

**Regular Meeting**  
**Monday, September 14, 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.
- 2      **INTRODUCTORY**
- 2.1      **FLAG PRESENTATION**      Mayor Winstead led the audience in the pledge of allegiance to the flag.
- 2.2      **National Preparedness  
Month Proclamation**      Requested Action: Mayor read and present a proclamation declaring  
September as National Preparedness Month.
- It was read and presented to members of the Community Emergency  
Response Team (CERT) and Medical Reserve Corps (MRC).
- 2.3      **Constitution Week  
Proclamation**      Requested Action: Mayor read and present a proclamation declaring  
September 17-23, 2015, as Constitution Week.
- It was read and presented to Children of the American Revolution members  
John, Leah and Katie Bredehorst and Mary and Tommy McNamara.
- 3      **CONSENT BUSINESS**
- 3.1      **Request Time  
Extension Tent Permit;  
5222 West 78th Street**      Requested Action: Adopt a resolution of denial for a time extension for a  
tent permit located at 5222 West 78<sup>th</sup> Street, Case 4646A-15, for Erin Taylor  
Fine Art.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to  
adopt a resolution denying the time extension for a tent permit as described  
above and in the agenda item. (R-2015-89)
- 3.2      **Approve Additional  
Election Judges for  
General Election**      Requested Action: Approve the individuals listed in the agenda item as  
eligible to serve as election judges for the 2015 General Election.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to  
approve the additional election judges for the November 3, 2015, General  
Election as listed in the agenda item.

- 3.3 Preliminary and Final Plat of STRAND ESTATES 7TH ADDITION; 6117 W 105th St. and 10494 Colorado Rd.** Requested Action: Approve the Preliminary Plat and adopt a resolution granting Final Plat approval of STRAND ESTATES 7TH ADDITION located at 6117 West 105th Street and 10494 Colorado Road, Case10963AB-15, for Shellie Athmen, owner, subject to completion of the above conditions, receipt of title, necessary documents and deposits, and a review of all documents by the City Attorney.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the Preliminary Plat and adopt a resolution granting Final Plat approval of STRAND ESTATES 7<sup>TH</sup> ADDITION as described above. (R-2015-90)
- 3.4 Resolution Opposing Vehicular Crossing MN River Dan Patch Corridor** Requested Action: Adopt a resolution opposing a vehicular crossing of the Minnesota River in the Dan Patch Corridor.
- This item was held by Carlson. He said a crossing of the Minnesota River in the vicinity of Normandale Boulevard is not conducive to the traffic volumes on that roadway. He supports stating the City's opposition in the proposed resolution.
- Motion was made by Carlson, seconded by Abrams, and all voting aye, to adopt a resolution in opposition of a vehicular transportation connection across the Minnesota River at the Dan Patch River crossing location. (R-2015-91)
- 3.5 Approve Lease with Verizon Wireless Sunrise Park, 9401 Bloomington Ferry Road** Requested Action: Approve a lease with Verizon Wireless to collocate wireless antennas on a public safety siren pole at Sunrise Park, 9401 Bloomington Ferry Road and authorize the Mayor and City Manager to execute same.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the lease with Verizon Wireless at Sunrise Park, 9401 Bloomington Ferry Road as described in the agenda item.
- 3.6 Accept Donations** Requested Action: Accept donations as listed.
- Motion was made by Oleson, seconded by Carlson, and all voting aye, to accept the donations made by various donors to various City activities and amend the revenue and expenditure budgets, as noted in the agenda item, to facilitate the appropriate use of the funds.
- 3.7 2015 Traffic Budget Transfer** Requested Action: Approve a budget transfer of \$17,500.00 within Fund 1001 (from 165203-56100 to 165203-50050) to cover salary expenses for additional hours for part-time seasonal staff to aid in the construction engineering work, as well as for time to process collected traffic data for next year. .
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the budget transfer as described above.
- 3.8 Meeting Minutes City Council-Approval** Requested Action: Approve the May 11, 2015, City Council Study Meeting minutes as presented.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the May 11, 2015, Study Meeting minutes as presented.

**4 PUBLIC COMMENT PERIOD****4.1 Response to Prior Meeting's Public Comments**

City Manager Jamie Verbrugge stated Sally Ness addressed the Council on August 24, 2015, with comments similar to ones she's previously presented regarding 8201 Park Avenue. He stated he sent Ness and the Council an e-mail responding to some of her previous concerns.

He said Vi Rozek also spoke at that meeting expressing her concerns regarding early morning truck operations in her neighborhood. He reported staff is looking into that as well as the intercom used by Dar Al Farooq at 8201 Park Avenue South.

Jane Udlinek was the last speaker at that meeting and commented on the coyote situation, which the Police Department will respond to.

**4.2 Public Comment**

Mayor Winstead opened the public comment period for anyone wishing to address the Council on any items not on tonight's agenda.

Speaker #1: Sally Ness, 8127 Oakland Avenue South  
She again commented on the Joint Use Agreement (JUA) between the City and the Dar Al Farooq (DAR) Youth & Family Center (AFYFC) at 8201 Park Avenue South and her disagreement with the City's claim that the new JUA between the City and DAF is better than the previous agreement. She read a quote that concerned her from the Facebook page of an educator at the AFYFC who is also a speaker for the City Human Rights Commission. She said the educator should have checked his facts before posting a statement on Facebook. She claims the staff memo presented to Council prior to adoption of the new JUA is not accurate and is misleading. The inaccurate statements have to do with the following four issues: Access easement over 8201 Park Avenue parking lot, City control of irrigation, athletic field shut-off, and remedies for non-compliance. The misleading statements have to do with City parking spaces and the nighttime use of the Smith Park parking lot and that it was silent in the previous agreements. With regard to the graffiti, Ness said she has no idea who defaced the Park property and the neighboring businesses. She said she doesn't attribute responsibility for the graffiti to DAF or any DAF patron but does hold the City and City Council responsible for allowing the Smith Park parking lot to be used throughout the night against City Code.

Winstead requested staff respond to any new items Ness presented.

Speaker #2: Mark Whiteman, 3000 West 86<sup>th</sup> Street  
He reported on the issues he encountered while renting a room at 8661 Queen Avenue South, which housed eight people, including the landlord, and one animal when only three renters are allowed. He said there is a history of issues with this landlord. He said there is a revolving door of renters at this address and the landlord tries to rent to tenants without cars or asks the tenants to park somewhere else. He asked the City to take more action against this landlord before something serious happens there.

Winstead requested the City Attorney follow up with Mr. Whiteman.

Speaker #3: Michael Boland, 1910 East 86<sup>th</sup> Street  
His comments were regarding excess noise in the city; particularly motorcycle noise. He said the City had good results years ago when it posted signs prohibiting Jake Braking to reduce noise on Hwy. 169 and requested the City Council to develop some strategies to deal with this issue. He said the focus should be more on education and less on monetary punishment and suggested a "fix it" or "ticket" campaign.

Winstead said staff will respond to his concerns at the next regular Council meeting.

**5 LICENSING DIVISION:  
PUBLIC HEARINGS**

**5.1 New On-Sale  
Intoxicating Liquor  
License Application -  
TGI Fridays Killebrew**

Requested Action: Approve the on-sale intoxicating liquor license for Central Florida Restaurants, Inc., doing business as, TGI Fridays.

Motion was made by Baloga, seconded by Oleson, and all voting aye, to approve the new on-sale intoxicating liquor license for TGI Fridays on Killebrew Drive.

**5.2 New On-Sale  
Intoxicating Liquor  
License Application -  
TGI Fridays  
Normandale**

Requested Action: Approve the on-sale intoxicating liquor license for Central Florida Restaurants, Inc., doing business as, TGI Fridays.

Motion was made by Baloga, seconded by Oleson, and all voting aye, to approve the new on-sale intoxicating liquor license for TGI Fridays on Normandale Boulevard.

**6 DEVELOPMENT  
BUSINESS: PUBLIC  
HEARINGS**

None.

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

None.

**8 ORDINANCES: PUBLIC  
HEARINGS**

None.

**9 OTHER: PUBLIC  
HEARINGS**

None.

**10 ORGANIZATIONAL  
BUSINESS**

**10.1 City Council Policy &  
Issue Update**

Verbrugge reminded the public about Business Day at Civic Plaza on Friday, September 18 from 8:00 – 10:30 am. He said people can still register through the Bloomington Chamber of Commerce. It will provide an opportunity for the City to build relations with the business community.

No Council issues were reported.

**10.2 Hyland Greens Task  
Force Appointments**

Requested Action: Appoint Representatives and Alternates to the Hyland Greens Task Force for the following positions: City Council, Parks, Arts & Recreation Commission, Planning Commission, General Community, Neighborhood (2), General Hyland Greens User, Business Community, and BAA Golf.

Winstead stated due to the large number candidates, the City Manager polled the Council to list their top three candidates in each category ahead of tonight's meeting in an effort to streamline the appointment process.

Verbrugge listed the top vote getters in each of the categories.

Motion was made by Abrams, seconded by Carlson, to appoint Rod Axtell as the BAA Golf Representative and Virg Senescall as the Alternate. No vote was taken at this time. After some discussion regarding whether Axtell, the overall highest vote getter, should be appointed in another category, Abrams withdrew her motion.

Motion was made by Abrams, seconded by Carlson, and all voting aye, to appoint Virg Senescall as the BAA Golf Representative. It was determined staff will check with BAA to see if they'd like to appoint an Alternate.

Motion was made by Baloga, seconded by Carlson, and all voting aye, to nominate Rod Axtell as the Business Community Representative and Annie Schmidt as the Alternate.

There was discussion regarding the number of women applicants.

Motion was made by Baloga, seconded by Carlson, and all voting aye, to appoint Axtell as the Business Community Representative and cycle back on appointing the Alternate.

Motion was made by Abrams, seconded by Baloga, and all voting aye, to appoint Laura Perreault and Douglas Bruce as the Neighborhood Representatives.

Motion was made by Baloga, seconded by Abrams, and all voting aye, to nominate Greg Hanson, Annie Schmidt and Cary Weatherby for the General Community Representative.

Voting Round:

Hanson ( Baloga), Schmidt (Carlson and Abrams), and Weatherby (Lowman, Oleson, Busse and Winstead)

Motion was made by Busse, seconded by Abrams, and all voting aye, to appoint Cary Weatherby as the General Community Representative.

Motion was made by Busse, seconded by Abrams, and all voting aye, to nominate Eric Gabrielson and Mike Kolthoff for the General Hyland Greens User.

Voting Round:

Gabrielson (Lowman, Carlson, and Baloga) and Kolthoff (Oleson, Abrams, Busse, and Winstead)

Motion was made by Busse, seconded by Abrams, and all voting aye, to appoint Mike Kolthoff as the General Hyland Greens User and Eric Gabrielson as the Alternate.

Motion was made by Oleson, seconded by Baloga, and all voting aye, to appoint Larry Welte as the Neighborhood Alternate.

At this point, Abrams requested the women applicants be reconsidered.

Motion was made by Baloga, seconded by Busse, and all voting aye, to appoint Greg Hanson as the General Community Alternate.

Motion was made by Oleson, seconded by Lowman, and all voting aye, to appoint Annie Schmidt as the Business Community Alternate.

Motion was made by Baloga, seconded by Lowman, and all voting aye, to appoint Andrew Carlson as the City Council Representative.

Winstead thanked everyone who showed an interest in serving on the Hyland Greens Task Force.

Motion was made by Lowman, seconded by Busse, and all voting aye, to appoint Jack Baloga as the City Council Alternate.

**10.3 Resolution Adopting Preliminary 2016 Levy**

Requested Action: Adopt a resolution establishing the Preliminary 2016 Tax Levy.

This presentation began with City Assessor Matt Gersemehl talking about property valuation and assessments followed by Chief Financial Officer Lori Economy-Scholler who presented details on the proposed 2016 Preliminary Tax Levy and General Fund Budget.

Gersemehl's presentation highlighted the following slides: Minnesota State Law Property Tax Timeline, Historical View of the Total City Market Value and Tax Capacity by Tax Year, 2015 Assessment for Pay 2016, Historical View of Total Gross City Tax Capacity Comparison by Property Segments, Commercial Industrial Share of Total Tax Base – Pay 2016, 2015 Assessment Results (Market Value for Taxes Payable in 2016), Property Segments Market Value Changes , 2015 – Large Commercial Value Changes, Factors Impacting Property Taxes, City Property Tax Rate, City Tax Base, Dividing Up the Dollar 2015 (Residential – including school referendum), Dividing Up the 2015 Commercial Dollar, and the Minnesota Homestead Credit Refund and Renter's Property Tax Refund.

Highlights from his presentation included there was a decent increase in property appreciation in 2015 for payable 2016 as follows: 6.5% (single-family residential), 17.3% (commercial) for an overall 9.9% increase in total estimated market value in Bloomington. It was stated with regard to the City's total market value and tax capacity, the City is just about back to the peaks that occurred in 2008 and 2009. Bloomington is a 50/50 community with half of its tax base in residential and half of it in commercial/industrial. The City's commercial/industrial share of the total tax base for pay 2016 is 54.2%. Regarding the Homestead Credit Refund, he announced for the 2015 taxes that are due this year, homeowners have until August, 2016 to file a property tax refund. He encouraged those interested in doing that to contact his office for assistance.

Economy-Scholler presented the proposed 2016 Preliminary Tax Levy and Proposed General Fund Budget. Her presentation included the following slides: City's Vision, Mission, and Strategic Goals, Review of the 2015 Citizen Survey, Overview of the Property Tax Impact, Review of the Tiered Services, and the 2016 Preliminary Property Tax Levy and 2016 General Fund Budget. She said based on Council's ranking of tiered services in 2014, a 6.85% increase in the tax levy is proposed for 2016: (\$47.56/month for the Tier 1 services, \$20.21/month for Tier II services, and \$7.79/month for Tier III services for a total monthly cost of \$75.56. She proceeded to compare the monthly cost of City services vs. the estimated cost of other common services (natural gas, electricity, high-speed Internet, cable TV, Smart Phone family plan, and home insurance). She also compared the total monthly cost for City-provided services including sewer and water between Bloomington and several other communities. Bloomington had the lowest monthly cost for property taxes, water, sewer and water softening compared to the other cities listed. She said the General Fund makes up 85% of the City's tax levy.

Winstead said this dovetails into what Gersemehl said that nearly half of the City's tax base is in commercial/ industrial, which affords the City the opportunity to remain at the bottom of the comparables graph with regard to residential property taxes.

Economy-Scholler said the truth in taxation public hearing on the Tax Levy and General Fund will be held on December 7 with the Final Budget adoption occurring at the December 21 City Council meeting. Staff's recommendation for the 2016 Preliminary Tax Levy is \$53,394,842 (a 6.85% increase over 2015) and a General Fund Budget of \$68,087,385. She reminded the Council that the Final Levy and Budget cannot exceed the Preliminary amount adopted by the Council at this meeting.

Winstead asked what staff's intent is between now and December.

Verbrugge said staff will continue drilling into the operating budget and believes Council will see a lower levy amount in December.

Council had no questions on the presentation.

Motion was made by Abrams, seconded by Oleson, and all voting aye, to adopt a resolution preliminarily establishing tax levies in the amount of \$53,394,842 for the City of Bloomington for the Year 2016. (R-2015-92)

**10.4 Resolution Adopting Preliminary 2016 General Fund Budget**

Requested Action: Adopt the Resolution establishing a preliminary 2016 General Fund Budget.

Motion was made by Abrams, seconded by Baloga, and all voting aye, to adopt a resolution adopting a Preliminary 2016 General Fund Budget of \$68,087,385. (R-2015-93)

**10.5 Heritage Days – Donation Request**

Requested Action: Consider Heritage Days donation request.

Winstead said the City Council has approved a \$20,000 contribution amount in the past. This year's Heritage Days event will actually be held for two days; Friday and Saturday, September 18 & 19. He commented it's a sponsorship event that utilizes resources and dollars but the vast majority of the success of Heritage Days is the sweat equity contributed by so many.

Motion was made by Baloga, seconded by Busse, and all voting aye, to approve a donation request of \$20,000 to help facilitate the annual Heritage Days event on September 18 & 19, 2015. The donation will be charged to Account 110102-56990.

**11 ADJOURN**

Mayor Winstead adjourned the meeting at 8:28 p.m.

Barbara Clawson  
Council Secretary