

APPROVED

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

Regular Meeting
May 22, 2023
Mounds View City Hall
2401 Mounds View Boulevard, Mounds View, MN 55112
6:01 P.M.

1. MEETING IS CALLED TO ORDER

2. PLEDGE OF ALLEGIANCE

Acting Mayor Meehlhause reported on Saturday, May 20, 2023, Mayor Al Hull lost his battle to leukemia. He stated his thoughts, prayers and sympathies were with Al's wife, daughter and the rest of his family. He then held a moment of silence for our friend, Mayor Al Hull.

3. ROLL CALL: Cermak, Gunn, Lindstrom, and Meehlhause

NOT PRESENT: Hull.

4. APPROVAL OF AGENDA

A. Monday, May 22, 2023, City Council Agenda.

Council Member Gunn requested Special Order of Business be discussed after the Consent Agenda.

MOTION/SECOND: Gunn/Lindstrom. To Approve the Monday, May 22, 2023, agenda as amended.

Ayes – 4

Nays – 0

Motion carried.

5. CONSENT AGENDA

Council Member Lindstrom asked to remove Item 5C.

A. Approval of Minutes: May 8, 2023.

B. Just and Correct Claims.

~~C. Resolution 9754, Authorizing the City to enter into a Professional Services contract with LOCi Consulting.~~

MOTION/SECOND: Gunn/Cermak. To Approve the Consent Agenda as amended removing Item 5C.

Ayes – 4

Nays – 0

Motion carried.

C. Resolution 9754, Authorizing the City to enter into a Professional Services contract with LOCi Consulting.

Council Member Lindstrom explained the City received a grant from Ramsey County. He reported this grant would assist the City with hiring a consultant to come up with ideas for the potential redevelopment of Mounds View Square. He stated the City was in no way interested in getting rid of the existing tenants, but rather wanted to rethink the future of this space.

MOTION/SECOND: Lindstrom/Cermak. To Waive the Reading and Adopt Resolution 8771, Approving an Off-Sale Intoxicating Liquor License for AB Liquor, LLC (doing business as ABC Liquor), located at 2840 Mounds View Boulevard.

Council Member Gunn indicated this grant would assist the property owner with coming up with ideas on redeveloping the space.

Ayes – 4

Nays – 0

Motion carried.

7. SPECIAL ORDER OF BUSINESS

A. MMKR Audit Presentation – Aaron Nielsen, Principal.

Aaron Nielsen, Principal with MMKR, provided the Council with a presentation on the 2022 audit. He explained the City received a clean or unmodified opinion. He commented further on the General Fund and reviewed the revenues and expenditures for the previous year. He discussed the health of the City's Enterprise Funds and commended the City on its strong financial position.

Acting Mayor Meehlhause thanked Mr. Nielsen for his thorough presentation on the 2022 audit.

B. Outstanding Citizen Award – Bob King.

Police Chief Zender presented Bob King with an Outstanding Citizen Award and thanked him for his tremendous volunteerism in the community. A round of applause was offered by all in attendance.

Bob King stated there was a lot going on in the City of Mounds View. He encouraged residents to get involved, have ideas and be positive.

Acting Mayor Meehlhause reported Bob King is one of the most supportive members of the community when it comes to the Mounds View Police Department and the Mounds View Police Foundation. He thanked him for his many contributions to the community.

C. MVPD Life Saving Awards – Chief Zender.

Police Chief Zender commented on the positive impacts officers make on people's lives on a daily basis. He stated many of these efforts go unnoticed by his officers or the public. He stated on March 30, 2023 his officers and local EMT's saved a resident's life after suffering a cardiac arrest. Chief Zender explained Sergeant Schultes and Officer Katzenmaier did what they were trained to do, along with the fire personnel and EMT's when they arrived on scene. He recognized each of the first responders who responded to this call and commended all for their life saving efforts.

Ben Hall, Allina Health, commended his EMT's for their life-saving efforts.

Fire Chief Retka, SBM Fire Department, recognized his fire personnel for their life-saving efforts. A round of applause was offered by all in attendance.

6. PUBLIC COMMENT

Heather Schuchard, 7984 Woodlawn Drive, reported she was in attendance to speak on the Arden Park proposal. She explained she opposed this development because it does not match the neighborhood. In addition, the loss of the green space was a concern to her. She discussed how the children in the neighborhood use this green space and that it was filled with wildlife. She did not believe the City should be giving a break to a multi-billion corporation to earn money on this development. She did not agree with the cottages because they required too many variances. She expressed concern with the fact the units would not have garages. She made it clear to the Council that the community cares about what was occurring in Mounds View. She reported even if the public does not attend every meeting, they were following along with the events that were occurring. She stated the public puts its trust in the Council and right now there was a lack of trust because the public does not feel heard or seen. She feared there was a conflict of interest with the proposed development and this was very concerning to her.

Maria Slabiak, 8135 Long Lake Road, reported the majority of the property the Arden Park development would be built on a floodplain in a wetland buffer zone. She explained a buffer zone was defined as essential protection for species that use a wetland habitat. She questioned if it was wise to destroy this buffer zone. She discussed how changing the zoning from R-1 to R-3 on this floodplain would add crowding, noise and would reduce property values to the adjacent homes. She feared adding a large number of units to the area would adversely impact the drainage for the area. She noted her neighbor's backyard floods in wet weather. She stated residents were concerned about having wet basements and backyards. She reported she conducted a search on the developer and noted there were lawsuits against them for quality complaints and poor foundations in three different states. She stated the proposed yard homes do not meet minimum requirements for residential construction in Mounds View, nor did the townhomes meet the minimum zoning requirements for lot size or setback requirements. She questioned why the City would allow this many structures in such a small area. She feared this would be a fire safety concern. She asked how the community was benefiting from this development, when 98% of the residents did not support the project. She encouraged the City Council to properly represent the residents of Mounds View when it comes to this project. She did not believe it was right to put 87 units on seven residential lots. She stated this was not the time or location to experiment with expensive townhomes or yard homes. She noted the yard homes do not fit into the character of the

neighborhood and the neighbor's fear how their property value would be impacted. She commented further on all of the variances the developer would require and reported this project would require too much take from the City.

Rene Johnson, 7385 Pleasant View Drive, requested the Council address a Charter issue. She explained when she was notified about her street there was 100% participation in a petition and according to the Charter a special meeting should be held, a ruling is given and the petitioners can challenge this in court and the Council has to abide by the court ruling. She reported because the City does not assess for streets, the residents were not allowed to go through this process. In addition, she asked that staff post meeting meetings to the City website.

Kathy Lee, 7719 Woodlawn Drive, expressed concern regarding the value of keeping greenspaces in cities. She reported greenspace was a valuable benefit to the community and helped protect air quality. In addition, there were huge benefits to having greenspace for both mental and physical health. She reported wildlife also needed a place to live and this wetland has been their home. She discussed how the proposed development would add another 150 cars into a very small area. This would create more pollution and noise pollution. She reported if there was very little buildable area left in Mounds View, she questioned why the City wanted to over populate this one area. She believed the City needed more retail space or shops along with invaluable greenspace. She stated the movement to increase greener cities was increasing worldwide. She encouraged the City to reconsider the Arden Park plans and to take into consideration the thoughts and concerns being voiced by the Mounds View residents.

Irena Sablak, 8466 Long Lake Road, spoke to the Council regarding the Arden Park project stating she would like this project stopped. She reported the Council was elected by the residents of Mounds View to represent the public. She noted the majority of Mounds View residents were against the proposal. She discussed how this project was creating great stress for many residents. She stated she wanted her children and her grandchildren to enjoy Mounds View as it is now. She did not want to the wellbeing of this peaceful town to be lost because of this development. She urged the City Council to not compromise on this project, but rather to hear the voices of the public.

Dennis From, 7840 Bona Road, stated he grew up in the inner city in Chicago and he has been in Mounds View since 1996. He explained he loved this town and liked the amenities within the community. He stated he was afraid the yard waste site would go away and the City would build more housing on this location. He reported Mounds View had nice homes on larger lots and not shoebox style homes on tiny lots. He feared who would be able to live in the yard homes when they had no garages or yards. He encouraged the City to reconsider what the motive was behind the Arden Park development. He stated the residents of Mounds View do not support it.

Lily [REDACTED], resident of Mounds View, stated the City wants to not only build homes in the back of her home, but all of her neighbor's homes as well. She did not believe this was a fair decision and encouraged the Council to listen to what people had to say. She did not agree with getting rid of all of the forest and indicated her neighbors felt the same way. She understood the City wanted to develop its own land to make money, but she reminded the Council that a decision to remove the forest would be permanent. She stated the wildlife would be lost in the community

and she loved seeing deer, rabbits, birds and squirrels. While she was only a kid, she wanted to have a life filled with happy experiences in her backyard. She discussed the memories she has made on the land behind her home and encouraged the Council to protect this forest and wetland area.

Julie Clark, 8005 Woodlawn Drive, spoke to the Council regarding the Arden Park proposal. She explained she had many of the concerns that have already been raised by her neighbors. She stated she has a close community of neighbors that have organized two in-person neighborhood meetings, conducted an online survey and has spoken to over 200 people in the community in the last two weeks. She reported 98% of the people that took the survey do not support the townhome/yard home proposal. In addition, the neighbors do not support giving or selling the land at a reduced price to a multi-billion dollar developer. She noted 67% of the residents that completed the survey have lived in Mounds View for over 10 years and they were concerned with the fact the proposed development does not match the neighborhood. She indicated the neighbors would support single family homes or the preservation/expansion of the park area. She stated one popular idea was to turn this area into a dog park. She provided the Council with a handout on the results of the survey that was conducted. She encouraged the Council to consider the comments and questions that were provided from the Mounds View residents. She asked that the Council to represent the residents of Mounds View and to stop pursuing the Arden Park proposal.

Joel Copp, 8388 Long Lake Road, stated he and his wife have been dedicated residents of Mounds View for the past 35 years. He explained Mounds View was a community of owner occupied single family homes on individual lots that were 50 to 100 feet wide. He noted these homeowners have elected this Council to support their values. He reported the 75 unit high density townhome project was not in keeping with the character or values of this community. He stated this project will negatively impact existing property values and would add 300+ vehicles to Long Lake Road per day. He stated this development would put great demands onto the City's infrastructure and would put permanent negative quality of life impacts on the established residents of Mounds View.

Tony Preciado, 8217 Long Lake Road, stated he opposed the Arden Park project. He noted this development would be located directly in his back yard. He reported he has tried to purchase the land behind his house several times. He stated if this project goes through, he would do everything in his power to make sure none of the Councilmembers are reelected. He questioned how the City Council was benefiting from this proposed project and feared how the wildlife in the area would be impacted.

Tom Carlson, 8051 Woodlawn Drive, encouraged the Council to review the surveys and questionnaires that were brought to the Council from Ms. Clark. He urged the Council to hear the voices of the surrounding residents. He reported the project area was platted for eight single family homes and the developer was proposing to squeeze 87 homes onto this space. He asked that the Council consider what this would do the neighborhood and to the surrounding area. He stated if the area were to be developed, low-density housing should be considered.

Dale Federer, 2322 Laport Drive, reported he has lived on Laport Drive for the past 40 years and noted he has lived through the Medtronic development. He explained he would be extremely disappointed to see high density housing this close to the transfer station. He questioned if the

proposed land could even support this much housing. He encouraged the Council to protect the wetland and wildlife on this property. He recommended the Council focus on properly developing the Mounds View Boulevard corridor. He stated he did not see the need to complete a development of this type in Mounds View.

Wendy Kiewel, 8454 Greenwood Drive, stated she has lived in Mounds View for the last 28 years. She noted she has remained in the area because she liked the older developed neighborhoods. She explained she hated to see this greenspace go. She commented on how loud the hum of traffic was in her neighborhood and noted this was impacting her quality of life. She feared how her neighborhood would be further impacted if the proposed development were to move forward. She cautioned the Council from moving forward with this development and urged them to protect the last bit of remaining greenspace in Mounds View.

Diana Rolland, 7768 Woodlawn Drive, explained she has many of the same concerns as her neighbors. She noted her biggest concern was the fact that the greenspace and wildlife would be lost. She indicated this action would be permanent, so she urged the Council to consider their actions carefully. She stated Mounds View had a lot of new apartments available in the community for residents. She discussed how the proposed development would impact traffic in her neighborhood, while also putting a strain on the City's electrical grid and infrastructure. She suggested walking trails or a dog park be considered for this greenspace.

Dan Madsen, 8206 Long Lake Road, stated he has been a resident of Mounds View for 31 years. He explained he has many of the same concerns of his neighbors regarding the wetland and the wildlife habitat. He indicated he did not mind paying taxes when the taxes are used for worthwhile projects.

Kayla Roste, 8400 Long Lake Road, commented on the proposed Arden Park development. She stated she was very concerned about the loss of the wetlands. She reported the wetland delineation was completed during a drought year. She noted she was concerned about how the groundwater would be impacted by this project. She indicated the proposed development would be managed by an HOA that would be dumping fertilizer on the yards, which would damage the wetlands and groundwater. She reported it was already challenging to use Long Lake Road in the morning and the additional housing would compound this issue. She asked that Council to consider another use for this property. She suggested a dog park or walking trails be considered for this area. She noted she voted for several of the City Councilmembers and she hoped that they would hear the concerns being voiced by the Mounds View residents.

Carrie Nelson, 8453 Eastwood Road, stated there has been an increase in traffic in her neighborhood and she was concerned how this would be impacted by the proposed development. She reported she could hear Medtronic from her house and she could hear the traffic from the freeway. She questioned why the City was considering rezoning this property. She urged the City Council to protect the last remaining greenspace and the trees in this area. She recommended the greenspace be turned into a park and that the wetland be protected.

Dan Mueller, 8343 Groveland Road, stated he agreed with the concerns being voiced by his neighbors. He commented on how all of the recent high density projects were costing all of the trees in the community.

Ali Carlson, 8051 Woodlawn Drive, noted she has lived in Mounds View her entire life. She stated the wetland area has brought deer, turkeys, and geese to her yard. She feared how the wetlands would be impacted by the proposed townhomes and yard homes. She reported taking away the wetland would remove the wildlife and would remove the greenspace that the neighborhood children enjoy.

Peter Lozowi, 7971 Woodlawn Drive, explained he was totally against the proposed project. He noted has lived in Mounds View since 1984. He urged the City Council to let the public vote on this development because it was not right for the community. He discussed how much he paid in taxes for Mounds View and expressed concern with the fact his taxes continue to rise each and every year.

Carol Mueller, 8343 Groveland Road, reported she had the pleasure in 2018 of serving on the Comp Plan Committee. She noted Acting Mayor Meehlhause served on the Comp Plan Committee in 2008. She explained nowhere in either of these plans does it show where the City would take a small piece of property and break all of the zoning rules, and allow a company from New Brighton that was not allowed to put cottages into their community into Mounds View. She reported this was the last 2% or 3% of developable land in the City. She encouraged the Council to remember who voted for them and to serve the residents of Mounds View. She commented on the countless hours one resident has spent pulling together data for the Council to review showing the opinions, concerns and comments of the neighbors. She believed Mayor Hull had a legacy in the community and she believed the City should put its resources into the expansion of the Community Center. She did not believe Mayor Hull would have liked to have seen something that required the expenditure of resources that do not serve the needs of the community and its existing residents.

Sharon Kirscher, 8406 Red Oak Drive, stated she agreed with the comments of her neighbors. She noted she has lived in Mounds View most of her 63 years. She discussed how the swamps along Red Oak Drive were turned into housing and she understood these homes had problems with water in their basements. She discussed how the proposed development would remove yet another wetland. She urged the Council to preserve this wetland and forested area. She believed this natural filtration system should remain in place. She recommended this area be turned into a park or preservation area.

Gary Schallock, 2450 Sherwood Road, stated he has been a resident for the past 20 years. He noted he objected to the proposed development and believed this was the wrong decision for Mounds View. He reported he has a large lot and he enjoyed the wildlife in his neighborhood. He explained this development was wrong for this community and the only people who supported the project was the City Council. He urged the Council to hear the voices of the neighbors.

Jake Thies, 8300 Pleasant View Drive, explained he agreed with the comments of his neighbors. He expressed concern with how all of this additional housing would impact the wetlands and

groundwater for the surrounding neighbors. He reported if any of the City Councilmembers were to support this project, he would be running against them at the next election.

Tanya Battista, 5307 Quincy Street, stated she agreed with the comments of her neighbors. She urged the Council to keep this area of Mounds View natural.

Ann Erion, 7800 Bona Road, expressed concern with how her neighborhood would flood if the City were to do away with this large wetland.

Marcy Winkler, 2372 Laport Drive, reported this was the third time she has been in front of the Council regarding this property. She explained in previous attempts to develop this land the Rice Creek Watershed shot the request down. She did not understand why their view has changed. She stated she was concerned with the wildlife, the wetland and the floodplain. She noted she was also concerned with how the residents on Long Lake Road would be impacted by the increased traffic levels. She urged the Council to allow this greenspace and natural wetland to remain as God intended.

Rebecca Scholl, 2467 Hillview Road, explained she has been a Mounds View resident for the past 26 years. She reported she was not against development, but she was against the Arden Park development. She stated she appreciated all of the development that was occurring along the corridor and the fact that the City Council had a plan. She urged the Council not to allow Pulte Homes to cram 75+ townhomes into a small area that was located on a wetland. She indicated this project does not match the zoning and did not make sense for Mounds View. She urged the Council to deny this project. She thanked all of her neighbors for coming forward, voicing their concerns and for speaking out against this project.

Mike Winkel, 7701 Bona Road, stated he did not believe the City needed the density or additional traffic on Long Lake Road. In addition, he did not believe the City needed to lose the greenspace.

John Stacy, 800 Woodlawn Drive, explained he pounded a sand point in his yard so he could use this well to water his yard. He noted he hit water at 14 feet. He reported when they did the project on Sherwood the project kept filling up with water and pumps had to be brought in. He stated this area was a swamp. He indicated the proposed project area was also a swamp and should remain a swamp.

Tony Sablak, 8466 Long Lake Drive, reported he has been a real estate agent for the past 20 years. He commented on how the proposed townhome/yard home project would adversely impact the property values of the surrounding homes. He urged the Council to reconsider this project and not move it forward.

Heather Forest, 8260 Long Lake Road, reported she would be living directly across from the proposed development. She noted she has an 18 year old driver and she was terrified every day her daughter would be hit while leaving the driveway. She explained there used to be a police presence on Long Lake Road in the evening hours, but she hasn't seen a police presence in 2023. She reported she was very concerned with how the additional traffic would impact her quality of life. She commented further on how her property loses power quite often and she feared how this

would be compounded with an additional 85 homes on the power grid. She noted her 12 year old daughter was quite upset about having more people in the neighborhood. She indicated her daughter was also concerned with how this new development would increase the class sizes at the local schools, which were already quite full. She stated she strongly opposed this project and she encouraged the Council to not move it forward.

Bjorg Steinbach, 7861 Woodlawn Drive, noted he has lived in his home for the past 26 years. He provided the Council with a visual and asked all of the residents in attendance to raise their hands if they oppose the Arden Park project.

Mike Kemen, 5054 Silver Lake Road, explained he biked a lot throughout the community and along Long Lake Road. He stated he would hate to see additional traffic along this roadway because it was already dangerous for bikers and pedestrians.

City Administrator Zikmund stated the City has reviewed a concept plan from Pulte Homes. He reported to date there is no development agreement, preliminary plat or final plat. He explained the Council met in closed session and conveyed a proposal for the land to Pulte Homes and has not heard back. He noted the City has no project until a development agreement was in place.

8. COUNCIL BUSINESS

A. Public Hearing: Resolution 9752, Considering a Residential Dog Kennel License for Joe Lundy, 2801 County Road H.

City Administrator Zikmund requested the Council consider a residential dog kennel license for Joe Lundy at 2801 County Road H. He reported kennel licenses were required for residents that have three or more pets. He explained training, breeding and boarding would not be allowed per City Ordinance. He stated a mailing was sent to all neighbors living within 500 feet and staff was recommending approval of the request.

Acting Mayor Meehlhause opened the public hearing at 7:41 p.m.

Kristin Hable, 2529 County Road H, stated she was opposed to her neighboring running a kennel. She explained she has worked long and hard to improve her home. She reported her neighborhood was full of dog issues, which could be seen through the number of police calls. She stated her neighborhood was not cohesive. She stated she has dogs barking in her neighborhood day and night. She indicated she was against a kennel unless the City had some way to control the dog issues that would come with this.

Daniel Marquardt, 2554 Eastwood Drive in New Brighton, spoke to the types of dogs the resident would have. He stated it sounded like the applicant had smaller dogs and the kennel license was simply required because he wanted a third dog and would not be operating a kennel from this property.

Mike Kemen, 5054 Silver Lake Road, reported he makes great sacrifices living along Silver Lake Road due to the noise and traffic. He noted he wears ear plugs so he can fall asleep at night. He indicated his greatest concern was with the fact the applicant would be operating a business. He

noted he was not as vehemently opposed, if the applicant was simply requesting to have three dogs. He commented further on how the neighborhood dogs set each other off and that there was a great deal of dogs barking.

Hearing no further public input, Acting Mayor Meehlhause closed the public hearing at 7:46 p.m.

City Administrator Zikmund stated the City Attorney could provide the Council with language for a condition to ensure the applicant does not board, train or breed dogs on the property.

City Attorney Riggs advised this could be done to make it clear that these activities would not be allowed at the property.

Andrea Amelse, 2816 Woodcrest, asked if this was an exception because they currently own three dogs. She noted she has already heard the dogs on this property.

City Administrator Zikmund explained the applicant would be allowed to have three dogs, with no kenneling, no training or breeding.

Acting Mayor Meehlhause stated this request was following an established Ordinance for the City. He apologized for the confusion this license brought about by being called a kennel license.

MOTION/SECOND: Gunn/Cermak. To Waive the Reading and Adopt Resolution 9752, Considering a Residential Dog Kennel License for Joe Lundy at 2801 County Road H adding a condition that states there will be no breeding, kenneling or training.

Ayes – 4

Nays – 0

Motion carried.

B. First Reading and Introduction of Ordinance 1003, Amending Mounds View City Code Chapter 160.198; B-3 Highway Business District, Conditional Uses.

Community Development Director Sevald requested the Council consider an Ordinance that would amend City Code regarding the B-3 Highway Business District. He explained Big Dipper Creamery proposes to relocate their ice cream production facility to 2222 Mounds View Boulevard, requiring; (1) an amendment to the B-3 district to allow processing of food products as a Conditional Use; and (2) a Conditional Use Permit. He reported Big Dipper Creamery currently operates retail stores in Blaine and North Oaks, and an ice cream production facility at their North Oaks store. They have outgrown the space and intend to lease 2222 Mounds View Boulevard for production and retail sales (no dine-in). It was noted 2222 Mounds View Boulevard is a multi-tenant building (Southpaw Crossfit, Scout Shop, Mounds View Chiropractic, Betterley Tools), and is zoned B-3 Highway Business. Staff commented further on the request and reported the Planning Commission recommended approval of Ordinance 1003.

Council Member Gunn asked if retail sales would be conducted at this location. Community Development Director Sevald stated grab and go sales would be conducted by the pint or quart.

MOTION/SECOND: Gunn/Lindstrom. To Waive the First Reading and Introduce Ordinance

1003, Amending Mounds View City Code Chapter 160.198; B-3 Highway Business District, Conditional Uses.

Council Member Lindstrom stated he was happy to see the City was working to bring another new business to Mounds View.

Ayes – 4

Nays – 0

Motion carried.

C. First Reading and Introduction of Ordinance 999, Amending Mounds View City Code Chapter 161 Signs and Billboards.

Community Development Director Sevald requested the Council introduce an Ordinance that would amend City Code Chapter 161 regarding signs and billboards. He explained this request was previously discussed by the Council at the February and April work sessions. Staff reviewed the minor amendments to the code amendment and recommended the Council introduce the Ordinance.

Council Member Lindstrom asked if this Ordinance amendment would impact the Bear Lot. Community Development Director Sevald reported the Bear Lot was currently limited to 100 feet of wall signage including the bear. Under the proposed amendment, the Bear Lot would be allowed to double the amount of signage they were allowed to have now. He noted the amendment does not give them everything they wanted.

MOTION/SECOND: Gunn/Meehlhause. To Waive the First Reading and Adopt Ordinance 999, Amending Mounds View City Code Chapter 161 Signs and Billboards.

Council Member Lindstrom suggested action on this item be tabled. He supported the Bear Lot being able to have the bear. He recommended this item be postponed until the City had a full Council.

Acting Mayor Meehlhause asked if the Bear Lot could go before the Planning Commission for a variance. Community Development Director Sevald stated this could be done. He noted if the proposed code amendment were approved, the Bear Lot would have 200 square feet to work with.

MOTION/SECOND: Lindstrom/Cermak. To Table Action on Ordinance 999 until there was a full City Council to discuss this matter.

Ayes – 4

Nays – 0

Motion carried.

D. Resolution 9753, Accept the bid results for the 2023 Street Rehabilitation Project – Pleasant View Drive/Stinson Boulevard and select bid alternate for trail section.

Public Works/Parks and Recreation Director Peterson requested the Council accept the bid results for the 2023 Street Rehabilitation Project for the Pleasant View Drive/Stinson Boulevard street project and select the bid alternate for the trail section. He reported this project was being done

jointly with the City of Fridley. He explained a Joint Powers Agreement was in place for the redevelopment of this road. He noted Fridley volunteered to complete the plans, specs and engineering for this project at an 8% cost to the City of Mounds View. He reviewed the plans for the proposed roadway improvements noting there would be a walking trail on the east side of the road. Staff recommended the bid be awarded to the lowest bidder, T.A. Schifsky & Sons with the bid alternate for the trail section.

Acting Mayor Meehlhause asked if the 8% engineering cost was just for the City's portion of engineering expenses. Public Works/Parks and Recreation Director Peterson reported this was the case.

Acting Mayor Meehlhause opened the meeting for public comments.

Ann Tate, 3048 Bronson Drive, reported the neighbors do not want or need the trail. She questioned why the City would want to spend a great deal of money on a four block trail. She explained if a trail had to go forward, she recommended the trail without a boulevard be considered.

Rene Johnson, 7385 Pleasant View Drive, stated the reason she brought up the Charter question earlier was because she would like the Council to table action on the walking trail at this time. She supported the Charter being amended before action in order to allow the neighbors to go through their due process. She explained if the district court states the trail should move forward, then at least she had a chance to fight. She believed this was the proper course of action for the City to pursue. She indicated if the trail had to be installed, she would prefer that her mailbox remain where it is.

City Attorney Riggs explained what is being asked is if the residents can use the petition situation for this type of matter. He stated the assessment provision for the petition does not apply because the City does not assess. He reported there was another vehicle in the Charter that allows for petitions to be done. However, with the type of decision before the Council, courts in Minnesota have said it's not right for this type of petition.

Ms. Johnson commented she understood she was not being assessed for this project, but the Charter allows for petitions regarding improvements that would impact 100% of the residents on her street. City Attorney Riggs reported there was another avenue in the Charter that allows for this question to stop the trail. However, in Minnesota the courts have stated that is not a petition for the Council to utilize and it would not stop the trail.

Ms. Johnson asked what would stop the trail. City Attorney Riggs reported the residents would have to elect different Councilmembers in order to make a different decision. He explained that even if the Charter were amended, this type of petition would not work because it was not something the Council could consider.

Ms. Johnson asked if the Council would consider tabling action on this item for 60 days to allow the public to prove why the trail wasn't needed.

Acting Mayor Meehlhause requested further information regarding the cost of the project. Public Works/Parks and Recreation Director Peterson reviewed the cost for the project, along with bid alternates 1 or 2. It was noted the bid pricing did include the rapid flashing beacon and ADA ramps.

Council Member Gunn asked which of the bids staff would recommend. Public Works/Parks and Recreation Director Peterson stated the boulevard would be the safest for pedestrians and bicycles. He reported no trees would have to be removed for this project and only minor landscaping would be disturbed if the 10 foot trail were installed.

MOTION/SECOND: Gunn/Cermak. To Waive the Reading and Adopt Resolution 9753, Accept the bid results for the 2023 Street Rehabilitation Project – Pleasant View Drive/Stinson Boulevard and selecting Bid Alternate 1 for trail section.

Council Member Lindstrom stated he drove around the City and measured several trails. He reported the trail off of H2 was an eight foot trail and most of the boulevards in town were four feet. He indicated Davenport Avenue has a six foot sidewalk. He explained he has driven Pleasant View four times a week for the past six or seven months and he has seen a total of five cars and no pedestrians. He did not believe this was a highly traveled area that required a trail. He reviewed the 2019 Comp Plan and noted Pleasant View does not have a trail on it. He stated because the City had 100% participation from the residents on this street, he would not be supporting the trail.

Acting Mayor Meehlhause commented he has continued to be amazed at the opposition to a sidewalk or trail as part of a street project. He noted this was true for Arden Avenue, Groveland, Spring Lake Road, and now Pleasant View Drive. He was perplexed by the fact there was no compelling reason other than the fact the residents do not want it. He explained in making decisions the Council receives input from a variety of sources, such as staff, residents, and the strategic plan. He reviewed the goals within the City’s strategic plan, noting one of the goals was for the Council to maintain and expand the City’s trails and sidewalks to provide further connections with existing sidewalks and trails. He noted the City’s 2024 Comprehensive Plan also comes into consideration for this project. He stated there was a variety of input and resources each Councilmember takes into consideration before making a decision on matters like this. He indicated each Councilmember will reach their own decision based on the input and resources they have considered. He discussed long-time Shoreview Mayor Sandy Martin who will go down in history as one of the most effective local elected officials in Minnesota history. He reported Ms. Martin said she spent her 20t years disappointing Shoreview residents because if she had listened to what the residents didn’t want, they wouldn’t have a community center or playground outside of city hall. He noted he too would disappoint the residents on Pleasant View Drive as he would be supporting the construction of a sidewalk trailway based on the master trail plan, comprehensive plan and the Council’s 2023-2024 strategic plan. He noted the cost of this trail was not coming from property tax funding.

Ayes – 3

Nays – 1 (Lindstrom)

Motion carried.

9. REPORTS

A. Reports of Mayor and Council.

Council Member Cermak reported graduation at Irondale High School would be held on Monday, June 5.

Council Member Cermak stated the Mounds View Police Foundation would be meeting next on Tuesday, June 6. She encouraged residents to visit the Manitou Grill on Wednesday, June 7 as a part of a fundraiser for the Mounds View Police Foundation.

Council Member Cermak explained the Fire Department would be holding a golf tournament on Saturday, June 10.

Council Member Lindstrom stated the Festival in the Park Committee met on Tuesday, May 16. He noted there would be a foam party and water balloon fight as part of this year's events.

Council Member Lindstrom thanked his neighbors for attending this meeting and for voicing their concerns to the City Council.

Council Member Gunn reported the Diversity Task Force met and had good discussions. She noted the group would meet next on Tuesday, June 20 at City Hall.

Council Member Gunn explained the Tribute Committee would be meeting next on Tuesday, June 6 at 6:30 p.m. at City Hall.

Council Member Gunn encouraged residents to participate in the garbage input meetings on Wednesday, May 31 at 10:00 a.m., 1:30 p.m. or 7:00 p.m. at the Mounds View Community Center.

Acting Mayor Meehlhause stated he would be attending a Twin Cities Gateway executive committee meeting on Tuesday, May 23. He provided the Council with a financial update from Twin Cities Gateway and noted they continue to lead the entire state in hotel occupancy.

Acting Mayor Meehlhause reported he would be attending an NYFS board meeting on Thursday, May 25.

B. Reports of Staff.

Public Works/Parks and Recreation Director Peterson stated a neighborhood meeting would be held for the Pleasant View Drive/Stinson project on Wednesday, May 24 at City Hall in the Council Chambers.

Public Works/Parks and Recreation Director Peterson explained Public Works staff was busy filling potholes.

Public Works/Parks and Recreation Director Peterson noted an RFP for the sewer lining went out last Friday.

Public Works/Parks and Recreation Director Peterson reported Stantec has been authorized to look at wetland banking at Arden.

Finance Director Beer stated a new accountant started in the Finance Department today.

City Administrator Zikmund asked if the Council wanted to reschedule or cancel their Monday, July 3 work session meeting. He noted there was nothing on the agenda that would be discussed on Monday, July 11. The Council supported holding the work session meeting on Wednesday, July 5.

City Administrator Zikmund commented on the legislative session and noted the tax bill was on its way to the governor. He noted the City could put the local sales tax on the ballot for residents to consider in November. He indicated the definition of general elections was being considered. He noted the bonding bill process opened up yesterday and documentation would have to be submitted for consideration on June 15.

C. Reports of City Attorney.

City Attorney Riggs stated with Mayor Hull's passing the Council has a vacancy. He reported he would provide the Council with a memo tomorrow regarding the steps that must be followed by the City Council. He noted the first action would be for the Council to adopt a Resolution declaring the vacancy. Because there was over a year left on the term, a special election would be required on August 8 or November 7. He stated the Council would continue to act with four members, with the Acting Mayor in place, until a new member was elected. Further discussion ensued regarding the process the Council would have to follow if a current City Councilmember were to run and win the open seat, and it was noted the City would have to hold another special election.

**10. Next Council Work Session: Monday, June 5, 2023, at 6:00 p.m.
Next Council Meeting: Monday, June 12, 2023, at 6:00 p.m.**

11. ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

Transcribed by:

Heidi Guenther
Minute Maker Secretarial