

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

DATE APPROVED: 04-13-81

Regular Meeting  
March 23, 1981  
Mounds View City Hall  
2401 Hwy. 10, Mounds View, MN 55112

The Mounds View City Council was called to order at 7:31 p.m., on March 23, 1981, by Mayor McCarty.

1. Call to Order

MEMBERS PRESENT: Councilmembers Blanchard, Doty, Hodges, and Mayor McCarty.

2. Roll Call

MEMBERS ABSENT: Councilmember Forslund.

ALSO PRESENT: City Attorney Meyers, Clerk/Administrator Pauley, Parks, Recreation and Forestry Director Anderson, Building and Zoning Official Rose, and Finance Director Brager.

Corrections:

3. Approval of the March 9, 1981, Special and Regular Meeting Minutes.

McCarty:

Page 2-3, after the proclamation by Sharon McCarthy, my response should read as follows: "Mayor McCarty pointed out to Ms. McCarthy that every item in the Council packet, including Resolutions, was in a folder on a table in the Council Chambers for public reviewal. Furthermore, the City Charter allows dispensation of reading resolutions by unanimous consent of the Council, and resolutions are always read on request of anyone in the audience. Mayor McCarty asked if Ms. McCarthy had the records (of the meetings that she was objecting to) and if she knew when the meetings were held.

Ms. McCarthy replied she did not.

Mayor McCarty stated . . "Then you are talking of something you know nothing about".

Page 7, paragraph 7, should read, "1981 Forestry Contract for the removal and set the bid opening for 10:00 a.m., Friday, March 27, 1981." Also under the Motion, it should be 1981 instead of 1982.



Judy Rowley, 2562 Ridge Lane, said that after her statement on page two, residents requests and comments from the floor, after City add: , in addition to present homeowners.

MOTION: Councilmember Hodges made a motion, seconded by Doty to approve the March 9, 1981, Special and Regular Meeting Minutes as corrected.

Ayes-4  
Nays-0 MOTION CARRIED.

MOTION: Councilmember Doty made a motion, seconded by Hodges to accept the Minutes of the March 12, 1981, Special Meeting as received.

4. Approval of the March 12, 1981, Special Meeting Minutes

Ayes-4  
Nays-0 MOTION CARRIED.

MOTION: Councilmember Doty made a motion, seconded by Hodges to accept the Minutes of the March 16, 1981, Special Meeting as received.

5. Approval of the March 16, 1981, Special Meeting Minutes

Ayes-4  
Nays-0 MOTION CARRIED.

Mayor McCarty stated that he had been contacted by a resident asking why bids had been accepted by the City Council for the two police cars at the Special Meeting of March 16, 1981. Mayor McCarty stated that by accepting the bids at that meeting, the City would be able to save approximately \$1,800 on the two vehicles.

REGULAR MEETING CLOSED: 7:40 p.m.

PUBLIC HEARING OPENED: 7:40 p.m.

Official Rose stated that he had contacted Mr. Spagenski and that he had indicated that someone would be in attendance for this hearing, but that no one had yet arrived.

6. Continued Public Hearing on Rezoning Request from R-1 to R-2 for 2415 County Road I - Donald Spagenski

MOTION: Councilmember Doty made a motion, seconded by Blanchard to delay the public hearing until the representative for this proposal arrived.

Ayes-4  
Nays-0 MOTION CARRIED.



REGULAR MEETING RE-OPENED: 7:41 p.m.

Jerry Skelly presented Council with a status update of the cable television franchise proposal.

Highlights of his presentation were:

- There would be no cost for the municipality, the only costs would be to the subscriber.
- He said that the first draft of the 60 page Agreement was available for review.
- He discussed the time table for the system. He stated that the system should be completed within 3 years from the date of start of construction after certification by the State Cable Television Board.
- He discussed different services that are available such as fire alarms, security systems, monitors, educational, HBO, Show Time, and Commercial Programs.

Mayor McCarty voiced his appreciation to Mr. Skelly for his involvement and time spent as Mounds View Representative to the North Suburban Cable Television Commission.

REGULAR MEETING CLOSED: 8:25 p.m.  
PUBLIC HEARING OPENED: 8:25 p.m.

Mr. Bob Bartkus, representing Mr. Spagenski, said that he would like to hear what the Planning Commission's recommendations had been.

There were no more comments from the audience.

PUBLIC HEARING CLOSED: 8:29 p.m.  
REGULAR MEETING RE-OPENED: 8:29 p.m.

Councilmember Doty reviewed the recommendations, Resolution No. 10-81, from the Planning Commission. They recommended that the rezoning be denied, and further that R-2 designations should be required to have 100' frontages on interior lots with 16,500 square feet; also that corner lots have 125' frontages with 18,750 square feet, and further to require 15' side-yard setbacks. That the R-2 zone should have a lower density of 2-3 units and be on the periphery of low density zoned areas. The Planning Commission also indicated that the R-2 areas should be designated on the Zoning Map and Comprehensive Plan.

7. Presentation by Jerry Skelly, Mounds View representative to the North Suburban Cable Commission.

8. Continued Public Hearing on Rezoning Request from R-1 to R-2 for 2415 County Road I - Donald Spagenski.



Discussion took place on the R-1 to R-2 conversions within the low density designations, and spot zoning that has been done in the past on County Road I.

Mayor McCarty stated that the Planning Commission at their March 4, 1981, meeting had voted 7 ayes, 0 nays, to accept the language in Resolution No. 10-81.

Official Rose stated that at the January 12, 1981, City Council Meeting, this request had been tabled and the public hearing continued. He further stated that Resolution No. 10-81 was the direction from the Planning Commission.

Mayor McCarty stated that the only problem he has with the Resolution is the R-1 to R-2, Conversions.

MOTION: Mayor McCarty made a motion, seconded by Hodges to grant the rezoning from R-1 to R-2, and that staff enter into a Development Agreement.

The vote was taken by calling of the roll.

Ayes-4  
Nays-0      MOTION CARRIED.

MOTION: Councilmember Hodges made a motion, seconded by Mayor McCarty to hold a joint meeting with the Planning Commission to discuss Resolution No. 10-81.

Ayes-4  
Nays-0      MOTION CARRIED.

There were no comments or requests from the audience.

9. Residents requests and comments from the floor.

Mayor McCarty read the Consent Agenda. Mayor McCarty asked that Item C and G be removed for discussion.

10. Approval of Consent Agenda.

MOTION: Councilmember Doty made a motion, seconded by Blanchard to approve the Consent Agenda (eliminating Items C and G) and to waive the reading of the Resolutions.

Ayes-4  
Nays-0      MOTION CARRIED.

Mayor McCarty stated that he feels that if Item C is changed, they should receive input from the person involved. He stated that



it is felt by the person involved that they direct other persons, also that they make the decision to notify the crew of water shut-offs for non payment of water bills.

Finance Director Brager stated that this could only be done with permission from the Public Works Superintendent.

Councilmember Doty stated that he was satisfied that they had done an adequate job with designing this job description.

MOTION: Councilmember Doty made a motion, seconded by Blanchard to accept Item C of the Consent Agenda as presented.

Ayes-4  
Nays-0      MOTION CARRIED.

Mayor McCarty read Resolution No. 1252, Item G, Resolution of Appreciation to the League of Women Voters.

MOTION: Mayor McCarty made a motion, seconded by Hodges to approve Resolution No. 1252, Item G of the Consent Agenda.

Ayes-4  
Nays-0      MOTION CARRIED.

Finance Director Brager passed out a memo to the Council regarding the employment of a high-school student during the accountant's leave of absence. He discussed the memorandum. He said that the high-school coordinator had given him a list of 11 interested student, and that the accounting teachers had narrowed the list down to 4 students which were interviewed. He said that he feels that this position could be too much responsibility for a high-school student and that another alternative could be to use a temporary help agency.

MOTION: Mayor McCarty made a motion, seconded by Doty to authorize Clerk/Administrator Pauley to hire an accountant from a temporary service agency and that the costs of the temporary accountant not exceed the budgeted amount for that position without prior consent of the Council being obtained.

Ayes-4  
Nays-0      MOTION CARRIED.

11. Consideration of Report from Finance Director Brager regarding the employment of a temporary high-school student during the Accountant's Leave of Absence.



Clerk/Administrator Pauley discussed the changes that had been made to the 4th draft of the Contract for Fire Services. He talked about the letter from Attorney Meyers regarding the Contract.

12. Consideration of 4th Draft of Contract for Fire Services.

Mayor McCarty discussed the deletion of Article 3.3,(e). He read Article 4.1. He asked if there would be any problems if the City were to get their own Fire Department before the end of the Contract.

Attorney Meyers stated that there are two parties to the contract and if they agree, they can open up negotiations. He also said that the Contract can be terminated with a 6 month notice.

Mayor McCarty stated that he would like to add the following to the end of Article 4.1: "in any event, this contract shall stay in full force and effect during the negotiations of the Contract."

Councilmember Doty stated that he has a problem with the ability of the Fire Department to gain financing. He talked about the possibility that the City could float a bond. He said that he feels that the Fire Department could use the City's purchasing power to get a lower cost on equipment. He stated that he would like to help the Fire Department especially in the area of the amount of interest they would pay.

Councilmember Blanchard stated that this would be to the City's advantage.

Mayor McCarty stated that it would also be to the Fire Departments benefit.

Attorney Meyers stated that the City in which the Fire Hall is located, could issue bonds. He further stated that the Fire Department could pay off the bonds with their revenues. Further that they could then obtain the tax exempt rate. Also, that all three cities could get into a Financing Plan Joint Powers Agreement for individual items.

Councilmember Hodges discussed the striking of the Contingency portion of the Contract, Article 3.3,(e).

Mayor McCarty stated that he felt that there should be a Joint Powers Agreement between the three cities that are involved.



Councilmember Doty Stated that he would like to see the City have the money in their account instead of giving the money to a private entity.

MOTION: Mayor McCarty made a motion, seconded by Blanchard, to amend Article 4.1 to comply with the language recommended by City Attorney Meyers.

Ayes-4

Nays-0

MOTION CARRIED.

Clerk/Administrator Pauley read Article 2.1 (b).

MOTION: Mayor McCarty made a motion, seconded by Doty to add Article 2.1 (b) to the proposed contract: "In the event the City and the Fire Department agree to revise the formula for costs set forth in 2.1(a), the parties hereby agree to meet and negotiate such formula upon mutually satisfactory terms."

Ayes-4

Nays-0

MOTION CARRIED.

MOTION: Councilmember Doty made a motion, seconded by Blanchard to approve the Contract for Fire Services and to authorize Mayor McCarty and Councilmember Hodges to meet with Fire Department.

Ayes-4

Nays-0

MOTION CARRIED.

Attorney Meyers discussed Chapter 81. He said that Chapter 81 regulates parking in the City of Mounds View.

Mayor McCarty stated that it has been brought to his attention that since the adoption of this Ordinance, one particular person has paid \$585.00 in fines. He asked if someone could park a truck 15 feet back from the road. Attorney Meyers stated that they could but for no longer than two hours.

Councilmember Doty asked if someone in the past had been given approval to install a pad to park a truck.

Councilmember Blanchard stated that she does not believe that the Ordinance was passed for one person.

Councilmember Hodges said that some trucks that were parked within the City have been taken to other places and the owners have paid to have them stored. He said that he does not want to start a trucking community in this City.

Mayor McCarty stated that he would like to find an equitable solution for what is happening.

13. Report from City Attorney regarding the Repeal of Section 81:01 (13) and Section 81:02, Subd. 5 (5) of the Municipal Code



Councilmember Hodges stated that he feels that a public hearing should be held to discuss this issue.

Pat Stimpson, 5132 Long Lake Road, said that her husband is the one who gets three or four tickets a week. She asked why they have to pay the fines and no-one else does. She discussed another truck that is usually parked on Silver Lake Road.

Mayor McCarty said that the police cannot watch every house and some people may not complain.

Mrs. Simpson stated that her husband leaves at 10:00 p.m. on Sunday and does not return until 10:00 p.m. on Thursday.

Mayor McCarty stated that they should find out how many tickets had been issued and to whom they were issued.

Councilmember Hodges asked if the Police Department could stop issuing tickets until this Ordinance could be studied. Attorney Meyers stated that Police Department can be asked to refrain from issuing tickets.

Roger Baumgartner, 7585 N.E. Knollwood Drive, talked about the police issuing tickets. He talked about a truck that parks along Silver Lake Road. He stated that the person pays the fines because it is cheaper than to park elsewhere.

Roger Baumgartner stated that he would strongly object to opening up residential property for trucks.

Mayor McCarty instructed staff to find out the number of tickets that had been issued to to whom they had been issued before further enforcement of the Ordinance.

Mr. Joseph Wheller 7965 Sunnyside Road, stated that their neighbors have a truck and that they feel that they are being picked on.

COUNCIL RECESSED FOR A BREAK: 9:50 p.m.

COUNCIL RE-CONVENED AT: 10:08 p.m.

City Attorney made a presentation of the proposed subdivision. He said that he had reviewed the report from the Planning Department and has discussed the report with Clerk

14. Consideration of Kenneth Bonin - Minor Subdivision



Administrator Pauley and Official Rose. He said that the request is for the subdividing of a 175' lot into two lots of 90' and 80'. He said that the project was initiated by the Council because of the new streets and certain utilities. Further that the new streets had created new frontages, and therefore some of the lots became non-conforming. He said that according to the Ordinance you cannot grant a variance without a hardship. He said that two 85' lots would be within Ordinance requirements. He further stated that a 5' side-yard setback variance could be granted.

Mrs. Bonin said that she would have to correct one statement, and that was that the lot on which the house is located is where they are asking for a 105' lot. Further that they are asking for a variance for the lot size instead of a variance for the side-yard setback.

Mayor McCarty read part of the Ordinance pertaining to substandard subdivision. He said that statutory laws forbid the City from granting this variance. Further that if you have a lot of 170' or more, the Ordinance excludes you from the substandard subdivision provision. Further that a variance could be granted for the side-yard setback.

MOTION: Councilmember Doty made a motion, seconded by Blanchard to approve the minor subdivisions, with the subdividing of the lot into two lots that are 100' and 85' in width and to also grant a variance of 5' to the 10' side-yard setback requirement.

The vote was taken by calling of the roll.

Ayes-3

Nays-1 (Mayor McCarty voted nay).

Official Rose stated that they were in the process of sending out the annual registration for multiple dwellings as required under Chapter 93 of the Code. Further that the deadline for this is March 30, 1981. Further he has received a call from individuals who own and reside at the duplex. He said that two families have bought jointly through a lending authority. Further that they pay non-homesteaded taxes on 1/2 of the property.

Attorney Meyers stated that if zero lot lines

14. Consideration of a Memorandum from Building and Zoning Official Rose Regarding Multiple Dwelling Registrations.



were permitted in the City, then the building could be homesteaded as two separate units.

Consensus of the Council was to direct the staff to collect the \$15.00 registration fee.

Parks, Recreation and Forestry Director Anderson stated that he had brought Rich Riske, City Forestry, New Brighton, with him this evening to discuss Resolution No. 1255 which is the first draft of the Joint Powers Agreement for Forestry Services in Mounds View and New Brighton.

Parks, Recreation and Forestry Director Anderson discussed costs of equipment, equipment sharing, and percentage of use. He stated that Mounds View would be using the equipment 40 percent of the time. Further that the City would receive reimbursement from the State for using the truck for Forestry purposes.

MOTION: Blanchard made a motion, seconded by Hodges authorizing approval to the Agreement, subject to the review by the City Attorney and to also authorize the Mayor to enter into the Contract.

Ayes-4

Nays-0

MOTION CARRIED.

Parks, Recreation and Forestry Director Anderson stated that he would like to secure bids for underground wiring into the large picnic shelter at City Hall. He stated that the cost would probably be about \$1,500 to \$2,000.

MOTION: Mayor McCarty made a motion, seconded by Hodges authorizing staff to advertise for bids for the underground electricity for the outdoor pavillion, and bid opening to be held at 10:00 a.m. on April 3, 1981.

Ayes-4

Nays-0

MOTION CARRIED.

Parks, Recreation and Forestry Director Anderson stated that the Parks and Recreation Commission would like to have a joint meeting with the City Council on March 30, 1981.

Consensus of the Council was to set the meeting for 6:00 p.m. on Monday, March 30, 1981.

15. Consideration of Report from Parks, Recreation and Forestry Director Anderson regarding the Joint Powers Agreement with New Brighton for City Forestry Services

16. Consideration for underground electrical wiring at picnic shelter-City Hall

17. Consideration for Joint Meeting - Parks and Recreation Commission and Planning Commission.



Official Rose stated that there was no report.

18. Report of Building and Zoning Official

Attorney Meyers read a letter that he had written to Clerk/Administrator Pauley on March 18, 1981, relative to the enactment of Interim Moratorium Ordinance No. 301.

19. Report of Attorney

He stated that Ordinance No. 301 would not permit the issuance of a Building Permit where a wetland was located. Further that Resolution No. 983 controls the run-off.

Attorney Meyers discussed the revised Chapter 32, entitled The Planning Commission, Resolution No. 07-81.

Attorney Meyers asked if the Council would like to license taxi cabs in the City, and if so to what extent.

Discussion in length took place regarding taxi cabs.

Consensus of the Council was that unless there was a cab company physically located within the City that the answer was no.

Attorney Meyers stated that the Highway Department has requested to have a Limited Use Permit for a holding pond on the Watson property. Council discussed this at length.

MOTION: Councilmember Doty made a motion not to enter into a Joint Powers Agreement with Blaine regarding the property that belongs to the Highway Department located in Mounds View, and to not enter into a Limited Use Permit with the Highway Department at this time.

MOTION FAILED FOR LACK  
OF A SECOND.

No action was taken.

Attorney Meyers gave Clerk/Administrator Pauley a copy of the proposed modifications to the Development Agreement. Clerk/Administrator Pauley stated that this would be on the next Council Agenda.

Attorney Meyers discussed a Special Use Permit case in the City of Shorewood. Clerk/Administrator Pauley stated that a joint meeting would be held with the Planning Commission to discuss this case.



Blanchard: No report. She stated that she would like to have Clerk/Administrator Pauley talk with the County Commissioner regarding the turning on of the water in order to raise the water table in Spring Lake.

Doty: He had attended the League of City's Meeting with the House Majority Leader and Senate Majority Leader. Discussion of the Governor's Budget took place.

Hodges: He had talked with Bob Bonin regarding a water bill for 77,000 gallons of water. Clerk/Administrator Pauley stated that the meter was being checked, the test results were not done yet, and that if the meter was okay, he would suggest that Mr. Bonin have his plumbing checked. Councilmember Hodges stated that the Firemen's Relief Board Meeting was scheduled for 8:00 p.m. on March 25, 1981, and that the Charter Commission meeting is at 7:30 p.m. that same evening.

He noted that he had attended a meeting with the N.W. Suburban Youth Service Bureau. He stated that Tornado Awareness Week was March 29, 1981 to April 4, 1981. Further that the Lion's Club had asked if they could use City Hall property for an Easter Egg Hunt on Saturday, April 18, 1981, and also for a Flea Market either May 10, 1981 or May 11, 1981.

McCarty: He stated that he had testified for the legislature at the House Commission in opposition to House File #539. He further discussed the Senate Subcommittees Northwestern Bell tier rates proposal.

He stated that the County Board of Commissioners were holding a meeting on March 30, 1981 at 8:00 p.m. at the Roseville City Hall.

Mayor McCarty stated that he would like to hand carry Resolution No. 1253 to the Commission himself.

Clerk/Administrator Pauley stated that he would be spending most of Wednesday holding workshops with employees to get ready for possible bad weather in the Spring.

21. Report of Administrator.



MOTION: Councilmember Doty made a motion,  
seconded by Hodges to adjourn.

22. Adjournment.

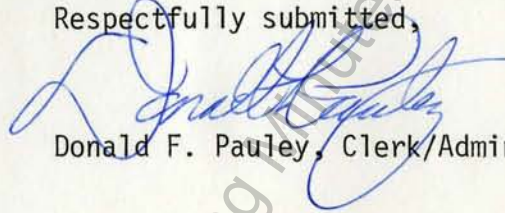
Ayes-4

Nays-0

MOTION CARRIED.

Meeting was adjourned at 11:48 p.m.

Respectfully submitted,



Donald F. Pauley, Clerk/Administrator

kp

Mounds View / City Council Meeting Minutes  
Minnesota Historical Society



CITY COUNCIL MEETING  
CITY OF MOUNDS VIEW

April 13, 1981

A G E N D A

1. Call to Order
2. Roll Call - Doty, Hodges, Forslund, Blanchard, McCarty
3. Approval of Minutes: March 23, 1981 (Regular Meeting)
4. Residents Requests and Comments from the Floor:

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

5. Approval of Consent Agenda

- ITEM A. Approve Resolution No. 1256 Proclaiming Volunteer Recognition Week
- B. Approve Request of Cross of Glory Luther League to Hold Car Wash in City Hall Parking Lot
- C. Approve Forwarding of No Comment to the Metropolitan Council on Amended Cable Service Territory Petition
- D. Accept Comprehensive Plan Update from the Planning Commission and Authorize Forwarding of it to the Metropolitan Council for Review
- E. Approve Resolution No. 1259 Approving the 1981 Labor Agreement Between the Metropolitan Management Association and Teamsters Local 320
- F. Approve Modified Development Agreement Form Dated April 13, 1981
- G. Accept Resignation of Administrative Secretary, Authorize Clerk-Administrator to Advertise for Position and Recommend Replacement to the City Council, Authorize Jan Wiehle or a Temporary to Work 3 Days per Week Until a Replacement is Hired, and Authorize Jan Wiehle to Work a Total of 24 Hours in Training the Replacement
- H. Authorize Clerk-Administrator to Hire an Office Education Association Student as Receptionist for \$3.50/Hour Part-Time During School Year and Full-Time During the Summer and Holiday Periods
- I. Reject Bids for 1981 Tree Contract and Authorize Staff to Obtain Informal Quotes for Tree Removal Service



- J. Approve Resolution No. 1258 Amending Resolution No. 777 Establishing Development Escrow Fund
  - K. Approve Resolution No. 1260 Denying Request for Fencing Along North Side of Lots 1 and 16, Berwyn Addition
  - L. Approve Submission of Claim from Gary A. Pearson, 5725 Cornell Drive, to Insurance Company
  - M. Approve Resolution No. 1263 Establishing Salaries for Juvenile Officer/Investigator and Police Sergeant
  - N. Approve Resolution No. 1257 Accepting Pledge of Securities from the First State Bank of New Brighton
  - O. Approve Special Permit for Temporary Sign for Highway 10 Radiator at 2848 Highway 10 from March 9, 1981 until May 8, 1981
  - P. Licenses for Approval
  - Q. Approve Resolution No. 1264 Approving Just and Correct Claims Against City Funds
- 6. Consideration of Electrical Bids for Wiring of City Hall Picnic Shelter and Resolution No. 1262 Authorizing the Installation of Wiring and Transfer of Funds
  - 7. Consideration of Fire Department Response to City Proposal for Fire Service Contract
  - 8. Consideration of Bids for Seal Coating Improvement Project 1981-1
  - 9. Report of Building and Zoning Official
  - 10. Report of Attorney
  - 11. Reports of Councilmembers
  - 12. Report of Administrator
  - 13. Adjournment



## CONSENT AGENDA

April 13, 1981

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. 1256 - Resolution Proclaiming Volunteer Recognition Week
- ITEM B. Approve Request of Cross of Glory Luther League to Hold Car Wash in City Hall Parking Lot
- ITEM C. Approve Forwarding of No Comment to the Metropolitan Council on Amended Cable Service Territory Petition
- ITEM D. Accept Comprehensive Plan Update from the Planning Commission and Authorize Forwarding of it to the Metropolitan Council for Review
- ITEM E. Adopt Resolution No. 1259 - Resolution Approving the 1981 Labor Agreement Between the Metropolitan Management Association and Teamsters Local 320
- ITEM F. Approve Modified Development Agreement Form Dated April 13, 1981
- ITEM G. Accept Resignation of Administrative Secretary, Authorize Clerk-Administrator to Advertise for Position and Recommend Replacement to the City Council, Authorize Jan Wiehle or a Temporary to Work 3 Days per Week Until a Replacement is Hired, and Authorize Jan Wiehle to Work a Total of 24 Hours in Training the Replacement
- ITEM H. Authorize Clerk-Administrator to Hire an Office Education Association Student as Receptionist for \$3.50/Hour Part-Time During School Year and Full-Time During the Summer and Holiday Periods
- ITEM I. Reject Bids for 1981 Tree Contract and Authorize Staff to Obtain Informal Quotes for Tree Removal Service
- ITEM J. Adopt Resolution No. 1258 Amending Resolution No. 777 Establishing Development Escrow Fund
- ITEM K. Adopt Resolution No. 1260 - Resolution Denying Request for Fencing Along North Side of Lots 1 and 16, Berwyn Addition
- ITEM L. Approve Submission of Claim from Gary A. Pearson, 5725 Cornell Drive, to Insurance Company
- ITEM M. Adopt Resolution No. 1263 - Resolution Establishing Salaries for Juvenile Officer/Investigator and Police Sergeant



- ITEM N. Adopt Resolution No. 1257 - Accepting Pledge of Securities from the First State Bank of New Brighton
- ITEM O. Approve Special Permit for Temporary Sign for Highway 10 Radiator at 2848 Highway 10 from March 9, 1981 until May 8, 1981
- ITEM P. Licenses for Approval
- General Contractor - Expire 6/30/81
- Engel Construction - New
- ITEM Q. Adopt Resolution No. 1264 - Approving Just and Correct Claims Against City Funds

Mounds View / City Council Meeting Minutes  
Minnesota Historical Society



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

DATE APPROVED: 4/27/81

Regular Meeting  
April 13, 1981  
Mounds View City Hall  
2401 Hwy. 10, Mounds View, MN 55112

The Mounds View City Council was called to order at 7:32 p.m., on April 13, 1981, by Mayor McCarty.

MEMBERS PRESENT: Councilmembers Blanchard, Doty, Forslund, Hodges, and Mayor McCarty.

ALSO PRESENT: City Attorney Meyers, Clerk/Administrator Pauley, and Parks, Recreation and Forestry Director Anderson.

Corrections:

Blanchard: Page 12, 1st paragraph, last line, should be Spring Lake instead of Silver Lake.

McCarty: Page 8, paragraph 8, should read: Mr. Baumgartner stated that he would strongly object to opening up residential property for trucks.

MOTION: Councilmember Doty made a motion, seconded by Councilmember Hodges to accept the Minutes of the March 23, 1981, Regular Meeting as corrected.

Ayes-4

Nays-0

Abstention-1 (Councilmember Forslund abstained because she had not attended the meeting because of an excused absence).

MOTION CARRIED

The following is a list of persons which were in attendance regarding the off-street parking section of the Ordinance.

Bob Schmitt	8110 Edgewood Drive
Russell Pahl	7940 Greenfield Avenue
Russ Warren	8044 Greenwood
Pat Stimpson	5132 Long Lake Road
Barb Sprung	5126 Long Lake Road
Lois Tesch	5135 Long Lake Road
Gerald Tesch	5135 Long Lake Road
Ihla Beyer	2742 County Road J
Doris Olson	8101 Edgewood Drive
Wayne Mec1	6969 Knollwood Drive

1. Call to Order

2. Roll Call

3. Approval of the March 23, 1981, Regular Meeting Minutes.

4. Residents Requests and Comments from the Floor.



Ken Gachowski	3017 County Road H-2
Virgil Beyer	2742 County Road J
Orville Olson	8101 Edgewood Drive
Thomas Harris	8310 Eastwood Drive
Ron Wood	6960 Silver Lake Road
Charlotte Fields	2255 Lambert
Jerry Morrison	5309 Jackson Drive
Patrick Morrison	5262 Skiba Drive
Harold Finney	7624 Spring Lake Road
Roy Chock	7511 Greenfield Avenue
Hyacinth Finney	7624 Spring Lake Road
Donald Beach	2265 Oakwood Drive
Bob Johnson	2259 Oakwood Drive

Their comments are as follows:

Harold Finney, 7624 Spring Lake Road, stated that he has a truck parked in his yard and that he is receiving tickets every day on his trucks. He stated that he feels that he is not hurting anyone by parking his truck there.

Bob Schmitt, 8110 Edgewood Drive, stated that he concurred with Mr. Finney that he also should be able to park his truck in his yard. He stated that he feels that it's against a persons right not to be able to park their truck in their yard when the truck is used to make his living. He further stated that he has had no complaints from his neighbors.

Ron Wood, 6960 Silver Lake Road, stated that he also has a truck in his yard. He stated that he pays his taxes and feels that there is no reason why he can't keep his truck there.

Roy Chock, 7511 Greenfield Avenue, stated that he works part-time for Mr. Finney, and further that Mr. Finney parks his truck in his yard because of vandals.

Patrick Morrison, 5262 Skiba Drive, stated that he does not feel that there is anything wrong with parking your truck in your yard.

Thomas Harris, 8310 Eastwood Drive, stated that he parks his truck in his yard after the road restrictions are off. Further that he has a 1 ton and 2 1/2 ton truck. He further stated that last Wednesday he received a ticket on the 1 ton truck. He further stated that he has received no complaints from his neighbors regarding the parking of his truck.

Bob Johnson, 2259 Oakwood Drive, stated that he is presently getting tickets on his truck. He stated that he has a 2 ton truck. He has had no trouble with vandalism since he has parked



his truck in his yard. Further that he has had no complaints from his neighbors.

Don Beach, 2265 Oakwood Drive, stated that he is a neighbor of Mr. Johnson's and that he does not have any complaints regarding Mr. Johnson parking his truck in his yard.

Orville Johnson, 8101 Edgewood Drive, stated that he has had no complaints from neighbors regarding the parking of his truck.

Virgil Beyer, 2742 County Road J, stated that he owns a 1 ton truck and has received a ticket on his truck.

Ihla Beyer, 2742 County Road J, stated that it was her husband that has received the ticket. She stated that the ticket had been written out at 6:30 and had been brought back that night.

Charlotte Fields, 2255 Lambert Avenue, stated that her husband has a truck that is a 1 ton truck. Further that he brings the truck home sometimes from work because of vandals. She stated that he has received a ticket on his 1 ton truck.

Ken Gachowski, 3017 County Road H-2, has an over the road truck. He stated that he would like to be able to bring the truck home once in a while. He stated that it costs him alot to park the truck elsewhere. He stated that he has three trucks. He stated that he has a 42' and 40' travel trailer and a flat bed. He stated that he parks the vehicles 15' from the boulevard. Also, that he has had no complaints from the neighbors regarding the parking of his trucks.

Wayne Mecl, 6969 Knollwood Drive, has a 1 1/2 ton truck and a motor home. He asked what the difference is between a motor home and the trucks getting ticketed. Further that he received a ticket on Saturday morning at 7:30 a.m. and again on Sunday morning at 8:40 a.m.

Mayor McCarty asked how his 1 1/2 ton truck relates to the Winnebago. Mr. Mecl stated that the Winnebago is 10'2" high and that his truck is 8 1/2 feet high. He stated that he feels that people should not be penalized because of an Ordinance. Further stated that he feels that Mounds View is a working mans place to live.

Delbert Stimpson, 5132 Long Lake Road, has been getting tickets for the last three years.

Russell Pahl, 7940 Greenfield Avenue, stated that he has never owned a truck while residing in



Mounds View for the last 20 years. He stated that he feels that the Ordinance concerning off-street parking of trucks is idiotic.

There were no more comments from the floor.

Mayor McCarty stated that the section of the Ordinance regarding off-street parking could be repealed. Council discussed options regarding the Ordinance.

MOTION: Mayor McCarty made a motion, seconded by Councilmember Forslund to instruct staff to draw up an Ordinance repealing the definition of truck from the Ordinance, to also repeal Chapter 81.01, paragraph 13, and Chapter 81.02, Subd. 5, paragraph 5.

Attorney Meyers stated that by repealing the definition of truck, the State Highway Code definition would then be used. Attorney Meyers stated that recreational vehicles can park in a residential zone but not closer than 15' from the road surface.

Councilmember Doty asked if a smelly truck would be covered under the Nuisance Ordinance. Attorney Meyers discussed the Nuisance Ordinance.

Councilmember Doty asked if someone could park a gas truck or something similar in a residential area. A resident stated that it is a State Regulation that you cannot park a gas truck in a residential area.

Mayor McCarty and Councilmember Forslund withdrew their motion.

MOTION: Mayor McCarty made a motion, seconded by Councilmember Forslund to instruct staff to prepare an Ordinance repealing Chapter 81.02, Subd. 5, paragraph 5.

AMENDMENT TO THE MOTION: Councilmember Forslund made a motion, seconded by Councilmember Doty to amend the main motion to amend Chapter 81.02, Subd. 5, paragraph 4 to read, "No person shall allow any recreational vehicle or equipment or truck to be parked off-street closer than fifteen feet to the paved surface of a public roadway."

Discussion took place by the Council on the repeal. Councilmember Blanchard stated that there must be a few people in the City that are against the parking of trucks. Councilmember Hodges discussed the background of the Ordinance. He stated that at the time that the Ordinance had gone into effect, there had been a lot of pressure



from people who thought that trucks should not be in the R-1 District. He stated that his neighbors have a truck and he discussed the noise from the truck in the early morning hours.

Harold Finney stated that he has a dump truck, and that his dump truck isn't as big as a recreational vehicle.

Attorney Meyers read the definition of truck and trailer from the Ordinance.

Summary of further discussion of residents:

- Discussion regarding Nuisance Ordinance.
- It was stated that a good exhaust system on a truck eliminates much of the noise factor.
- That the Stimpsom's have spent alot of money to park their truck neatly on their property.

Councilmember Doty asked that Clerk/Administrator Pauley give a report of the happenings of the meeting to the New Brighton Bulletin in the absence of the reporter.

Vote was taken by calling of the roll.

Ayes-5

Nays-0 MOTION CARRIED.

Mayor McCarty stated that the ticketing would continue until the Ordinance has been repealed.

Clerk/Administrator Pauley asked that Item D be removed for discussion.

#### 5. Approval of Consent Agenda

MOTION: Councilmember Forslund made a motion, seconded by Councilmember Blanchard to approve the Consent Agenda (eliminating Item D) and to waive the reading of the Resolutions.

Ayes-5

Nays-0 MOTION CARRIED.

Clerk/Administrator Pauley discussed Item D - Accepting the Comprehensive Plan Update from the Planning Commission and authorizing the forwarding of it to the Metropolitan Council for review. He briefly discussed Resolution 1265.

Mayor McCarty turned the meeting over to Councilmember Hodges at 8:34 p.m.

Councilmember Doty noted changes made in the Comprehensive Plan on page 158 under Municipal Bonding Authority of the Development Guide.



He stated that Page 35 of the Capital Improvements Program should be the same as Page 158 of the Development Guide.

Mayor McCarty returned at 8:38 p.m.

Discussion took place regarding the printing error that had been made on Page 35 of the Capital Improvements Program.

COUNCIL RECESS FOR A BREAK: 8:46 p.m.

COUNCIL RE-CONVENED AT: 8:56 p.m.

MOTION: Councilmember Doty made a motion, seconded by Councilmember Hodges to adopt Resolution 1265, with the changes that would take place on Page 35 of the Capital Improvements Program to be the same as what is on Page 158 of the Development Framework under Municipal Bonding Authority and to let the Planning Commission ratify what they have done, and to waive the reading of the Resolution.

Ayes-5

Nays-0

MOTION CARRIED.

Discussion took place regarding Item 0 of the Consent Agenda.

Councilmember Hodges stated that May 2nd has been set aside for clean-up day.

Parks, Recreation and Forestry Director Anderson reviewed the bids for the installation of underground electrical service to the City Hall Park picnic shelter. He stated that staff had received four bids, and that they were recommending that the bid be awarded to Collins Electric. He discussed the required specifications. He stated that Collins Electric had not included ground fault protectors in their original bid, it would be an additional \$600.00, making their total bid \$2,975.00.

Councilmember Doty asked if there were any unforeseen funds in the Park and Recreation Fund that could make up for the difference in the bid. Parks, Recreation and Forestry Director Anderson stated that the only area in which they would be saving money was the brochure printing.

MOTION: Councilmember Doty made a motion, seconded by Councilmember Hodges to adopt Resolution 1262, awarding the bid to Collins Electric in the amount of \$2,975.00, and to transfer funds that are available from the Parks and Recreation Fund that would have been used in printing of the brochure.

6. Consideration of Electrical bids for wiring of the City Hall Picnic Shelter and Resolution No. 1262 authorizing the installation of wiring and transfer of funds.



AMENDMENT TO THE MOTION: Mayor McCarty moved to amend the motion that the money be taken out of the contingency fund instead of shortening up the Parks and Recreation Fund at this time.

Councilmembers Doty and Hodges, and Mayor McCarty withdrew their motion and amendment to the motion.

MOTION: Councilmember Doty made a motion, seconded by Councilmember Hodges to adopt Resolution 1262, awarding the bid to Collins Electric in the amount of \$2,975.00 using Contingency Fund monies, and to waive the reading of the Resolution.

Ayes-5

Nays-0 MOTION CARRIED.

Parks, Recreation and Forestry Director Anderson passed out a memorandum to Council regarding T-Shirt bids. He stated that staff is recommending the bid be awarded to Gopher Athletic Supply Company. Further he stated that there is a \$10.00 registration fee which covers the cost of the T-Shirts.

7. Bids for T-Shirts for the Parks and Recreation Department

MOTION: Councilmember Hodges made a motion, seconded by Forslund to approve the bid from Gopher Athletic Supply Company in the amount of \$3,752.68.

Ayes-5

Nays-0 MOTION CARRIED

Parks, Recreation and Forestry Director Anderson discussed the Public Hearing that had been held on Saturday regarding Silver View Park.

Clerk/Administrator Pauley discussed the meeting that had been held on March 25, 1981, with members of the Fire Department Negotiating Committee.

8. Consideration of Fire Department Response to City Proposal for Fire Service Contract

Councilmember Doty read the letter of April 1, 1981, from Fire Chief Fagerstrom. He stated that the contract has been signed by the City of Spring Lake Park and Blaine.

Summary of Discussion:

Doty: Section 3.3, additional levies that could be made to the City. He voiced his concerns over a five year contract with this in it.

McCarty: He read Section 3.5, and Article 12. He stated that the right to re-open the contract conflicts with Article 12. Further that there are no provisions for continuity. Mayor McCarty read



Article 4. He discussed the renegotiating of the Contract. He discussed the need for a Joint Powers Agreement.

MOTION: Councilmember Hodges made a motion, seconded by Councilmember Blanchard to accept the Contract - Draft #3.

Discussion of the Motion:

Forslund: Cannot support because the Council had agreed and had submitted Draft #5.

McCarty: He also could not support Draft #3.

Doty: Also could not support Draft #3.

Discussion in length took place regarding the obligation of the City to levy monies and also regarding a continuity clause for re-negotiating the Contract.

Article 6, Duty of Care, was discussed. Mayor McCarty stated that he would like to take a one year Contract. Councilmember Forslund concurred.

Vote was taken by calling of the roll.

Ayes-2

Nays-3 (Mayor McCarty, and Councilmembers Doty, and Forslund voted nay).

MOTION FAILED.

MOTION: Mayor McCarty made a motion, seconded by Councilmember Forslund to authorize the Mayor and Clerk/Administrator Pauley to meet with the Fire Department Negotiating Committee and attempt to resolve the concerns that the City Council has.

Ayes-5

Nays-0 MOTION CARRIED.

Clerk/Administrator Pauley stated that the low bid from Allied Blacktop Company exceeds the amount budgeted by \$2,836.03. He talked about the Federal Revenue Sharing guidelines which allows the cost for budgeted items to exceed the amount budgeted by 10%.

9. Consideration of Bids for Seal Coating Improvement Project 1981-1

MOTION: Councilmember Doty made a motion, seconded by Councilmember Hodges to authorize the Mayor to enter into an agreement with Allied Blacktop Company for the bid amount of \$41,436.03.

Ayes-5

Nays-0 MOTION CARRIED.



There was no report.

10. Report of Building and  
Zoning Official

Attorney Meyers stated that Ordinance 301 would be discussed at next Monday's Council Meeting. One of the issues that will be addressed will be the moratorium on the development of wetlands. Clerk/Administrator Pauley stated that Chapter 25 will also be discussed next Monday evening.

11. Report of City Attorney

Doty: He went on a tour of the Public Works Department and the City Police Department. He stated that he was impressed. He will be attending a meeting with the Charter Commission this Thursday evening in Deephaven.

12. Reports of Councilmembers

Hodges: He stopped at the Capitol and got a Certificate for people who volunteer and work for clean-up day. He further stated that he was present at a hearing on H.F. 22 which was voted down in the House Committee and cities can continue to give industrial revenue bonds to build within the City. He talked about a wetland bill and stated that he would get further information on this. He discussed the Northwest Youth Service Bureau Employment Program.

Forslund: Planning Commission has held a public hearing for the Bonin property. She stated that the North Suburban Area Chamber of Commerce Education in the 80's meeting would be held from 12:00 noon until 2:00 p.m. on April 23rd. Further, she asked if the 1977 Hendrickson Contract for engineering services would be updated. Clerk/Administrator Pauley stated that he had spoken with Roger Hendrickson regarding drawing up a new Contract. She talked about the Ramsey County League information not arriving on time.

Blanchard: She also was on the tour of the Public Works Department and Police Department and also was impressed. She handed out a memo to the Council regarding the County budget cut. She stated that a meeting would be held on Tuesday, April 28, 1981, at 8:00 p.m. with the Chairman of the County Commission and with the people of Mounds View to discuss the budget cut.

McCarty: He announced that the City Attorney and Parks and Recreation Director will be meeting with representatives of Spring Lake Park to discuss concerns regarding Lakeside Beach and Park. He further stated the City had not received Spring Lake Park's share of the support for Lakeside Park and asked the Clerk-Administrator to check into it. He talked about the meeting that had been held last week regarding the Wetland Ordinance. He said that Mr. Scott of the Park and Recreation Commission had been appointed as a



manager of the Rice Creek Watershed District. He talked about the need to advertise for a new Planning Commission member. He stated that clean-up day would be May 2, 1981. Further that the Jaycees have offered to help with the clean-up. He stated that the Metropolitan Airport Commission and the Anoka County Airport would be holding a meeting on Wednesday, April 15, 1981, at 4:00 p.m. in the Blaine City Hall. Further he asked if Clerk/Administrator Pauley could get information on a post office or post office facility for the City.

Clerk/Administrator Pauley stated that House File #22 had been voted down last week 14 to 13. He briefly discussed Senate Files 263, and 269, and House File 1242.

13. Report of Administrator

Clerk/Administrator Pauley stated that Building and Zoning Official Rose has requested that a public hearing be set this evening for the Trapp Conditional Use Permit request and for Scott Builders.

MOTION: McCarty made a motion, seconded by Councilmember Hodges to direct staff to set the public hearings for 7:30 p.m. and 7:35 p.m. on Monday, April 27, 1981.

Ayes-5  
Nays-0

MOTION CARRIED.

Clerk/Administrator Pauley talked about the rezoning for Donald Spagenski and Ordinance 302.

MOTION: Mayor McCarty made a motion, seconded by Councilmember Forslund to approve Ordinance 302 and to do the first reading of the Ordinance.

Ayes-5  
Nays-0

MOTION CARRIED.

Clerk/Administrator Pauley read Ordinance 302.

Clerk/Administrator Pauley passed out copies of the Silver Lake Woods proposal.

MOTION: Councilmember Forslund made a motion, seconded by Councilmember Doty to adjourn.

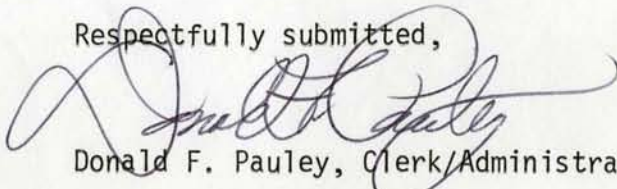
14. Adjournment

Ayes-5  
Nays-0

MOTION CARRIED

Meeting was adjourned at 11:00 p.m.

Respectfully submitted,

  
Donald F. Pauley, Clerk/Administrator