mayor opened a hearing to receive public comment and Council consideration for on-sale liquor license expansion at 3545 Douglas Drive North submitted by Milton's Café.

City Clerk C. Serres 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 Council Member Selton and seconded by Council Member Peak to approve expanding the licensed premises for on sale wine and beer service for Milton' Café located at 3545 Douglas Drive North, contingent upon compliance with the conditions of approval for the outdoor seating Conditional Use Permit as approved by the Council on April 16, 2013, the effective date to be concurrent with that of the zoning ordinance text amendment for the C-1 district.

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

Motion carried.

VI. OPEN FORUM

Nancy LaRoche, 6511 34th Ave N, addressed the Council to inquire about city code enforcement as it relates to housing and express her concern about an unoccupied property.

VII. REGULAR AGENDA

1. The Council considered first reading of a zoning ordinance amendment allowing larger businesses and additional conditional uses in the C-1 Neighborhood Commercial District.

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

Moved by Council Mayor Adams and seconded by Council Member Peak to adopt the following ordinance:

ORDINANCE NO. 2013 – 01

AN ORDINANCE AMENDING SUBSECTION 515.45 OF CRYSTAL CITY CODE TO REDUCE LIMITATIONS ON THE SIZE OF PERMITTED USES AND ADD CONDITIONAL USES IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

and further, that the second and final reading will be held on May 7, 2013.

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

Motion carried.

2. The Council considered a conditional use permit for outdoor food and beverage service at 3545 Douglas Drive North (Milton's Café).

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

Moved by Council Member Selton and seconded by Council Member Deshler to approve the conditional use permit for outdoor food and beverage service at 3545 Douglas Drive North (Milton's Café) as recommended by the Planning Commission at its meeting on April 8, 2013, based on findings of fact and subject to the conditions outlined in Section B of the staff report.

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

Motion carried.

VII. REGULAR AGENDA CONTINUED

3. The Council considered a conditional use permit for an events center, on-sale liquor and outdoor food and beverage service at 4947 West Broadway (Eventure).

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

Applicant Krystal Sedwick addressed the Council.

Moved by Council Member Deshler and seconded by Council Member Libby to approve the conditional use permit for an events center, on-sale liquor and outdoor food and beverage service at 4947 West Broadway (Eventure) as recommended by the Planning Commission at its meeting on April 8, 2013, based on findings of fact and subject to the conditions outlined in Section B of the staff report.

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

Motion carried.

4. The Council considered bids and a resolution awarding a contract for Phase 13 Becker Park Street Reconstruction Project #2012-13.

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

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

RESOLUTION NO. 2013 – 26

**AWARDING CONTRACT FOR PROJECT # 2012-13 PHASE 13
BECKER PARK NEIGHBORHOOD STREET RECONSTRUCTION**

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

Motion carried, resolution declared adopted.

5. The Council considered a resolution awarding an engineering services contract for Phase 13 Becker Park Street Reconstruction Project #2012-13.

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

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

VII. REGULAR AGENDA CONTINUED

RESOLUTION NO. 2013 – 27

AUTHORIZING AGREEMENT TO PROVIDE ENGINEERING SERVICES
FOR INSPECTION, STAKING & PROJECT MANAGEMENT
PROJECT #2012-13 BECKER PARK STREET RECONSTRUCTION

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

Motion carried, resolution declared adopted.

6. The Council considered a resolution dedicating funds and awarding a contract for Backage Road Street Lighting Project #2011-15.

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

RESOLUTION NO. 2013 – 28

AWARDING CONTRACT FOR PROJECT NO. 2011-15
COUNTY ROAD #81 BACKAGE ROAD STREET LIGHTING
AND AMENDING 2013 STREET LIGHT UTILITY CIP

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

Motion carried, resolution declared adopted.

IX. INFORMATION AND DISCUSSION

Mayor Adams read the following announcements:

- a) The next City Council Meeting begins at 7:00 p.m. on Tuesday, May 7, in the Council Chambers at City Hall.
- b) The Crystal Business Association meets on Wednesday, April 17, at 8:30 a.m. at City Hall.
- c) Reminder – Citizen Input Time is taking a break from May – August but the Mayor and Councilmembers are still available by phone, email or to meet.

X. ADJOURNMENT

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

Motion carried.

The meeting adjourned at 8:36 p.m.



Jim Adams, Mayor

ATTEST:



Chrissy Serres, City Clerk