

1. Call to Order

Mayor Jacobs called the meeting to order at 7:30 p.m.

Councilmembers present: Mayor Jeff Jacobs, John Basill, Phil Finkelstein, Paul Omodt, Loran Paprocki and Susan Sanger.

Councilmembers absent: C. Paul Carver.

Staff present: City Manager (Mr. Harmening), Communications Coordinator (Mr. Zwilling), Engineering Project Manager (Mr. Olson) and Recording Secretary (Ms. Schmidt).

2. Presentations

2a. Caring Youth Day

Mayor Jacobs read a Proclamation declaring April 28, 2009 as Caring Youth Day recognizing Moriah Stephens and Mike Jacobs. Mayor Jacobs explained that this is the 20th Anniversary of a vision by Roland and Doris Larson to recognize young people for their spirit of caring and concern for others in the community. He further thanked Youth Development Committee Coordinator Shelley Beissel for her involvement.

3. Approval of Minutes

3a. City Council Minutes March 2, 2009

It was noted on page five, item #8a, the sixth paragraph, should state: "... traffic issues resulting from the construction of Highway 7."

The minutes were approved as amended.

3b. City Council Study Session Minutes March 9, 2009

It was noted on page two, item #2, the second paragraph, should state: "... area north of Highway 25 near the Beltline station."

The minutes were approved as amended.

3c. Special City Council Minutes March 23, 2009

The minutes were approved as presented.

3d. City Council Study Session Minutes March 23, 2009

The minutes were approved as presented.

4. Approval of Agenda and Items on Consent Calendar

NOTE: The Consent Calendar lists those items of business which are considered to be routine and/or which need no discussion. Consent items are acted upon by one motion. If discussion is desired by either a Councilmember or a member of the audience, that item may be moved to an appropriate section of the regular agenda for discussion.

- 4a. Approve **Resolution No. 09-052** authorizing execution of and approving closing documents regarding 1978 Industrial Revenue Bonds (IRBs) for McGarvey Coffee/Sara Lee Corporation.
- 4b. Approve **Resolution No. 09-053** adopting minor housekeeping revisions to the Council's Rules and Procedures for Boards and Commissions relating to annual reporting and recognition.
- 4c. Approve Amendment No. 2 to Contract No. 148-06 which provides additional engineering consulting services for the Dakota Park Flood Improvement Project - Project No. 2003-1300.
- 4d. Adopt **Resolution No. 09-054** establishing a special assessment for the repair of the water service line 4300 Browndale Avenue.
- 4e. Adopt **Resolution No. 09-055** establishing a special assessment for the repair of the sewer line at 1831 Pennsylvania Avenue South.
- 4f. Approve Amendment No. 5 to Contract No. 129-06 which provides additional engineering consulting services for the Highway 7/Wooddale Avenue Interchange Project - Project No. 2004-1700.
- 4g. Approve **Resolution No. 09-056** allowing an extension to 2009 renewal of the on-sale intoxicating liquor license to Al's Bar located at 3917 Excelsior Boulevard to extend though June 30, 2009.
- 4h. Accept for Filing Charter Commission Minutes May 14, 2008.
- 4i. Accept for Filing Charter Commission Minutes September 10, 2008.
- 4j. Accept for Filing Park & Recreation Advisory Commission Minutes January 9, 2009.
- 4k. Approve for Filing Vendor Claims.

It was moved by Councilmember Omodt, seconded by Councilmember Finkelstein, to approve the Agenda and items listed on the Consent Calendar.

The motion passed 6-0.

- 5. **Boards and Commissions – None**
- 6. **Public Hearings – None**
- 7. **Requests, Petitions, and Communications from the Public – None**
- 8. **Resolutions, Ordinances, Motions and Discussion Items**
 - 8a. **Project Report: Alabama Avenue - MSA Street Improvement Project – Project No. 2009-1100**

Mr. Olson presented the staff report.

Councilmember Basill asked if bump outs at intersections had been worked into the project. Mr. Olson stated they had difficulty trying to place bump outs because of the

storm sewer placement, roadway and costs involved. He further explained staff had decided that by leaving the current road configuration they would not need bump outs and instead would stripe the road at the minimum lane width, creating a narrow corridor feel which has previously seemed to calm traffic.

Councilmember Basill stated concern and felt the bump outs were for traffic calming as well as pedestrian traffic. He also stated concern that they were not looking at bump outs by the park and possibly another one farther down.

Councilmember Basill stated there was also a visibility concern south of the tracks and asked if they would be improving this. Mr. Olson stated they will be widening the road two feet to the west south of the tracks which would then meet the state aid standard for street width. The curve just north of Bunny's rear parking lot would also be flattened or reduced to help increase visibility.

Councilmember Basill asked when the road became a state aid route. Mr. Olson stated 1957.

Councilmember Omodt asked if the road would be closed for three full days. Mr. Olson stated yes. He further stated the residents should be able to have access to their homes by the end of the work day and the contractor should be giving notification at the start of each day so residents can move their vehicles out of their driveways for use during the day.

Councilmember Omodt asked about the cost difference. Mr. Olson stated the costs illustrated are construction costs without engineering expenses.

Mr. Dalton, 3961 Alabama Avenue, felt none of the residents would benefit from the street improvement project other than Bunny's. He stated concern with cars parking on both sides of the street and vehicles being left for days, causing snow plowing concerns as well as residents entering their own driveways which is a big safety concern. Councilmember Paprocki suggested Mr. Dalton talk to staff about the placement of parking restrictions.

Mayor Jacobs recalled a law relating to the closeness of parking next to a driveway and suggested marking the curb. Mr. Olson advised the law states a 5 foot clearance from the driveway, and he was uncertain if they could yellow the curbs without placing signage as well. Mayor Jacobs stated the curbs could still be yellowed and suggested more law enforcement.

Councilmember Basill suggested placing a sign as vehicles enter Alabama from Excelsior and to paint the curb yellow.

Mayor Jacobs asked if Bunny's was non-conforming, and Mr. Harmening stated yes.

Councilmember Basill suggested they revisit the plowing concern at a future date. Mr. Harmening stated this might be an area that should be exempt, which would allow them time to find other parking.

Mayor Jacobs felt that the 5 foot distance requirement needed to be addressed and enforced.

Councilmember Basill asked about the timing, still stating concern with the bump outs. Mr. Olson stated if they pursued additional bump outs, they would need to resubmit plans to MnDOT and staff would need to evaluate if it could still be completed this year. Councilmember Basill suggested they take that time and look at it.

Councilmember Finkelstein stated they should look at them around the park. He also stated they would need to address the enforcement concerns. Councilmember Finkelstein further stated they were not doing this for Bunny's, they were doing it for the traffic projections for the years to come, making it a good time to improve the road, especially with the funding being provided by state aid.

Councilmember Basill asked if this could be brought back to a study session and Council meeting and still meet the deadlines for this year.

Councilmember Finkelstein asked if they could approve it with the stipulation of adding additional bump outs.

Mr. Harmening asked if there were any legal or technical reasons why they can't do the bump outs. Mr. Olson stated there were no legal or technical reasons, but they would need to get the revisions approved from state aid. He further stated that technically it would make it more challenging and add costs.

Mr. Harmening asked if the costs were state aid eligible. Mr. Olson stated the storm sewer is, but he is uncertain about the traffic calming elements of bump outs.

Mr. Harmening asked if Councilmember Basill wanted bump outs on all four corners of the park intersection. Councilmember Basill stated he wanted the two bump outs on Alabama not Cambridge.

It was moved by Councilmember Basill to adopt a resolution, accepting report, establishing and ordering Improvement Project No. 2009-1100, approving plans and specifications, and authorizing advertisement for bids with the condition to look at 2 – 3

bump outs strategically placed throughout corridor, allowing staff to make the necessary adjustments.

Mr. Harmening suggested the Council continue the matter and instruct staff to look at the suggestions and have Council readdress it at a future Council meeting.

Councilmember Basill withdrew his motion.

It was moved by Councilmember Basill, seconded by Councilmember Omodt to continue this item at a future City Council meeting.

The motion passed 6-0.

9. Communications

Councilmember Paprocki reminded everyone that it would be an excellent opportunity for residents in Aquila Neighborhood where street construction and watermain replacement is taking place to take advantage of discounts available to have their water service lines replaced.

Councilmember Finkelstein stated the 7th and 8th grade girls junior high basketball games were an event filled day. He also stated the Lions had their 52nd annual pancake breakfast.

10. Adjournment

The meeting adjourned at 8:24 p.m.

Nancy Stroth, City Clerk

Jeff Jacobs, Mayor