

Regular Meeting
Monday, May 5, 2014, 7:00 p.m.
Bloomington Civic Plaza
1800 West Old Shakopee Road
Bloomington, Minnesota 55431-3027

- Call to Order** Mayor Winstead called the meeting to order at 7:00 pm and the Police Department Honor Guard presented the colors and led the audience in the pledge of allegiance to the flag.
- Roll Call** *Present:* Mayor Winstead, Councilmembers C. Abrams, J. Baloga, T. Busse, A. Carlson, D. Lowman, and J. Oleson.
- PROCLAMATION – Older Americans Month** Mayor Winstead read and presented a proclamation declaring May as Older Americans Month to older Americans Terri McStocker and Mary Anne Josephson.
- PROCLAMATION – National Drinking Water Week** Mayor Winstead read and presented a proclamation declaring May 4-10, 2014, as National Drinking Water Week in Bloomington to Brent Massman, Senior Utility Operator and Cael Sprute, Utility Operator.
- PROCLAMATION – Respect for Law Week** Mayor Winstead read and presented a proclamation declaring May 11-17, 2014, as Respect for Law Week in Bloomington to Jim Meyers, Optimists Club.

Meyers announced Detective Cory Cardenas was selected as the Optimists Officer of the Year and read from the letter Police Chief Jeff Potts wrote to nominate Detective Cardenas for this award. He also gave recognition to the Jefferson High School senior who won the Optimist's essay contest.
- PROCLAMATION – National Police Week** Mayor Winstead read and presented a proclamation declaring May 11-17, 2014, as National Police Week to Police Chief Potts.
- PROCLAMATION – Poppy Days** Mayor Winstead read and presented a proclamation declaring May 16-17, 2014, as Poppy Days in Bloomington to VFW Post 1296 Commander Fay Hassie, Ladies Auxiliary President Lois Stodieck and Auxiliary Secretary Barb Brewer.
- Accepted the 2014 Report of the Board of Appeal & Equalization** City Assessor Matt Gersemehl and Board of Appeal & Equalization Chair Tom Meyers presented the 2014 Report of the Board of Appeal & Equalization. It was stated (16) formal applications were made to the Board with only three owners actually appearing before the Board. A summary of the cases and the actions taken by the Board were presented. Of the (16) cases, the Assessor's value was adopted in (9) of them and the Assessor's value was sustained in (7) of them.

Motion was made by Busse, seconded by Oleson, to accept the 2014 Report of the Board of Appeal & Equalization as presented.
- Approved Amendment No. 1 to Maternal Infant and Early Childhood Home Visiting 2 Grant Agreement** Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve Amendment No. 1 to the Maternal Infant and Early Childhood Home Visiting 2 (MIECHV2) Grant Agreement. This grant agreement with the Minnesota Department of Health (MDH) is an expansion of the current Healthy Families America (HFA) program.
- ITEM 3.1**

- ITEM 3.1 continued** This Amendment provides additional funds in the amount of \$7,880 to the City's Public Health Division to host up to four (4) more Growing Great Kids (GGK) trainings in Bloomington during the grant period. The funds will cover staff time, room and AV equipment rental fees, and gift cards for volunteers. The term of the Agreement is from December 1, 2012 through March 30, 2015, with a total not-to-exceed value of \$275,260.
- This Amendment requires no adjustment to the 2014 Public Health Budget.
- Approved Sale of City Vehicles
ITEM 3.2** Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve the sale of City vehicles at the Hennepin County Auction scheduled for May 31, 2014. These are vehicles that have been replaced and are no longer needed by the City.
- Approved Purchase from Flint Hills Resource, LP
ITEM 3.3** Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve the purchase of bituminous materials from Flint Hills Resource, LP under State of Minnesota Contract #28839 for a cost of \$375,219.30. The materials will be used by the City for street repair. The request is for 650 tons of CRS 2P Asphalt Emulsion for seal coating at a cost of \$562.46/ton for a cost of \$365,599.00; 10 tons of CSS-1H Asphalt Emulsion at a cost of \$479.57/ton for a cost of \$4,795.70; and 10 tons of CRS2 Asphalt Emulsion at a cost of \$482.46/ton for a cost of \$4,824.60.
- Funding for this purchase is budgeted in the 2014 Street Maintenance Budget, Activity 7623. Expenditures for bituminous material were \$647,473.85 in 2012 and \$351,804.49 in 2013.
- Approved Purchase from Commercial Asphalt Co.
ITEM 3.4** Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve the purchase of 2100 tons of bituminous patch material (MnDOT SPEC 2231) at a cost of \$55.55/ton from Commercial Asphalt Co. under State of Minnesota Contract #55629 for a total of \$116,655.00. This material will be used by the City for street repair.
- Funding for this purchase is budgeted in the 2014 Street Maintenance Budget, Activity 7622. Expenditures for bituminous patch material were \$48,119.09 in 2012 and \$90,194.03 in 2013.
- Approved Agreement with the Metropolitan Airports Commission
ITEM 3.5** Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve the Regional Distribution Node (RDN) Cooperative Agreement with the Metropolitan Airports Commission (MAC) to authorize an RDN on MAC property. This Agreement provides certain services with respect to the storage, security, and distribution of federal stockpiles of medical materials in the event of a public health emergency. The term of this Agreement is from the date of execution by the parties through April 30, 2017.
- Approved Plans & Specs for Storm Sewer Maintenance Project (2014-901)
ITEM 3.6** Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve the plans and specifications for the 2014-901 Storm Sewer Maintenance Project. This project includes maintenance and construction of the storm sewer system at the (17) sites listed in the agenda item. Construction is anticipated to begin in July 2014.
- Funding (up to \$470,000 plus a contingency) is included in the Storm Water Drainage Utility Budget, under Fund 530-8320-433.70-31, and there will be no assessments.
- Adopted Resolution Approving Refinancing for Founders Ridge
ITEM 3.7
R-2014-47** Motion was made by Baloga, seconded by Abrams, and all voting aye, to adopt a resolution authorizing the issuance, sale, and delivery of revenue obligations under Minnesota statutes, Chapter 462C, as amended; authorizing the loan of the proceeds of the revenue obligations to Bloomington Bethany Senior Housing, Inc. (borrower), to refinance a senior housing project; approving the form of and authorizing the execution and delivery of the revenue obligations and related documents; and providing for the security, rights, and remedies with respect to the revenue obligations.

- ITEM 3.7 continued** The Borrower has requested the City issue its Senior Housing Revenue Refunding Series 2014 bond (Founders Ridge Project), Series 2014A, in the original aggregate principal amount of \$7,912,000, and its Senior Housing Revenue Refunding Series 2014 Note (Founders Ridge Project), Series 2014B, in the original aggregate principal amount of \$7,912,000, under the provisions of this resolution.
- As the duration of the original debt structure has not changed, no public hearing is required. The main reasons for the refinancing are favorable interest rates and a change in the lending institution. The Series 2014A bond will be sold to Venture Bank (the "Lender"), under the terms of a Note Purchase Agreement, dated on or after May 1, 2014.
- Adopted Resolution Approving Amendment #2 to Agreement with Terratron Inc. ITEM 3.8 R-2014-48** Motion was made by Baloga, seconded by Abrams, and all voting aye, to adopt a resolution approving Amendment #2 to the Purchase and Redevelopment Agreement (including the Personal Guaranty) for the Alpha A Parcel, Alpha Business Center, substantially in the form included in the materials. This relates to the proposed construction of an approximately 61,000 square foot hotel, including approximately 110 to 118 units located within Industrial Development District No. 1 – Airport South (commonly known as South Loop) by the developer Terratron Inc.
- Approved Amendment to MDA Delegation Agreement ITEM 3.9** Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve a minor amendment to a Minnesota Department of Agriculture (MDA) Delegation Agreement to further clarify its responsibilities for oversight to the Food and Drug Administration (FDA) under the Code of Federal Regulations Title 21 as it relates to food establishments wholesaling seafood, juice, low acid canned foods, acidified foods, bottled drinking water and dairy products. At this time, the City licenses no retail food establishments wholesaling these food items so by approving this amendment, the City is not transferring any retail food licenses to the MDA.
- This does not apply to restaurants producing the above products for wholesale because the MDA does not have jurisdiction over restaurants and food service establishments. That jurisdiction stays with the City under its Delegation of Authority Agreement with the MDH, but information will be provided to those establishments covering any requirements for the manufacture and wholesale of the above products because FDA still carries jurisdiction over those establishments.
- OPENED PUBLIC COMMENT PERIOD** The Mayor declared the public comment period open for those wishing to address the Council on matters other than items included on the agenda.
- Speaker #1: Sally Ness, 8127 Oakland Avenue South
She commented on the proposed Shared Use Agreement between the City and the Al Farooq Youth & Family Center (AFYFC) at 8201 Park Avenue South regarding the use of Smith Park and its parking lot. She quoted from the City Code regarding the use of park parking lots and believes the City is treating the users of AFYFC different by allowing Smith Park to stay open all night for their use. She talked about the City paying for half of the west parking lot (Xcel parking lot) and that entrance. She also quoted from the January 30, 2013 Draft Use Agreement and a memo dated March 8, 2013.
- Speaker #2: Joan Kampmeyer, 9525 Wyoming Avenue South, Representing the Bloomington Master Recycler Composter Group
She said they've been closely following the City's work on a Solid Waste Management Plan (SWMP) and are disappointed in the status of its adoption and implementation. Their group encouraged the Council to move forward as quickly as possible on the Plan with a focus on residential collection, i.e. going from an open to an organized collection of trash, recyclables, and organics. She provided Council with copies of a one-page summary of specific goals and strategies they believe are very actionable in implementing a SWMP.

PUBLIC COMMENT PERIOD continued

Speaker #3: Vi Rozek, 8214 Park Avenue South
 She mentioned a potential road addition in the vicinity of the AFYFC building that was discussed in a Planning Commission e-mail in 2013. She asked why a street would be needed between 80th & 81st Street and commented on the potential costs associated with it. She requested cost information relating to all traffic studies that have been conducted in the vicinity of 8201 Park Avenue be included on the Dar Al Farooq Youth & Family Center FAQ page on the City's Website.

Mark Bernhardson, City Manager said the City might explore possible street options for several reasons. A single access out of the AFYFC site was explored to see if it would lessen the impact on the Smith Park neighborhood but that was as far as it went. When an outside party proposed a multi-family residence on an industrial property in the area, staff explored whether it made sense to connect Chicago Avenue to 81st Street but that was far as that discussion went.

CLOSED PUBLIC COMMENT PERIOD

The Mayor asked if anyone else wished to address the Council during the public comment period, or it would be closed. No one came forward so it was closed.

Approved New On-Sale Intoxicating Liquor License for Benihana at 358 South Avenue (Mall of America) ITEM 5.1A

Motion was made by Busse, seconded by Abrams, and all voting aye, to approve a New On-Sale Intoxicating Liquor license, expiring June 30, 2014, for Benihana Bloomington Corporation dba Benihana at 358 South Avenue, Mall of America.

Mayor Winstead said City staff conducts background checks and does its due diligence for every liquor license application; whether it's a national chain or a local company.

Bernhardson explained an application for an off-sale liquor license was received by the City but the public hearing for it was postponed at the request of the applicant who later withdrew the application. He said that applicant intends to submit a new application.

Doug Junker, Licensing Examiner stated all applicants and applications are treated the same by the City and go through the same steps in the approval process.

No public testimony was received.

Approved New On-Sale Intoxicating Liquor License for Embassy Suites Bloomington at 2800 American Boulevard W ITEM 5.1B

Motion was made by Baloga, seconded by Abrams, and all voting aye, to approve a New On-Sale Intoxicating Liquor license, expiring June 30, 2014, for Aimbridge Concessions, Inc. dba Embassy Suites Bloomington at 2800 American Boulevard West.

No public testimony was received.

Closed Public Hearing & Adopted Ordinance to Change the City Code & Administrative Fine Schedule as it Relates to the Rental Housing Code ITEM 5.4A1 O-2014-9

Lynn Moore, Environmental Health Manager provided a brief background on the City's Rental Housing Code, which hasn't been updated since the 1990s. She said the Council ranked this as their third highest priority in 2014. She described the four parts of the draft ordinance and the process used to gather input from the public. She said the primary concern expressed by the public was regarding the increase in fees. She also described the notification process used for the proposed ordinance amendments. She said staff recommends adoption of the proposed ordinance.

Council comments/inquiries:

Abrams inquired if the notification process described in Article VIII – Division D. Disorderly Behavior and Nuisance Conditions Violation Notices was new to the Code or if it has been practiced in the past without being part of the Code.

Moore replied the process of disorderly behavior, three-strikes over a period of time, eviction of a tenant, or bringing the property into compliance was not in the former Code.

She said many cities use this practice which mirrors the City's Problem Properties Code used in Nuisance whereby people are essentially given three warnings and then a fine is implemented for use of City services.

Abrams said she was pleased that some of the practices used in other cities mentioned by Ira Sklator in his letter to the Council and staff, the content of which was commented on by the industry, has been placed in this ordinance. She said it recognizes this is all part of the quality of the housing available to the public; whether single or multi-family.

Busse complimented staff on these amendments that have been a long time coming. He said he was impressed with the public notification process for this ordinance, the input received, and the resulting discussions. He was glad to see the inclusion of a requirement for curbside garbage and recycling collection.

Carlson concurred and commented the cost of recovery is 52%. He asked if the proposed changes get the City to full recovery of costs by 2017.

Moore said staff previously discussed a phased approach with the Council so this would be the first step. She said staff will report back to the Council in the future so they can review the fees to see if they are in line with where they need to be. She said the Council will then determine if changes need to be made with regard to the phased plan approach and assured them the public will be renotified every time this comes back to Council.

Carlson commented this fee will be included in the current fee schedule so recommendations can be made on an annual basis.

Winstead explained there is a statute that says license fees can't be set for profit but only for cost recovery. He said property owners do a great job – staff conducts an inspection and it takes very little time. He commented sometimes good property owners end up paying the freight for the less abiding property owners.

Oleson commented there were some good ideas in the comments received from the public. He said the Housing & Redevelopment Authority (HRA) offers some good classes and workshops and asked if there was a way to give some positive strokes to those owners who are doing things properly.

Carlson agreed and encouraged professional landlords to take some classes and participate in learning the City's ordinance. He mentioned the importance of conducting background checks. He said if that goes into the cost of recovery, he supports it.

Moore reported the HRA conducts three educational meetings for multi-family landlords featuring the City's housing inspectors as the educators and speakers. She commented attendance at those meetings shows the owners are professional landlords.

The Mayor invited the public to provide testimony.

Speaker #1: Andrew Aikins, Professional Apartment Manager

He represents 550 units in Bloomington. He reported he does more than what the City Code requires for screening tenants. He commented he has a good relationship with City staff but said City staff needs to be reminded they work for the residents. He said the increase in fees will fall onto the residents living in these buildings. He said money doesn't grow on trees so where will it come from and when will it stop.

Winstead said staff has made the case that the process presented has to go forward.

Aikins asked what he is getting for this increase in fees and stated everyone has to tighten their belts.

ITEM 5.4A1 continued Winstead said for the benefit of the community, staff is seeing things that need to be corrected. He asked Aikins if it would be appropriate for the single-family homeowner to pay for those inspections.

Aikins said he understands there are problems but he doesn't agree with raising the fees.

Winstead said if the Council believes this is a worthwhile endeavor for staff to inspect rental housing and monitor it, they will adopt the ordinance.

Aikins reported his largest building has 141 units and his taxes are \$171,000. He understands the need for a licensing fee but still asked the City to cut costs without going after his apartments and his tenants.

Lowman asked Aikins if spreading the fees over a three-year period would be better than doing it all at once. He asked if the fees were being passed directly onto his renters.

Aikins said the average rent for one of his one-bedroom units is \$750, which is not high but he'll have to increase rent to cover the proposed fee increase. He said he wants to keep his properties up and thanked the Council for their service.

Bernhardson said the increase will be \$60 per building or \$900 per year, and .25¢ more per unit or \$125 per year for a total of \$1,000 spread over 550 units, equaling \$2 per year.

Lowman asked Aikins if he agreed it's better the increase is spread out over three years rather than imposed all at once. Aikins replied he would prefer no increase at all.

Speaker #2: Joel Jennissen, 8336 Penn Avenue South

He thanked staff for the notification of this meeting. He said he didn't want an increase in fees and asked what the structure would look like using a three-year plan. He would prefer more of a graduated licensing fee schedule and suggested new landlords be required to get inspections the first couple of years but then less frequently after that if everything looks good. He said having a City inspector in a rental unit is an intrusion of privacy. He said as a landlord, he has an issue with the language in Section 14.585(a) that states it's his responsibility to ensure his tenants, his tenant's family members, and the guests of his tenants don't engage in disorderly behavior or create nuisance conditions in the rental dwelling unit. He said he can't ensure what his tenants will do. He can get them to sign a lease but it's impossible for him to ensure conduct. He also had an issue with Section 14.580 that states the heat supply must not be less than 68 degrees. He said that language should be changed to read, "it can supply or be able to supply" because tenants might choose not have the thermostat set that high.

Motion was made by Busse, seconded by Lowman, and all voting aye, to close the public hearing on an ordinance to amend chapters of the City Code and the schedule of administrative fines for the purposes of updating the City's Rental Housing Code.

Winstead questioned how the Council not moves forward with this, as it has seen issues relating to rental housing throughout the community. He said it's a licensing issue.

Baloga requested the City Attorney provide an overview on the proposed changes to the City Code referenced by Jennissen.

City Attorney Sandra Johnson said with regard to the heat issue, it's the supply of heat that has to be adequate to keep it at 68 degrees. She said the tenant doesn't have to keep the unit at 68 degrees but the furnace has to be capable of doing that. She explained the temperature in a unit is measured a certain distance from the floor in the middle of the room. She said it's the landlord's responsibility to ensure that it has an adequate heat source.

ITEM 5.4A1 continued Bernhardson said the City goes through a series of steps. If the landlord has an egregious problem, that can lead to a citation but there is a series of steps before any legal action is taken. He said the landlords need to put language into their leases and then they have to enforce it. He said this language is there to assist the landlord with problematic tenants.

Oleson said he is comfortable with the proposed fee increase for this year but suggested having a graduated license that doesn't require an inspection every year.

Bernhardson said staff looked at that very specifically. He said while staff does that with restaurants, they had concerns with taking that approach in the housing area.

Moore explained there are high, medium, and low risk assessments in other areas of inspections but in rental housing, there are a lot of new landlords. She said change on a property can occur so quickly that if inspections are only done once every four years, problems can go on for too long before the City becomes aware of them. She said the City's inspectors hold all rental properties to the same standards as single-family homes and added that no preferential treatment is given to landlords and that it's important to look at rental properties once a year.

Larry Lee, Community Development Director relayed a story relating to this program involving a multi-family housing owner/manager who had called the City to thank staff for their assistance in helping him remove a problem tenant.

Carlson said the Council takes raising fees seriously and will weigh the benefits of doing so with the comments received from the public. He believes the proposed fees are appropriate for cost recovery and this is a program that helps keep Bloomington a desirable community to live in. He supports the ordinance and said fees will be evaluated on an annual basis to ensure they remain fair and can be amended in the future.

Abrams said it's unfortunate, but a lot of this ordinance deals with the nuisance provisions and the work that goes into preventing a "bad apple", whether it's a property owned by the individual or a rental property, from ruining a neighborhood. She said it's hard to motivate good property management or good rental situations with a program whereby the inspections are currently running at a 60% cost recovery rate. She supports this ordinance, as it has a financial place in this City's operation to provide quality housing while bringing those costs closer in line with the fees. She said if this ordinance is adopted, information should be provided in the Briefing to inform the public of the work the City has done to refresh the expectations it is placing on its landlords. She said the City needs to ensure that Bloomington landlords are providing all of the information that pertains to their rental units in the appropriate language for their particular tenants.

Lowman stated staff has worked hard on this ordinance and agrees with the changes. He disagrees with the fee structure but said he understands costs need to get recovered. He suggested the costs be spread across all taxpayers to ensure there is good housing available in Bloomington. He commented while the increase to renters should be insignificant, it's still an increase and appreciates they will be spread over three years.

Busse said once a window is broken, it goes downhill quickly and the same can happen with neighborhoods. He said this is a matter of the City Council taking care of the entire city. It takes into account the needs of the City to ensure the quality of its housing stock.

Lowman agreed Bloomington needs to have quality housing stock but he fundamentally disagrees with how it's being paid for.

ITEM 5.4A1 continued Motion was made by Baloga, seconded by Busse, to adopt an ordinance amending Chapters 1, 10, 11, 12, 14, 15, 19 and 21 of the City Code and the schedule of administrative fines for the purposes of updating the City's Rental Housing Code and for making miscellaneous updates for licensing food shelves, statutory reference for retail food and clarification on public pool closure criteria. Motion passed 6-1 (Lowman opposing).

**Adopted Resolution
Directing Summary
Publication of
Ordinance
No. O-2014-9
ITEM 5.4A2
R-2014-49**

Motion was made by Baloga, seconded by Abrams, and all voting aye, to adopt a resolution directing summary publication of Ordinance No. O-2014-9, the Rental Housing Ordinance in the official newspaper, the *Sun Current*. The Rental Housing Ordinance amends City Code Chapters 1, 10, 11, 12, 14, 15, 19 and 21 as they relate to Rental Housing Standards, with miscellaneous amendments to Chapter 14 to provide a license category for food shelves, updating statutory reference for retail food and clarifying pool closure criteria, and amendments to the Schedule of Civil Fines for Administrative Offenses under Chapter 1, Article II of the City Code. The proposed summary directs readers where they can find a complete copy of the ordinance.

No public testimony was received.

**Adopted Resolution
Approving
Amendments to the
2014 Fee Schedule
ITEM 5.5A
R-2014-50**

Motion was made by Busse, seconded by Oleson, and all voting aye, to adopt a resolution amending fees and charges for services provided by departments and divisions of the City of Bloomington (Other Than Those Otherwise Established By Ordinance) relating to Hyland Greens Golf and Learning Center as presented in the agenda item.

No public testimony was received.

**City Council Policy &
Issue Update
ITEM 6.1**

The City Manager reminded the Council of the following dates: A Study meeting on May 12 at 6 pm and a Regular meeting on May 19 at 7 pm.

Council comments/issues:

Baloga suggested and Bernhardson confirmed that the dual process of paper and electronic agendas will continue for a couple more meetings. Baloga also commented the item numbers on the electric agenda don't match the item numbers on the paper agendas. He suggested the number of pages per item be indicated on each item. He also asked about a back-up plan if problems with the electronic agenda vendor result and access to the electronic agenda is prolonged for a period of time.

Winstead said per a Charter requirement, the Council needs to have the agenda three days prior to the meeting.

Bernhardson explained the problem Council encountered with the electronic agenda last Saturday was related to the website vendor and not the electronic agenda vendor.

Baloga also commented on the proposed study meeting schedule stating it was his understanding that the Council wanted to continue meeting for Study meetings ahead of Regular meetings but with a 6 pm start time due to Lowman's work schedule. He said it appears the May 12th Study meeting agenda contains seven or eight items, which could result in a five-hour meeting.

Bernhardson replied it was his understanding that the Council wanted more time for Study meetings; hence the off-week Study meeting, and that Study meetings ahead of Regular meetings would only occur when there were one or two short items to be considered. He said it will take some time for staff to work through the agendas to see how the new plan will work.

Lowman suggested taking a couple of study items at 5:45 pm or 6 pm ahead of the Regular meetings to lessen the amount of time needed for Study meetings.

Winstead concurred with the need to have off-week Study meetings.

Abrams asked staff to consider not scheduling Study meetings ahead of Regular meetings on nights when a reception is scheduled to occur at 6:00 pm or 6:30 pm to which Council is invited and should attend.

Baloga inquired if the Comcast/Charter Cable franchise transfer requires Council approval.

Johnson replied yes it does.

Lowman commented per the City Manager's Information (CMI) item on the CenterPoint Energy project, he walked the neighborhood along West 107th Street and talked to neighbors regarding the proposed replacement of their sidewalk. He said many of the neighbors are upset that so much of their front yard is being taken for the sidewalk. He questioned the City's policy with regard to sidewalks and wanted to know what could be done for these residents.

Bernhardson said in the case of the Hyland Multi-Modal Trail Project along Bloomington Ferry Road, the residents there say the City hasn't listened to them and they don't want it. But he said the City has an Alternative Transportation Plan (ATP) that the Council is moving ahead with.

Winstead said the discussion regarding sidewalks is broader than what four neighbors want in front of their homes. It's about the City installing sidewalks where and when it can, which was a discussion and decision made by previous Councils. He said sidewalks are part of the ATP and are considered in conjunction with the Safe Routes to School program. He said the City has put in sidewalks when some residents didn't want them but it was done for the good of the city. In the case of 107th Street, it's been disruptive of the ultimate goal, which was to make neighborhoods more walkable and friendly.

Lowman expressed a problem with the policy and said decisions shouldn't be made when things are all torn up. He said in this case, there is a sidewalk on the other side of West 107th Street that is being utilized.

Abrams said it would be helpful for Council to have some history regarding sidewalks; when they're installed on one side vs. both sides of a street. She'd like Council to get an education on best practices and policy within their purview, as the City wants to optimize any opportunity possible within the ATP.

Bernhardson said there is a sidewalk item on the next Study agenda.

Lowman inquired if the sidewalk on West 107th Street could be moved closer to the street.

Shelly Pederson, City Engineer explained the backside of the sidewalk closest to the house is at the property line or is located closer to the street side. She said there needs to be enough sidewalk for snow storage and to prevent the tearing up of yards by the sidewalk plows. She said since she has been City Engineer, the City has tried to fill in gaps in the City's sidewalk system through the use of grant money, etc. to make Bloomington a more pedestrian-friendly community.

Lowman requested the minutes reflect his desire for a task force on sustainability.

ITEM 6.1 continued Abrams submitted a copy of an article she requested be distributed to the City Council regarding an ordinance adopted by Brooklyn Center regarding the sale of tobacco and tobacco-related products.

Adjourn Meeting Mayor Winstead adjourned the meeting at 9:23 p.m.

Barbara Clawson
Council Secretary