

**Regular Meeting**  
**Monday, January 5, 2015**  
**Bloomington Civic Plaza**  
**1800 West Old Shakopee Road**  
**Bloomington, Minnesota 55431-3027**

- 1      **CALL TO ORDER - 7 PM**      Mayor Winstead called the meeting to order at 7:00 p.m.
- Present:      Councilmembers C. Abrams, J. Baloga, T. Busse, A. Carlson, D. Lowman and J. Oleson.
- Staff:      Interim City Manager Larry Lee.
- 2      **INTRODUCTORY**
- 2.1      **FLAG PRESENTATION**      Mayor Winstead led the audience in the pledge of allegiance to the flag.
- 2.2      **Outgoing Commission Recognition**      Requested Action: Present plaques to outgoing advisory commissioners.
- Mayor Winstead presented a plaque to Mary Rice for serving 6 years on the Human Rights Commission. He recognized the following commissioners who could not attend tonight's meeting:  
Greg Thompson: 5 years on Parks, Arts & Recreation Commission.  
Allyson Schlichte: 6 years on Advisory Board of Health.  
Alice Chu: 5 years on the Advisory Board of Health.
- 2.3      **Martin Luther King Jr. Day Proclamation**      Requested Action: Read and present the Martin Luther King, Jr. Day proclamation.
- Mayor Winstead read and presented the proclamation to John Doble, Human Rights Commissioner.
- 3      **CONSENT BUSINESS**
- 3.1      **Old Cedar Avenue Bridge: Adopt Resolution to Order Project, and Approve Plans and Specifications**      Requested Action: Adopt a resolution ordering improvements, approving plans and specifications, and ordering advertisements for bids for Old Cedar Avenue Bridge over Long Meadow Lake (City Project 2010-201).
- Motion was made by Busse, seconded by Abrams, and all voting aye, to adopt a resolution as described above. (R-2015-1)
- 3.2      **Order 2016-905 NE Penn Feasibility Report Adopt Resolution**      Requested Action: Adopt a resolution authorizing the City Engineer to prepare a feasibility report for the 2016-905 Northeast Penn Storm Sewer Improvement Project.
- Motion was made by Busse, seconded by Abrams, and all voting aye, to adopt a resolution as described above. (R-2015-2)

**3.3 New Street Light Installation Oakland Ave. Approve**

Requested Action: Approve the installation of the new local street light on Oakland Avenue between 9349 Oakland Avenue & 9401 Oakland Avenue.

Motion was made by Busse, seconded by Abrams, and all voting aye, to approve the installation of a new local street light as described above.

**3.4 Minnesota Valley State Trail Adopt Resolution**

Requested Action: Adopt a resolution of Support of the Minnesota Valley State Trail in Bloomington.

This item was held by Baloga who reported the City Council has received hundreds of e-mails on this issue. He said the 2014 Legislature approved a \$2.2 million appropriation bill to implement a trail from Hwy. 169 to Old Cedar Avenue. The Department of Natural Resources (DNR) has asked the City and U.S. Fish & Wildlife, owner of a portion of the land that would contain the trail, to adopt a resolution in support for the plan before they proceed with preliminary design work. The resolution stipulates the DNR will provide the City and the public with ongoing information and the opportunity to provide input on this project, which includes final approval by the Council.

Motion was made by Baloga, seconded by Abrams, and all voting aye, to adopt a resolution supporting the Minnesota Valley State Trail in Bloomington. (R-2015-3)

**4 PUBLIC COMMENT PERIOD**

Mayor Winstead declared the public comment period open for those wishing to address the Council on matters other than items included on the agenda.

Motion was made by Lowman, seconded by Oleson, and all voting aye, to extend the public comment period to 30 minutes.

Speaker #1: Sally Ness, 8127 Oakland Avenue South

She requested the Council not sign the Joint Use Agreement (JUA) with Dar Al Farooq (DAF), owners of 8201 Park Avenue, known as the Al Farooq Youth & Family Center (AFYFC), so as not to allow: Smith Park parking throughout the night, revenue to be collected on a field that does not have a Conditional Use Permit (CUP), and the City paying for an easement that should have already been executed. She said AFYFC is full every Friday and their over parking spills onto the street. She said it is negatively impacting their neighborhood and Smith Park. She said the City should not authorize additional parking for AFYFC until a traffic study on their use has been completed. She said the City needs to address the overuse of their building. She read from a letter written by the AFYFC director Hyder Aziz in which he commented on residents' inability to access the Smith Park parking lot. She compared the small amount of square footage allowed for religious use at a St. Anthony location that is located off of two busy roads to the square footage allowed at the 8201 Park Avenue property. She said cities can restrict the intensity of religious land use as was the case in St. Anthony.

Winstead asked when Council will be seeing the Joint Use Agreement. Community Services Director Diann Kirby reported staff heard back from AFYFC Director Hyder Aziz and plans to meet with him. She said it should be on the Council's agenda for consideration within the next six weeks.

Speaker #2: Dr. Karen Wills, 10467 Dupont Avenue South

She expressed her respect for the Bloomington Police Department (BPD) and said she was not speaking to present an anti-police message but to say she participated in a peaceful and spiritually-based protest at the Mall of America (MOA), which was in violation of the Mall's policy.

Wills said if others who attended the protest are going to be charged, then she wants to be charged as well. She said it's not right to charge people for standing up at a peaceful demonstration in a place many consider to be part of their neighborhood. She mentioned other large events that have occurred at MOA. She said the protestors chanted, "black lives matter" because "in this country, we do not take it for granted that black lives do matter." She described how black children are being treated in this country. She described how differently her daughter was treated by the Bloomington Police Department when she was picked up as a high school student for having marijuana. She said had that incident involved a black boy rather than a white girl, the treatment would have been much different.

At this point, Mayor Winstead suspended the Public Comment Period to have City Attorney Sandra Johnson explain the City's position regarding the protest.

Johnson explained City prosecutors cannot choose which cases they prosecute. Prosecutors take an oath to uphold the Constitution and the laws. When there is probable cause to charge someone with a crime, the City issues the charges. She described a case she prosecuted in 1996. She said they too were good people but they were prosecuted because there was probable cause to demonstrate they were guilty of the crime of trespass. She said their attorney said the MOA should be a public forum for protestors. She stated the Minnesota State Supreme Court, after three years of litigation, said the City has no authority to order the MOA to open its doors to protests or demonstrations and that it can prohibit political demonstrations and protests. She said the City prosecuted another unauthorized demonstration "Idle No More" last year. She said civil disobedience has its price. The criminal justice system will sort out the cases and determine the sanctions appropriate to the level of involvement and the crime. She said she spoke with Congressman Ellison today and relayed the message that prosecutors cannot listen to political pressure that could sway their decision or evaluation of the evidence. She said the City Council has never, in her 24 years with the City, interfered with prosecutorial discretion. She said people have tried to compare this protest to the Clouds choir event that took place at the MOA to benefit Gillette Children's Hospital and children's cancer research, which was coordinated by the Mall and a radio station. This protest was not authorized and the City, along with the Mall of America, tried to find another public location with great visibility for the protestors. She said the City respects the protestors' message and their right to get their word out and were given ample opportunity to not protest at the MOA. She said the protestors knew it was illegal activity but did it anyway. The City will proceed with the prosecutions and will treat the protestors with dignity and respect.

Winstead thanked the City Attorney for sharing the City's rationale with the public and proceeded to reconvene the public comment period.

Speaker #3: Lena Gardner, 156 14<sup>th</sup> Avenue N.E., Minneapolis  
She said this is a moment in history and stated she attended the protest because black people are being mistreated by police. She said she's not anti-police but said black people are being killed. She said the protest at the Mall was to illuminate and raise awareness about this issue. She said the Council just honored Martin Luther King, Jr. in a proclamation and now has the chance to do something historic -- choose between justice and order. She said the Black Lives Matters (BLM) protestors were not given a chance to obtain a permit and were reported to the police as being a threat. She said this is a continued attack against young, exclusively black, organizers. She said there is prosecutorial discretion and Bloomington should do the right thing and put people before profit. Don't proceed with the prosecutions.

Speaker #4: Pastor Grant Stevensen, 664 Short Street, St. Paul  
He attended the rally in support of BLM. He said black people in Minnesota and in the country are not experiencing a fair application of the law and referenced the Ferguson, MO and New York City incidents. He said it's dangerous to be black in America and this reality needs to be fixed. He said the demonstration at the MOA was a way to teach children about citizenship and what it takes to love your community into another reality. He said he was appalled to read Ms. Johnson's comments in the newspaper. He said the protest was a family-friendly event. He said the only scary things in the room were the officers in riot gear, which he believes was unnecessary. He said a lawsuit against the organizers is frivolous and the Bloomington Police Department should stand with others to make Bloomington better.

Speaker #5: Amity Foster, 1605 2<sup>nd</sup> Street N.E., Minneapolis  
She attended the protest as a marshal to keep things calm, safe and peaceful but she got escorted out by an officer and taken to IKEA. She said it was a peaceful and calm rally that was attended by her friends and family. She said sometimes civil disobedience and direct action is the only way to get the message out. She understands the logic and rationale for going forward with the charges but said this is an opportunity for Bloomington to honor Martin Luther King, Jr.

Speaker #6: Susan Montgomery and her Son (Safe at Home Address)  
As a victim of a violent crime, she said when you can't get into the shelter, you ride the bus a lot. She said many homeless people go to the MOA, which she's done as a single mom. She said she attended the protest and stood at the Mall with her son. There were people of all shapes and colors congregated there. She said their black children matter. She said they utilize the MOA and have a right to be there.

Speaker #7: Tay  
He said, "my life matters so charge me too."

Speaker #8: Jeanne Burns, 4225 41<sup>st</sup> Avenue South, Minneapolis  
She read a statement from her spouse who couldn't attend the meeting. She added her name to the letter to the City Attorney and said she wants her actions to match her words. She said people of all colors are part of her family and the protest at the MOA was like having a big family meeting. She said everyone should be held accountable for the actions on December 20; not just one.

Speaker #9: Alexa Groenke, 10533 Aquila Avenue South  
She said the Bloomington Police Department (BPD) and the MOA over-reacted and is appalled that the City is putting the MOA over the citizens of the community. She said MOA should treat all voices equally. She asked the Council to think about what is best for the citizens of Bloomington. She said charging organizers is valuing a private business over black people.

Speaker #10: Rev. Myron Andes, Minnesota Valley Unitarian Universalist Fellowship and Bloomington Resident  
He appeared on behalf of 25 other clergy who signed the Charge Me Too letter. He said the protest was well organized, peaceful, and was attended by children and people of all ages. He was surprised to see search tables at the MOA. He said black people were searched but he was not. He said he was with 200 people who couldn't get to the protest and had to stay in the hallway. They were not allowed to leave, which disturbed him. He said everyone he saw complied with the law. He said the young activists sought out the Mall officials and the BPD ahead of time but were met with police in riot gear at the protest, which was peaceful. He submitted a letter asking the City not to charge the organizers.

Motion was made by Carlson, seconded by Baloga, and all voting aye, to extend the public comment period another 15 minutes.

Speaker #11: Rev. Paul Slack, New Creation Church & President of ISSAIH He thanked the City Council for extending the Comment Period. He said he attended the demonstration as well and should also be penalized. He considered the demonstration akin to the many walks that occur around the community for cancer, etc. He said there is a cancer regarding racism and the Council could stand up and do something about it. He said this is a moment in history. He encouraged everyone to “stand in the fray and take this on as our nation and environment is begging us to do.” He told everyone to make every life matter once and for all and to treat them accordingly. He said what the City is considering doing makes him afraid and asked if the MOA is safe for him and others. He said he’ll decide if the MOA is safe to attend again and asked the Council to work through this.

Speaker #12: Casey Nordendale, 1667 Niles Avenue, St. Paul He attended the protest and asked Council if they were feeling threatened by the people in the audience because this is the type of crowd that was protesting at the MOA. He read from his own letter that listed other causes that have taken place in history. He said recent police killings of black men have brought this crisis to life. He asked Bloomington and the MOA not to put commerce before human lives.

Speaker #12: Ruben Latz, 668 Sherwood Avenue, St. Paul He demands the freedom to assemble publicly and speak his peace. He asked the Council to drop the charges and decriminalize the freedom to publicly assemble and speak their peace. He fights for the freedom of justice. He said this is a timely discussion and asked the City to drop the charges. He said he won’t speak the words, “Mall of America” until the charges are dropped. He said it’s time to humanize the process and engage the discussion.

Speaker #13: Marisa Ontko, 2427 Blaisdell Avenue, #14, Minneapolis She asked the City to drop the charges.

Speaker #14: Jake Gysland, 2427 Blaisdell Avenue, #14, Minneapolis He was involved with the demonstration and said the “tinder box” comment was either ignorant or dishonest. He said no one was doing anything dangerous. He said it was not a riot in the third degree, as Ms. Johnson said. He encouraged the Council to use discretion in its prosecution. He commented this is more embarrassing for the Council than it is for him.

Speaker #15: Pastor Danny Givens, 732 Holly Avenue, St. Paul He attended the protest. He said there is an epidemic that exists where black boys are targeted and hunted on our streets and left to die. He said what will we stand for “if we don’t take a stand for the life and the value of the blood of those children.” He said if civil disobedience is going to be the charge, then charge him too. He asked the City to give the same time and attention to the heinous acts that are taking place in courtrooms across the country. He asked the Council to rescind the charges.

Speaker #16: Michael McDowell, Black Lives Matters, Minneapolis He said the City wants to charge him and the organizers for organizing this event at the MOA, which was a collective effort of 3,000 people who came together to stand in solidarity with the BLM movement. They wanted to show this is not just Ferguson, MO or NY matter. It’s an issue across the country; it’s not a new problem. He said, “It’s gone from lynching to killing people in the streets.” He asked the City to drop these ridiculous charges. He quoted from Martin Luther King, Jr.’s writings from prison.

Speaker #17: Kandace Montgomery, 3849 15<sup>th</sup> Avenue South, Minneapolis She asked the Council, “how many of you have black children?” She was at the MOA and wants to be a mom but given the recent events occurring in this country, she’s afraid. She wants to bring up a child in a safe community. She saw all ages and types of people holding signs at the MOA. She said, “This is our history. You need to understand why we brought this to the MOA. White privilege doesn’t worry about the fear of sending their children out the door. The justice system is being used to criminalize the behavior of young people of color.” She asked the City to drop the charges or charge her too.

Speaker #18: Eric Hart, 4492-B Clover Lane, Eagan He agreed civil disobedience has a price and said the State troopers and police officers from other departments that were at the Mall also cost money. He said the administration could have taken steps to mitigate those costs by working with the organizers. He said it would be cheaper if the City would reach out to try and understand the politics. He said the City should have tried to mediate with the protestors.

Speaker #19: Keno Evol, Poet and Concerned Citizen He values language and said it would not be strategic to move ahead with the charges. He asked if charges were being filed to stop protests on private property. He and others protest peacefully and they exercise that right when they feel it’s appropriate to do so. He said charges to BLM is a historic response. He said they don’t historically back down from charges.

Speaker #20: Corrine Brown, Citizen She wanted to speak out on behalf of the silent majority. She hopes charges are pressed. She said what was done at MOA was wrong; it had nothing to do with the cause. She said violating the rights of a private business is wrong. She is not a resident of Bloomington but walks daily at the MOA. She said people who want to protest should do it within the law instead of lashing out. They should look at their own mistakes and do it right next time.

Speaker #21: Mariah and Gabby, Jefferson High School Students She only sees adults in the room but said the act on December 20 was very justified. She commented what she just heard was very appalling and offensive. She said what happened at the Mall filters back to kids in the community. She said the people shouldn’t be charged, as it wasn’t that big of a deal. It was a peaceful protest until the Police Department showed up with riot gear.

Mayor Winstead closed the public comment period. He said no charges have been filed so far but reported the City Attorney and the Police Department are looking to determine if there is probable cause. They will move it forward to determine if charges will be filed. He said these are extremely interesting times and thanked the public for coming forward with their comments.

5 LICENSING DIVISION:  
PUBLIC HEARINGS

6 DEVELOPMENT  
BUSINESS: PUBLIC  
HEARINGS

**6.1 Jennifer Development Company, Inc. 10701 Hampshire Ave. ; Major Revision to Final Site and Building Plans**

Requested Action: In Case 5660B-14, approve the major revision to the Final Site and Building Plans to demolish 68,874 square feet of an existing 153,472 square foot warehouse and office building and construct an 81,098 square foot warehouse addition subject to the conditions listed in the staff report.

Approval of this motion would be a denial by the Council of the applicant's appeal of the Planning Division staff and Planning Commission's (PC's) interpretation of site improvement requirements connected to a major revision to Final Site and Building Plans. If this action is taken, staff will prepare a resolution of denial for the January 26, 2015, City Council agenda.

Planner Mike Centinario presented the staff report. He presented slides describing a major revision for a redevelopment at 10701 Hampshire Avenue South, which was approved by the Planning Commission on November 20 and which the Applicant has appealed one of the Conditions of Approval. His slides included an overview of the area showing the area to the south that is proposed to be demolished, the portion of the building to be reconstructed (12,200 square feet of additional leasable area), and the existing building that will remain. He said the issue with this particular application is how does staff apply the City Code Standard related to sidewalks when there is a redevelopment. Per the City Code, a 6-foot sidewalk along Hampshire Avenue would be required and an 8-foot concrete sidewalk along West Old Shakopee Road would be required or an alternative approved by the City Engineer who believes in this case a 10-foot bituminous trail would be more appropriate and is recommended. He said the issue is does this development need to construct a sidewalk given the City Code standards. He stated Condition of Approval #9, which was approved by the Planning Commission, is being appealed by the Applicant reads, "Reconstruct a 10-foot bituminous sidewalk along West Old Shakopee Road and a 6-foot concrete sidewalk within the sidewalk/bikeway easement along Hampshire Avenue, as approved by the City Engineer." He said the issue centers around what is considered a significant development. Code requires all new development or significant redevelopment must construct sidewalks in conformance with City Code. He said significant redevelopment is defined in this particular section of the City Code as full redevelopment of a site or an addition that would increase total floor area on the site by 25% or more. He said the applicant will be building a 165,000+ square foot building, which equates to approximately a 49% redevelopment, which is why the sidewalk needs to be constructed. He said staff's recommendation is to adopt the Resolution of Denial upholding the PC's action subject to the conditions listed in the staff report. He explained the two options for Council consideration are to adopt the Resolution of Denial concurring with the PC's decision or approve the Applicant's Appeal of the PC's decision and then provide staff with guidance as to how this section of the City Code should be interpreted. He said another option for Council would be to direct staff to amend the Code as they deem appropriate.

Council inquired as to the width of the sidewalks on either side of the Applicant's property and what the 10-foot sidewalk along West Old Shakopee Road ties into. Centinario replied the sidewalk width along Hampshire Avenue is 5 feet but Code requires it be 6 feet. He said the width of the bituminous path along Old Shakopee Road is approximately 6 feet. He said the width changes from 6 feet to 7 feet to the west. It's about the same to the east; likely a 6-foot wide bituminous trail. He agreed with the statement made by Council that this will be a unique 10-foot wide bituminous sidewalk.

Another Council inquiry was regarding what triggers the sidewalk requirement and Centinario replied it's the redevelopment project. He said demolishing 80,000 plus square feet of building and reconstructing an office/warehouse is a redevelopment that triggers the sidewalk requirement.

Carlson asked the City Attorney if she agreed that the project constitutes a significant redevelopment and therefore the sidewalk requirements are applicable. Johnson explained the intent of the City Code is to trigger compliance with the sidewalk provisions when there is a larger project where it can be a smaller cost financed as part of that larger project. She said the minor revisions and minor rehabs of an existing building that are likely be self-financed should be excluded. She said a loan from a bank for a total project would be obtained when demolishing and rebuilding or redeveloping 48% of the total buildable area. She said her office opined that is a significant redevelopment under the City Code provision

Council asked whose responsibility is it to plow the sidewalk adjacent to West Old Shakopee Road and Public Works Director Karl Keel replied it's the City's responsibility. When asked by Council if there is a difference in plowing asphalt trails vs. concrete sidewalks said no but 6-foot and less width sidewalks require a designated sidewalk plow. He said 8-10-foot trails can be cleared using a pickup truck.

Council asked how many people use the sidewalk along Old Shakopee Road.

City Engineer Shelly Pederson replied staff doesn't have sidewalk counts in that area. She clarified the difference between the sidewalks along Hampshire vs. the one along Old Shakopee Road. She said the long-term goal for the sidewalk along Old Shakopee Road, per the City's Alternative Transportation Plan and per the Hennepin County Sidewalk and Trail Plan, is that the north side of Old Shakopee Road is to be more of a trail. On the south side, there is an 8-foot concrete sidewalk, which allows biking and running, etc. The 8-10 foot bituminous pathway on the north side of Old Shakopee Road is the long-term plan. She said there is not much cost difference between the 8-foot concrete sidewalk and the 10-foot bituminous trail. She said the City is trying to gradually piece together this long-term trail as businesses redevelop.

Baloga asked if any discussion had taken place with the applicant to reword the condition to something like, "in the future, as the trail is expanded along other parts, the portion that affects the applicant's property would then be completed." Staff hasn't had those discussions with the applicant but is open to Council's feedback as to an alternative to requiring it at this point. Pederson said an option for the applicant would be to sign a Petition and a Waiver of Assessment to have the full assessment of the sidewalk billed to them when it's built in the future or they could pay for it over a 10-year period.

Speaker: Michael Mergens, Council for Jennifer Development  
He said this project doesn't generate the loan capacity for new sidewalks because the square footage being redeveloped can't absorb the cost of the sidewalk. He said this is about 6,800 square feet of "functionally obsolete" warehouse that needs to have the ceiling raised by 10 feet. He said the language in the Code is clear. He said there is a Code provision that requires sidewalk replacement if there is an addition that would increase floor area on a site by 25% or more. If the floor plate is increased by 12,224 square feet or 8%, it's not triggered. It has to meet the 25% requirement. He said of the 6,800 square feet, the question is, is it addition or renovation?

Mergens said they believe it is clearly renovation. He said the question should not be subjective when looking at the Code. He said there is no ambiguity here. He said one needs to look at the addition of the floor area that's on site. There is 153,000 square feet of existing space and after the project is done, there will be 165,000 square feet of space or an increase of 12,224 square feet or 8%. He said that doesn't justify the cost of increasing a long sidewalk by a foot and another sidewalk by four feet at a time when nothing around it is going to be that wide. He asked the Council to recognize the plain language of the Code and allow this project to move forward without the condition for the sidewalk replacements.

Winstead asked if this is the only point of contention and Mergens replied it is.

Baloga asked Mergens if the sidewalks and pathways on those properties were expanded at some point, would he consider deferring the walkways to what is Code at that time. Mergens said he hasn't discussed with his client whether or not she would consent to deferment of the expansion of the walkways to what would be Code at the time (6 and 10 feet respectively) when the neighboring properties expand and to be part of whatever special assessment occurs at that time.

Winstead said he would only consider a condition that says the applicant must meet the Code complying requirement if one side or the other, but not both, were redeveloped.

Johnson said if it's agreeable to the applicant, the City could continue this item so they can execute a Petition and a Waiver that is triggered by that event and not before. That way the City would have that commitment in hand when one side or the other develops. They would agree to the construction and the assessment of that sidewalk on their property. The conditions would be filed with the property in case it changes hands in the future.

Mergens said his client is open to continuing this to determine the precise terms. They'd like to know exactly what are the triggering mechanisms for each side and to get it in writing.

Winstead restated what's been discussed is that if any property on either side of this development goes through the process of redevelopment or expansion and has to conform to the City's sidewalk standards, it would trigger Jennifer Development to go forth with those sidewalks through an assessment process. It was stated the Petition and Waiver is the applicant's prior agreement to not contest the assessment.

Lee suggested continuing this item to the January 26, 2015, Regular Council meeting.

Mergens restated his applicant would match the sidewalk to the Hampshire property when it redevelops as a 6-foot sidewalk and would match the other sidewalk along Old Shakopee Road with whatever is put on the neighboring property, in order to have continuously matching sidewalks in both areas.

Baloga asked if the agency action deadline would be an issue if this was continued to January 26 and staff replied it would not.

Carlson said he sees this as a missed opportunity if the City is going to improve its public realm. He said this is a fair way to go about it. He supports approving the project with the condition and said his concern is about what happens in the meantime if Council delays action on this for an unspecified period of time. He asked what the City gets in the short term. Does it remain as is and continue to deteriorate? He said he wouldn't support the amendment.

Abrams commented the sidewalks on either side of Old Shakopee Road are not in great shape.

Motion was made by Baloga, seconded by Lowman, to continue the major revisions to the Final Site and Building Plans for Jennifer Development Company, Inc. (owner) at 10701 Hampshire Avenue, to the January 26 Council meeting to allow staff and the Applicant the opportunity to work together to revise the sidewalk condition to the tone of tonight's discussion. No vote was taken at this time.

Winstead expressed support for the motion.

Oleson asked if the City had sidewalk ordinance language for when sidewalks reach a deteriorated condition and need replacing.

Keel said there is no ordinance language that requires the City maintain its sidewalks. He reported staff has developed a partial program for the maintenance of sidewalks but it's not funded to a level large enough to handle the large number of pathways in disrepair. He said this segment of pathway and the one along France Avenue and the one along Normandale are high on the City's list of ones to inspect. He said no monies have been programmed for this segment. When asked if sidewalk projects could fall onto the taxpayers at some point, Keel replied this would be a benefit to the sidewalk program.

Carlson asked if an expiration date should be included in the condition whereby a timeline would be set that triggers the sidewalk and path development of this property if the adjacent properties were not to redevelop.

Lee explained the intent of the condition is that the Petition and Waiver becomes triggered when the City has a project that improves the sidewalk, either east/west or north/south of this property. He said that could be triggered by a development or a sidewalk replacement project. He said the Petition and Waiver will be engaged whenever there is a project.

Mayor Winstead called for a vote on the motion and it passed unanimously.

**6.2 WB Hotel Partners, LLC 5601 West 78th Street; Major Revisions Final Site and Building Plans**

Requested Action: Approve a major revision to the Final Site and Building Plans for interior and exterior renovations at an existing hotel located 5601 West 78<sup>th</sup> Street, subject to the conditions listed in the staff report.

Centinario also presented this item and provided slides on the following: Access to the Building, Exterior Modifications – new sidewalks between handicapped accessible stalls and the porte-cochere, outdoor seating, Interior Modifications – reallocate kitchen space to board meeting type of space, Landscaping, Parking Flexibility – Internal Capture (the applicant is seeking a reduction from the Code required parking), Parking Analysis – Required with Internal Capture is 579. The applicant is proposing to build 620 spaces on site so staff is comfortable with the parking plan and recommends approval.

Winstead stated he’s never witnessed a problem with the parking at the Sofitel, which he has frequented many times. As there’s always been adequate parking, he doesn’t foresee a parking problem.

Centinario reported there have been some issues with overflow parking from the Doubletree hotel.

Speaker #1: Warren Beck, WB Hotel Partners, Owner  
He said the Sofitel has had a great reputation which they plan to continue with a Sheraton Hotel in this location; a solid business hotel. He said it will provide guest rooms, meeting space, and a restaurant to accommodate business travelers. He reported all of the rooms and the lobby will be updated and a new elevator system installed throughout the building. They want to provide their guests with convenient access and a safe entrance from the parking lot to the hotel. He mentioned there will be a slight adjustment in the parking due to the additional handicap spaces.

Winstead expressed a concern that their parking lot could be used as a park and ride lot.

Beck stated the parking lot is to be used for the operation of their hotel.

Busse commented the internal remodeling looks great and said the biggest issue is the flow of the parking lot, which the applicant addressed.

Motion was made by Busse, seconded by Lowman, and all voting aye, to approve a major revision to the Final Site and Building Plans for WB Hotel Partners, LLC (owner), at 5601 West 78<sup>th</sup> Street, subject to the conditions listed in the staff report.

**7 TRANSPORTATION & UTILITY IMPROVEMENTS: PUBLIC HEARINGS**

None.

**8 ORDINANCES: PUBLIC HEARINGS**

**8.1 City Initiated (PENN AMERICAN) Rezone Multiple Parcels**

Requested Action: Continue the public hearing on the City-initiated rezoning of multiple parcels in the Penn American District to the January 26, 2015, Regular Council meeting.

Winstead explained this is a continuation of a public hearing that was previously conducted but is still open. He said the intent is to further explore something Kraus-Anderson (K-A) is working on to see if it’s falling in step with the proposed rezoning to a greater degree. The intent of tonight’s item is to get an update on the discussions that have taken place between staff and the landowners with no formal action being taken by the Council tonight.

Planning Manager Glen Markegard presented the staff report. He said tonight’s meeting is to gain additional public testimony so the Council could potentially act on the rezonings and the Code amendments on January 26. He reported staff has had discussions with all three of the landowners who expressed concern with the rezonings (Kraus-Anderson, Luther and Lupient). He updated Council on those discussions reporting K-A is still interested in extending the moratorium period voluntarily.

Markegard said they've agreed to prepare a Transited-Oriented Development (TOD), a concept for the east side of K-A's property. Staff has been talking to Luther and Lupient about Floor Area Ratio (FAR) levels, and in particular, having different levels for new construction vs. additions. He said they also discussed the "activity level" to ensure it will increase over time and never decrease. He said more meetings are planned this week with Luther and Lupient.

Abrams requested staff provide at the January 12 study meeting, an overlay of what the Met Council is looking for regarding "activity levels" and where the City is at in terms of achieving those levels for both existing and proposed redevelopment.

Speaker #1: Steve Elkins, Met Council

He said the Met Council draft has been extensively redone and is more practical. The final draft puts more flexibility on streetscape and the activity levels and less on prescribing certain uses. It's not that certain uses are bad, but in their traditional forms, they tend not to provide the kinds of streetscapes or activity levels that are supportive of transit.

Oleson asked Elkins if Met Council or Met Transit is continuing dialogue with K-A regarding the location of the Orange Line route. Elkins confirmed Met Transit staff is continuing discussions with K-A and all of the land owners. He said their TOD staff will be getting involved in defining the station area per K-A's new proposal. He said Met Council is using the Penn American District Plan as a model comp plan zoning district and is using all of the Comp Plan language and zoning language for the Bloomington Central Station area as well. They're the best examples in the region for model comp plan and zoning language.

Speaker #2: Bruce Frimerman, 8200 Humboldt Avenue South

His property is located on the south side of 82<sup>nd</sup> Street abutting 35W. He said his property is not within the Penn American District as it's laid out, which focuses on the property across the street. He says he is an affected property owner and is dramatically against this "selective rezoning" of the Penn American District. His concern is what happens when the 35W/494 interchange is redone with flyover lanes 60 feet in the air. He said he has had objections to things to be done with his property due to the proposed interchange changes. He said in the past, the City Council told him it was not supportive of Met Transit acquiring his property for a park and ride due to its distance from American Boulevard. He said in 2011, things couldn't be done to his property because of the Bus Rapid Transit (BRT) station that was to be located under the 82<sup>nd</sup> Street bridge. Now, that is going to be moved to the American Boulevard bridge because of the Penn American vision. He said the 34W/494 interchange will cause havoc for the entire area. He said his property was not included in the Penn American District because there are winners and losers and the rezoning of properties adjacent to his is being done in a very selective fashion. He can't support the Penn American zonings until the selective zoning process ceases.

Winstead requested staff respond to Frimerman as to why or why not his property is not included in the District Plan and the rezoning.

Speaker #3: Doug Sailor, Mid America Real Estate MN

He's a member of the retail real estate community and said a lot of shopping centers have needed redevelopment. He's been involved with multiple redevelopments or upgrades at Southtown over the years and said they've placed extremely successful retailers there. He hopes there is a way to find a little more flexibility so K-A can continue to improve this property rather than placing Southtown in a legally nonconforming situation.

Sailor hopes there is a way for the Council to avoid the precedence he fears will be set by simply rezoning the property.

Speaker #4: Maureen Scallen-Failor, Chamber of Commerce President  
She was pleased to see this discussion taking place. She referenced a letter the Chamber sent to Council in November in which they expressed a desire to see a resolution reached by the Council and the business community. They feel strongly about the Penn American area and hope a conclusion can be reached with vested companies such as Kraus-Anderson.

Speaker #5: Bill Griffith, Representing Kraus-Anderson  
He said the next meeting will be the Council's opportunity to react to the feedback of the past meetings. He hopes the Council will give clear direction on how this rezoning should move forward but asked them to take the appropriate time with this. He encouraged the City to get everyone to the table including the newly formed Met Council TOD office of Met Transit. He said he met with staff to discuss the concept of a Planned Development (PD) trigger and the components of a TOD Plan on the east side. They also met with an adjoining property owner about the impact on their property and whether this is an opportunity for a joint development.

Griffith said the designers and architects are working on a TOD Plan for the east property. Regarding a voluntary extension of the timelines, he said Council should enact the moratorium to allow true collaboration between the City and the developers on an ultimate solution. He said a zoning action that his client feels is detrimental to their property interests would be an engagement; not a collaboration. He said the door has been open to K-A to work with staff, to discuss the PD trigger, and a TOD Plan that might work on the east side but it's complex work. He said there is an opportunity for K-A to engage with the property owners to see if a joint development can be achieved to make something special in this location. He said it won't be done if a negative zoning action is taken in the interim.

Speaker #6: Bill Reichert, Resident  
He stated at a previous meeting, the Council took Mr. Knoblauch's property by rezoning it to C-5 and it looks like the Council is considering doing the same thing here but on a much larger scale. He asked the Council to take more time with the property owners, the taxpayers, to discuss these rezonings.

Lee remarked since the Council rezoned Mr. Knoblauch's property, he's entertained three purchase offers so he hasn't suffered greatly.

Speaker #7: Tracy, Lucky 13 District Manager  
She said with the proposed rezoning, the Blue Line would go through their building causing them to relocate. She said they're a successful business in Bloomington and would hate to see her family have to leave this location.

Winstead said Lucky 13 sits on a unique pad so there are concerns with it from many sides going forward.

Speaker #8: Peter Beck, Representing Luther Companies  
He said they've had some discussions with Glen Markegard and he's outlined a structure for working on this. He said they're going to try and work this out and will communicate with the Council via e-mail by next week that hopefully indicates they can accept staff's plan. He said they won't bother the Council with the smaller, finer points; only the major points of contention.

Speaker #9: Linda McGinty, Luther Companies  
She's met with many Council members and staff on numerous occasions. She thanked everyone for the spirit of cooperation. She said they would also be available at the Council's upcoming study meeting.

Motion was made by Baloga, seconded by Oleson, and all voting aye, to continue to the January 26, 2015, Regular Council meeting, the rezoning of multiple parcels in the Penn American District.

**8.1.1 Resolution Directing Summary Publication of Rezone Multiple parcels in the Penn American District**

Requested Action: Continue the resolution directing summary publication of an ordinance rezoning multiple parcels in the Penn American District to January 26, 2015.

Motion was made by Baloga, seconded by Oleson, and all voting aye, to continue the resolution directing summary publication of an ordinance rezoning multiple parcels in the Penn American District to the January 26, 2015, Regular Council meeting.

**8.2 City Code Amendments to Chapter 19 and 21 - Mixed Use Districts and Nonconformity Standards**

Requested Action: Continue the public hearing on an ordinance to amend Chapters 19 and 21 of the City Code: 1) to modify use, development, and design standards in mixed use districts; 2) modify motor vehicle sales standards; and 3) modify nonconformity definitions to January 26, 2015.

Motion was made by Baloga, seconded by Oleson, and all voting aye, to continue to the January 26, 2015, Regular Council meeting, the public hearing on an ordinance to amend Chapters 19 and 21 of the City Code as described above.

**8.2.1 Resolution Directing Summary Publication - Mixed Use and Nonconformity**

Requested Action: Continue the resolution directing summary publication of an ordinance amending Chapters 19 and 21 of the City Code regarding Mixed Use Districts and Nonconformity Standards to January 26, 2015.

Motion was made by Baloga, seconded by Oleson, and all voting aye to continue to the January 26, 2015, Regular Council meeting, a resolution directing summary publication of an ordinance amending Chapters 19 and 21 of the City Code.

**8.3 Change the Water Rate Structure**

Requested Action: Adopt an ordinance changing the water rate structure.

Chief Financial Officer Lori Economy-Scholler said this is to fix an item that got missed at the December 1, 2014, Regular Council meeting that required further clarification. It gets the 10,000 gallons down to the 9,000 gallons and sets the appropriate rates.

Motion was made by Carlson, seconded by Oleson, to adopt an ordinance changing the water rate structure as described in the agenda item. Motion passed 6-0 (Lowman temporarily absent). (O-2015-1)

**8.4 Vacation of Drainage, Utility, Sidewalk, and Bikeway Easements Located at 7901 Computer Avenue South**

Requested Action: Adopt an ordinance vacating drainage, utility, sidewalk, and bikeway easements located at 7901 Computer Avenue South for Computer Avenue, LLC.

Motion was made by Abrams, seconded by Baloga, to adopt an ordinance vacating drainage, utility, sidewalk, and bikeway easements located at 7901 Computer Avenue South as described in the agenda item.

Motion passed 6-0 (Lowman temporarily absent). (O-2015-2)

9 OTHER: PUBLIC  
HEARINGS

10 ORGANIZATIONAL  
BUSINESS

10.1 City Council Policy &  
Issue Update

Lee referenced the calendar of upcoming events for the next two months he provided the Council. He said there are two objectives for the month: Complete the policy issues in the month of January and facilitate Jamie Verbrugge's transition into being Bloomington's new city manager. He said he's working with Verbrugge on scheduling the requested briefings, which might take a few months to complete.

Winstead asked the Council to be available to the new city manager as he reaches out to the Council during this transition period.

Lee reported the Council had a discussion on medicinal marijuana at a study meeting and said now is the time for the Council to direct staff regarding the preparation of an ordinance for a moratorium.

Motion was made by Abrams, seconded by Oleson, to direct staff to bring back a formal moratorium ordinance on medical cannabis dispensaries for the purpose of studying the medical marijuana distribution sites for which one needs to be designated in Bloomington's Congressional District. No vote was taken at this time.

Lee stated a draft ordinance will be advertised for the January 26 meeting.

Johnson explained if an application for a distribution center was to be submitted between now and the January 26 meeting, it would not be approved prior to that meeting. It could not slip in under the wire.

The Mayor called for a vote on the motion. It passed unanimously.

In looking forward to this new year, Winstead described his initiatives and desires. He said the development of a new community center is under development and review and is moving forward. Council will be addressing that issue this year. He stated redevelopment of some of the city's commercial areas is still a concern and will also be addressed. He reported the Old Cedar Avenue Bridge was set forth as an objective and now it's into the cost phase. He mentioned Lowman put forth a request for the City to improve Bloomington's residential stock last year and reported the Council has worked with the Housing & Redevelopment Authority (HRA) to move in that direction. He expressed a desire to see the City continue to work on that at a more feverish pace. He said these are items that need to continue to be developed. He said some interesting discussions will take place regarding organized garbage collection as that process moves forward this year.

Carlson addressed the fire pension issue and said the City needs to provide a sustainable funding source for it in the 2016 budget and suggested a more in-depth conversation needs to take place.

Lowman suggested the City needs to set up a process to fund the maintenance of its sidewalks and trails. Winstead said Public Works is working on a program for sidewalk and trail construction/maintenance similar to the Pavement Management Program it has for streets. He concurred with Lowman that staff needs to work that into the budget process in order for the City to maintain the long-term viability of its trail system. Carlson stated he gets compliments on the City's plowing of its sidewalks and said a holistic plan for sidewalks and trails is needed.

Baloga indicated his desire for staff to continue the discussion of surveying the business community in 2015 just as the residents have been surveyed. Lee stated there is money in the budget for that.

Community Services Director Diann Kirby said there is a National Business Survey similar to the National Citizen Survey, of which Council will receive a template. She said it's a new product and will be sent out in the spring. She said the survey questions will be presented to the Council before the survey is actually mailed out to the business community. She added the Bloomington Chamber of Commerce is very interested in it as well.

Baloga said he's curious to see how Bloomington compares with other comparable cities.

Carlson said the City needs to find out what the interests and needs are of Bloomington's business community.

Oleson commented he likes the idea of working more collaboratively with the business community and said the citizen and business survey results should be melded together.

Busse said it will be helpful when the City has two years' worth of business community results.

Lee suggested maybe one of the survey scientists could talk to Council about what the survey results mean.

Abrams asked if the City would consider inviting the demographers to attend a joint meeting with the School Board after the results from the citizen and business surveys are received.

Baloga asked how the City is going to accomplish the goals for redevelopment in some areas of the city. Lee replied the HRA is working towards doing more than just talking about redevelopment but it's been difficult to get on a Council study agenda. He said it's like working on a simultaneous plan. He said while the HRA will be conducting some strategic planning this year, input from the Council and the HRA Board would be beneficial. Lowman asked if there has ever been a joint Council/HRA meeting. Lee described the purpose of a previous joint meeting between the two bodies and said the HRA has a long experience of strategic planning.

Winstead said a joint meeting might be beneficial to both parties.

**10.2 Designation of Official Depositories for 2015**

Requested Action: Designate the four banks listed as City depositories for 2015.

Motion was made by Carlson, seconded by Baloga, to designate the four banks listed in the agenda item as City depositories for 2015. Motion passed 6-0 (Abrams temporarily absent).

- 10.3 External Auditors Appointment** Requested Action: Appoint HLB Tautges Redpath (Redpath and Company) as the City's External Auditor for the fiscal year ending 2014.
- Economy-Scholler stated staff has elected to stay with Tautges Redpath for fiscal year ending 2014 and will solicit for new bids at the end of 2016.
- Motion was made by Baloga, seconded by Abrams, to appoint HLB Tautges Redpath. No vote was taken at this time.
- Oleson commented on the \$5,000 increase for this contract since 2010 and asked if City staff negotiates the cost increases with them. Economy-Scholler said this is the first time they've exceeded the \$100,000 mark. She said their prices are reasonable so it makes sense for them to audit 2014 and 2015.
- The Mayor called for a vote on the motion. It passed unanimously.
- 10.4 Bloomington Fire Department Relief Association Appointment** Requested Action: Appoint Bloomington Fire Chief Ulie Seal, Chief Financial Officer Lori Economy-Scholler, and a City Council member as an ex-officio member on the 2015 Bloomington Fire Department Relief Association (BFDRA) Board of Trustees.
- Motion was made by Abrams, seconded by Oleson, and all voting aye, to reappoint Ulie Seal, Lori Economy-Scholler and Lowman to the 2015 BFDRA Board of Trustees.
- 10.5 Bond Counsel Appointment** Requested Action: Approve Kennedy and Graven, Chartered as the City's 2015 bond counsel.
- Motion was made by Baloga, seconded by Abrams, and all voting aye, to appoint Kennedy and Graven, Chartered as the City's bond counsel.
- 10.6 Approve City Municipal Advisor** Requested Action: Approve Springsted, Inc. as the City's Public Municipal Advisor for 2015.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve Springsted, Inc. as the City's municipal advisor for 2015.
- 10.7 Acting Mayor Appointments** Requested Action: Appoint Council members to serve as Acting Mayor in 2015.
- Motion was made by Baloga, seconded by Abrams, and all voting aye, to appoint the following Council members as Acting Mayors in 2015: Carlson (January-April), Oleson (May-August), and Lowman (September-December).
- 10.8 Bloomington Convention & Visitors Bureau Appointments** Requested Action: Consider three one-year appointments to terms on the Bloomington Convention & Visitors Bureau expiring December 31, 2015.
- Motion was made by Abrams, seconded by Carlson, and all voting aye, to appoint Winstead, Baloga and Larry Lee.

- 10.9 Council Secretary Appointment** Requested Action: Appoint Barbara Clawson as Secretary to the City Council for 2015.
- Motion was made by Baloga, seconded by Abrams, and all voting aye, to appoint Clawson as Council Secretary.
- 10.10 Designate Official Newspaper** Requested Action: Designate an official newspaper for publication of public notices in 2015.
- Motion was made by Oleson, seconded by Abrams, and all voting aye, to designate the Sun Current as the City's official newspaper.
- 10.11 Suburban Rate Authority (SRA) Appointments** Requested Action: Adopt a resolution designating its Director and Alternate Director to the Suburban Rate Authority for 2015.
- Motion was made by Abrams, seconded by Baloga, and all voting aye, to adopt a resolution designating Jim Gates as the Director and Bob Cockriel as the Alternate Director to the Suburban Rate Authority.
- 10.12 I-35W Solutions Alliance Appointments** Requested Action: Appoint member(s) to the I-35W Solutions Alliance to terms expiring on December 31, 2015.
- Motion was made by Abrams, seconded by Baloga, and all voting aye, to appoint Oleson, Karl Keel, and Busse as the Alternate to the I-35W Solutions Alliance.
- 10.13 US 169 Corridor Coalition Representatives Appointment** Requested Action: Appoint Council members, and reappoint Jim Gates and Karl Keel as the Alternate to the U.S. Highway 169 Corridor Coalition.
- Motion was made by Baloga, seconded by Lowman, and all voting aye, to appoint Carlson, Baloga (Alternate), Jim Gates, and Karl Keel (Alternate) to the U.S. 169 Corridor Coalition.
- 10.14 Steering Committee for Place Making in South Loop Appointment** Requested Action: Reappoint Abrams, Larry Lee and Jim Urie to the *Terra Nova: Artful Development of Bloomington's South Loop* steering committee.
- Motion was made by Carlson, seconded by Baloga, and all voting aye, to reappoint Abrams, Larry Lee and Jim Urie to the *Terra Nova: Artful Development of Bloomington's South Loop* steering committee.
- 10.15 Metro Alliance for Healthy Families (MAHF) Governing Board Appointment** Requested Action: Appoint a Council member and Public Health Administrator Bonnie Paulsen as the Alternate, to terms expiring December 31, 2015, on the Metro Alliance for Healthy Families (MAHF) Governing Board.
- Motion was made by Lowman, seconded by Baloga, and all voting aye, to reappoint Lowman and Bonnie Paulsen as the Alternate to the MAHF Governing Board.
- 10.16 Statewide Community Health Services Advisory Committee Appointment** Requested Action: Appoint a Council member and Public Health Administrator Bonnie Paulsen as the Alternate to the Statewide Community Health Services Advisory Committee (SCHSAC) to terms expiring December 31, 2015.

Motion was made by Baloga, seconded by Lowman, and all voting aye, to reappoint Abrams and Bonnie Paulsen as the Alternate to the SCHSAC.

**10.17 Housing And  
Redevelopment  
Authority  
Appointments**

Requested Action: Consider an appointment for one full term expiring on December 31, 2019, and one unexpired term expiring on December 31, 2015, on the Housing and Redevelopment Authority (HRA).

Motion was made by Carlson, seconded by Abrams, and all voting aye, to reappoint Mike Fossum to a full term on the HRA expiring December 31, 2019.

Lee asked Council if they wanted to interview candidates to fill the unexpired term as they've done in the past and they replied they would.

Motion was made by Abrams, seconded by Carlson, and all voting aye, to put the following names into nomination for the one unexpired term: Nathan Coulter, Susan Tellers, and Faisal Ahmed.

Per Council's desire to interview these candidates, interviews to be set up.

**10.18 Advisory Board of  
Health Appointment**

Requested Action: Appoint two "provider" positions and three "consumer" positions, expiring December 31, 2016, on the Advisory Board of Health (ABH).

Motion was made by Carlson, seconded by Lowman, and all voting aye, to reappoint David Drummond and Michael Harrisstal to "consumer" positions on the ABH expiring December 31, 2016.

Motion was made by Carlson, seconded by Baloga, and all voting aye, to put the following names into nomination and continue the appointments to the ABH: Joe Lawless (consumer), Joshua Korthouse (consumer or provider), Sharon Mills (consumer), and Jahana Berry (provider).

**10.19 Merit Board  
Appointment**

Requested Action: Consider two appointments, expiring December 31, 2017, to the Merit Board.

Motion was made by Oleson, seconded by Carlson, and all voting aye, to reappoint John Laux and Mark Vacura to positions on the Merit Board expiring December 31, 2017.

**10.20 Parks, Art, and  
Recreation  
Commission  
Appointments**

Requested Action: Consider two appointments to adult positions, expiring December 31, 2017, on the Parks, Arts and Recreation Commission (PARC).

Motion was made by Lowman, seconded by Carlson, and all voting aye, to put the following names into nomination and continue the appointments to the PARC: John Doble, Susan Tellers and Dave Rickert.

It was determined interviews were not necessary for these appointments.

**10.21 Local Board Of  
Appeal And  
Equalization  
Appointments**

Requested Action: Consider two appointments, expiring December 31, 2016, to the Local Board of Appeal and Equalization.

Motion was made by Abrams, seconded by Carlson, and all voting aye, to reappoint Eric Bjorklund and Tom Meyers to terms expiring December 31, 2016, on the Local Board of Appeal and Equalization.

**10.22 I-494 Corridor Commission Appointment**

Requested Action: Appoint a Council member and a staff representative to fill terms expiring December 31, 2015, on the I-494 Corridor Commission and approve an increase in the annual membership dues.

Motion was made by Abrams, seconded by Carlson, and all voting aye, to reappoint Oleson, Glen Markegard, and Busse (Alternate) to terms expiring December 31, 2015, on the I-494 Corridor Commission.

Lee stated the second vote by Council is to approve the increase in annual membership dues for this commission. He said the Joint Powers Agreement requires a vote by all of the participating cities.

Oleson said he's learned a lot by being on this commission.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to approve an increase in the annual membership dues for the I-494 Corridor Commission to \$0.30 per resident.

**10.23 Human Rights Commission Appointments**

Requested Action: Consider six appointments to terms expiring December 31, 2016, on the Human Rights Commission (HRC).

Motion was made by Abrams, seconded by Lowman, and all voting aye, to reappoint John Doble and Sheila Fishman to terms expiring December 31, 2016, on the HRC.

Motion was made by Abrams, seconded by Lowman, and all voting aye, to put the following names into nomination and continue the appointments to the HRC: Shelley Burns, Cindy Chien, Nathan Coulter, Jessica Kietzman, Joe Lawless, Jared Leese, Johnathon McCellan, and Karl Sommer.

Per Council's desire to interview these candidates, interviews to be set up.

**11 ADJOURN**

Mayor Winstead adjourned the meeting at 11:03 pm

Barbara Clawson  
*Council Secretary*